

Section 2.0 DEFINITIONS

2.1 General Terms

The following words and phrases shall be construed throughout these regulations to have the meaning indicated in this section.

2.1.1 Words used in the present tense include the future.

2.1.2 Words uses in the singular include the plural; the plural includes the singular.

2.1.3 The word "City" means the City of Torrington, Connecticut.

2.1.4 The word "regulation" means the City of Torrington Zoning Regulations.

2.1.5 The word "shall" is mandatory; the word "may" is permissive.

2.1.6 The word "Board" means the City of Torrington Zoning Board of Appeals.

2.1.7 The word "Commission" means the City of Torrington Planning and Zoning Commission.

2.1.8 The term "City Planner" means the City of Torrington City Planner or his or her designee.

2.2 Specific Terms

Accessory Apartment - a separate dwelling unit that (A) is located on the same lot as a principal dwelling unit of greater square footage, (B) has cooking facilities, and (C) complies with or is otherwise exempt from any applicable building code, fire code and health and safety regulations. (Rev 11/2/21)

Accessory Building - any building detached from the principal building and customarily incidental, subordinate and related to the principal building or use. The accessory building is on the same lot as the principal building or use.

Accessory Structure - any structure detached from the principal building and customarily incidental, subordinate and related to the principal building or use. The accessory structure is on the same lot as the principal building or use.

Accessory Use - any use of land, building or structure which is incidental, subordinate and related to the principal building or use. The accessory use is on the same lot as the principal building or use.

Accessway - A strip of land fronting on a City accepted street that serves as the means of obtaining access to the useable portion of a flag lot. The accessway is part of the lot which it serves.

Active Adult Housing - A residential community intended to provide housing for residents aged 55 and over, without the provision of regular in-home medical services. (Added 2/2/05)

Adult Day Care Center - A facility designed to meet the needs of functionally impaired adults through a structured, comprehensive program that provides a variety of health, social and related support services, including appropriate therapy, rehabilitation and supervision services, in a protective setting during any part of a day. (Rev. 12/19/98)

Affordable Housing - dwelling units for which households pay thirty percent (30%) or less of their annual income in either rent or mortgage payments and real estate taxes where such income based on family size is less than or equal to 80% of the area median income for the City as determined by the United States Department of Housing and Urban Development.

Aisle - an accessway through a parking area which has direct access to one or more parking spaces.

Alcoholic Liquor - any liquid or solid defined as "alcoholic liquor" in the Connecticut General Statutes. It includes alcohol, beer, spirits, and wine.

Artist - A person who works in or is skilled in the techniques of any of the fine arts, including but not limited to; painting, drawing, photography, pottery or sculpture. (Added 1-23-15)

Automobile Establishment - any lot used, in whole or part, by a motor vehicle dealer or motor vehicle repairer. Any lot used, in whole or part, for an automobile service station.

Automobile Service Station - any lot on which gasoline is sold.

Beacon - any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; any light with one or more beams that rotate or move.

Bed and Breakfast - an owner occupied residential structure that rents rooms on a daily basis. (Rev. 12/19/98)

Best Management Practice - techniques that are effective practical ways for preventing or reducing pollution. (Rev. 2/1/06)

Boarding House - a building in which individual rooms or individual rooms and meals are provided for compensation. The individual rooms are less than 200 square feet in

area and do not contain facilities for food preparation. The rooms are rented for a minimum period of one week.

Building - any structure having a roof and intended to be used for the sheltering of people, animals, property, or materials of any kind. Buildings include houses, garages, sheds, greenhouses, stables, factories, and barns. Temporary structures such as tents are not buildings.

Building Coverage Ratio - the gross ground floor area of all buildings on a parcel divided by the area of the parcel.

Caliper - the diameter of a tree trunk measured in accordance with the American Association of Nurserymen Standards.

Check Cashing Facility - A person or business that for compensation engages in whole or part, in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. "Check cashing facility" does not include a state or federally chartered bank, savings association, credit union or industrial loan company. (Added 5/30/10)

Child Day Care Center - a facility which provides a program of supplementary care to thirteen or more children outside the children's homes on a regular basis for a part of the twenty-four hour hours in one or more days in the week.

Congregate Care Facility - a form of residence in which the residents are assisted by congregate meals, housekeeping, medical assistance, or personal care assistance. Any medical assistance provided is at a level less than that provided by a nursing home or hospital. The facility does not contain individual dwelling units.

Construction Area - any area to be graded, cleared or otherwise disturbed or in which trees are to be cut.

DBH - See 'Diameter Breast Height'.

Density Bonus - the number of units permitted by a special exception for affordable housing above the density limit.

Density Limit - the maximum number of dwelling units that could be built on a lot or the maximum number of lots that could be subdivided from a single lot in accordance with all applicable zoning regulations and inland wetland regulations. No variances, zone changes, or special exceptions affecting density would be required.

Development - any construction or grading activities to improved or unimproved lots.

Diameter Breast Height - the diameter of a tree measured 4.5 feet from the ground.

Disturbed Area - an area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion.

Drip Line - the farthest distance where the tree branches reach out from the tree trunk.

Driveway - an accessway which has no parking along it and either connects a street with a parking area or connects two distinct parking areas.

Dwelling Unit - One or more rooms, designed, occupied or intended for occupancy as separate living quarters with facilities for food preparation, sleeping, and sanitary facilities. The rooms and facilities are provided for the exclusive use of a single household.

Elderly Retirement Housing and Assisted Living Facility - A facility consisting of independent living dwelling units and assisted living dwelling units. Each dwelling unit occupied by not more than two residents per dwelling unit, at least one of whom is 55 years of age or older, said facilities shall have available on-site passive and active recreational facilities, supervised and unsupervised activities, housekeeping assistance, and fulltime health and personal care personnel to provide assisted living and personal care services including but not limited to, bathing, grooming, dressing, monitoring of medications, and other personal care assistance which may be needed. (Eff. 10/18/08)

Eligible Household – a household whose annual income is at or below 80 percent of the area median income for Torrington, as determined and reported by the United States Department of Housing & Urban Development (HUD).

Erosion - the detachment and movement of soil or rock fragments by water, wind, ice or gravity.

Excavation - the removal or recovery by any means whatsoever of rock, minerals, topsoil, gravel, sand, or other earthen product from a lot.

Family Care Facility - a residential facility which provides services to less than seven unrelated individuals who are handicapped, aged, disabled, or in need of adult supervision. A residential facility licensed by the state for six or fewer mentally retarded persons and necessary staff persons which is not located within 1000 feet of another such residence, shall not be treated in a manner differently than a single family, detached use. A residential facility for mentally ill adults shall be a permitted use in any zone which allows two family uses. (Rev. 6/24/00)

Family Day Care Home - a residence which provides care to less than seven children, including the day care provider's own children, on a regular basis for a part of the twenty-four hours in one or more days in the week. The residence is occupied by the day care provider.

Farm - a lot with a minimum area of 3 acres that is used for the raising of plants or farm animals.

Farm Animal - any animal that is customarily kept in a barn, stable, coop, or pen. Farm animals include, but are not limited to, horses, cattle, sheep, geese, chickens, ducks, pigs, and llamas.

Farm Brewery – A small scale production facility for the growing, processing, production and packaging of beer, ale, porter, stout and similar malt-based or grain based beverages on a working farm in Torrington. (added 9-22-16)

Farm Stand - a structure used to sell on a retail basis the products of a farm. At least 75 per cent of the products sold at the farm stand must be produced on the farm on which the farm stand is located.

Flag - a sign made of fabric or similar material containing distinctive colors, patterns or symbols used as a symbol of a government, political subdivision or other entity.

Flag Lot - a lot which has less than the minimum required lot width on a City accepted street and which is accessed by an accessway.

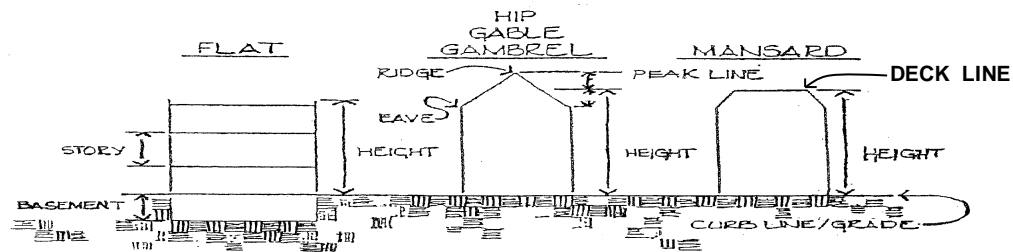
Grading - any excavating, grubbing, filling (including hydraulic fill) or stockpiling of earth material or any combination thereof, including the land in its excavated or filled condition.

Group Care Facility - a residential facility which provides services to seven or more unrelated individuals who are handicapped, aged, disabled, in need of supervision, or undergoing rehabilitation. This includes, but is not limited to, facilities licensed by the Federal or State government such as group homes, halfway houses, and orphanages. It does not include a residential facility for mentally ill adults in any zone that allows two family uses. (Rev. 6/24/00)

Group Day Care Home - a residence or facility which provides a program of supplementary care to not less than seven nor more than twelve children on a regular basis for a part of the twenty-four hours in one or more days of the week.

Height - The vertical distance of a structure measured from the average finished grade ten feet out from the walls of a building to the highest part of the roof for flat roofs; to the deck line of mansard roofs and; to not more than five feet above the average height between the eaves and the ridge for gable, hip and gambrel roofs. The provisions with respect to height shall not apply to roof top mechanical utility structures. (Rev. 8/2/99)

SEE DIAGRAM NEXT PAGE



HEIGHT DIAGRAM

Home Occupation - any activity carried out for monetary gain by a resident as an accessory use in the resident's dwelling unit.

Home Site - a portion of either a mobile home park or recreational vehicle park that is used for a single mobile home or recreational vehicle.

Hospital - an institution, licensed by the State of Connecticut, providing lodging and primary health and medical or surgical care to persons, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions. A hospital provides its services primarily to inpatients. A hospital includes related facilities such as laboratories, outpatient facilities or training facilities.

Hotel/Motel - a facility offering transient lodging accommodations on a daily rate to the general public and providing additional services such as meeting rooms and recreational facilities.

Impervious Surface - areas which are generally not penetrable by moisture. This includes the building area, sidewalks, parking areas, driveways and aisles, loading areas, outside storage areas, dumpster pads, and utility fixtures. Impervious surface includes areas that are paved, unpaved, or graveled. Impervious surface does not include areas used for storm water management.

Impervious Surface Ratio - the area of a lot that is covered by an impervious surface divided by the total area of the lot.

Incentive Housing Development – a residential or mixed use development that is located within the Torrington Incentive Housing Overlay Zone and that complies with the statutory requirements set forth in the Connecticut State Statutes Sections 8-13m to 8-13x, as amended and **Section 4.15** of the Torrington Zoning Regulations.

Incentive Housing Restriction – A deed restriction, covenant or site plan approval condition constituting a binding obligation with respect to the restrictions on household income, sale or resale price, rent and housing costs required by Connecticut General

Statutes Sections 8-13m to 8-13x, as amended and **Section 4.15** of the Torrington Zoning Regulations.

Incentive Housing Unit – a dwelling unit within an Incentive Housing Development that is subject to an Incentive Housing Restriction.

Infiltration - the process of percolating precipitation into the subsoil. (Rev. 2/1/06)

Interior Road - a road lying entirely within a mobile home park or recreational vehicle park.

Junk - any scrap, waste, reclaimable material, debris or other materials which are so worn, deteriorated or obsolete as to make them unusable, in their present form, for their original purpose. Junk includes vehicles, tires, vehicle parts, equipment, paper, rags, metal, glass, building materials, and household appliances.

Junk Yard - any parcel, used in whole or part, for the storage, processing, dismantling, disposal, sale or salvage of junk except junk used as a raw material in manufacturing processes on the same parcel.

Kennel - any structure(s), other than a residence, housing a total of five or more dogs, cats or other household pets.

Landscape Gardener - owner or operator of a commercial greenhouse, nursery, or landscaping business.

Lot - a contiguous piece of land described by plat, subdivision, or deed in the land records of the City Clerk's Office. The lot can be used, developed, sold, or rented as a single piece. The term "parcel" is synonymous with lot.

Lot, Corner - a lot either at the intersection of two or more streets or upon two parts of the same street which form an interior angle of less than 135 degrees.

Lot, Interior - a lot other than a corner lot.

Lot Line - a line of record which describes the boundaries of a lot.

Lot Line, Front - the lot line separating the lot from a street.

Lot Line, Rear - the lot line opposite and most distant from the front lot line.

Lot Line, Side - any lot line which is not a front or rear lot line.

Lot, Through - an interior lot bordering two or more streets which do not intersect at the boundaries of the lot.

Lot Width - the horizontal distance between side lot lines measured both at the minimum required front yard setback line and at the front lot line.

Low Impact Development (LID) - a site design strategy intended to maintain or replicate predevelopment hydrology through the use of small-scale controls integrated throughout the site to manage runoff as close to its source as possible (Rev. 2/1/06)

Mixed-Use Development – a development containing a combination of residential and business uses.

Mobile Home - a structure, transportable in one or more sections, which is at least 8 feet in width and 32 feet in length. It is built on a permanent chassis and designed to be used as a permanent dwelling unit, with or without a permanent foundation, when connected to the required utilities.

Mobile Home Park - a parcel with two or more mobile homes.

Motel - see Hotel

Motor Vehicle Dealer - any person, firm or corporation engaged in the sale of motor vehicles.

Motor Vehicle Repairer - any person, firm or corporation engaged, on a profit or non-profit basis, in repairing, overhauling, adjusting, assembling, disassembling, or servicing motor vehicles.

Multi-Family Dwelling Unit - a individual dwelling unit located on a lot that has four or more dwelling units.

Multi-Family Residence - any lot with four or more dwelling units.

Non-Conforming Structure - a structure whose size, dimensions, or location was lawful prior to the adoption or amendment of the zoning regulations but which fails, because of such adoption or amendment, to conform to the present requirements of the zoning regulations.

Non-Conforming Use - a use or activity which was lawful prior to the adoption or amendment of the zoning regulations but which fails, because of such adoption or amendment, to conform to the present requirements of the zoning regulations.

Nonpoint Source Pollution - pollution caused by diffuse sources that are not regulated as point sources and are normally associated with precipitation and runoff from the land (rev. 2/1/06)

Nursing Home - a facility, licensed by the State of Connecticut, to provide lodging, skilled nursing care and medical supervision to persons who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.

Package Store - a building where packaged alcoholic liquors are sold at retail for consumption off premises under a valid package store permit issued by the State of Connecticut.

Parcel - same as "Lot"

Pawnbroker - A business that loans money on the deposit or pledge of wearing apparel, jewelry, ornaments, household goods or other personal property or purchases such property on condition of selling the same back again at a stipulated price or purchases such property from a person who is not a wholesaler. (Added 4/28/07)

Permeable Paving - materials that are alternatives to conventional pavement surfaces and that are designed to increase infiltration and reduce stormwater runoff and pollutant loads (rev. 2/1/06)

Pet, Household - small animals that are customarily kept for personal use or enjoyment within the home and that are not raised for retail sale. Household pets include, but are not limited to, dogs, cats, rabbits, rodents, reptiles, and birds.

Place of Worship - a building or lot primarily used for organized religious services. This includes, but is not limited to, churches, temples, synagogues, and mosques.

Principal Dwelling Unit - a dwelling unit which is in the same building as an accessory apartment.

Protected Tree Area - the area within:

- a. the required front, side and rear yard setback areas and
- b. the required buffer areas.

Rain Gardens/Biofiltration - a practice to manage and treat stormwater runoff by using a specially designed planting soil bed and planting materials to filter runoff stored in a shallow depression (rev. 2/1/06)

Recreational Vehicle - a vehicular type portable structure without permanent foundation which can be towed, hauled or driven. It is designed as temporary living accommodations for recreational, camping or travel use. It includes, but is not limited to, travel trailers, truck campers, camping trailers, and self-propelled motor homes.

Recreational Vehicle Park - a parcel with two or more recreational vehicles that provides temporary - less than 180 days - accommodation for recreational vehicles.

Residential District - an IH, R-6, R-10, R-10s, R-15, R-15s, R-25, R-40, R-60, R-WP or RRC zoning district.

Sediment - solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.

Setback Line - the line that is the minimum required distance from a lot line. Setback lines establish the area within which structures, parking, signs and other uses can be erected, placed or occur.

Shopping Center - fifteen or more retail stores, restaurants or professional offices located on the same lot and having a total building area of 60,000 square feet or more.

Significant Trees - trees which measure at least 12 inches DBH but less than 30 inches DBH.

Single Family Residence - one dwelling unit on a lot.

Social and Fraternal Clubs - a structure used by a group of people formally organized on a not for profit basis for a common interest usually cultural, religious, or entertainment.

Soil - any mineral or organic material of any origin.

Soil Erosion and Sediment Control Plan - a scheme that minimize soil erosion and sedimentation resulting from development and includes, but is not limited to, a map and narrative.

Specimen Trees - trees which measure 30 inches DBH or greater.

Stable, Commercial - a structure in which horses or other farm animals are boarded or kept for hire or sale.

Stable, Private - any structure with a floor area greater than 100 square feet, accessory to a residence, in which horses or other farm animals are kept for the exclusive use of the owners or renters of the entire parcel. The horses or other farm animals are not boarded or kept for hire or sale.

Stacking Space - an area used by vehicles awaiting service at a drive in window, car wash or similar facility where the vehicle's occupants receive service while remaining in the vehicle. (Rev. 12/19/98)

Stormwater Management Plan - plan describing the potential water quality and quantity impacts associated with a development project both during and after construction. It also identifies selected source controls and treatment practices to address those potential impacts, the engineering design of the treatment practices, and maintenance requirements for proper performance of the selected practices (rev. 2/1/06)

Stormwater Runoff - above ground water flow resulting from precipitation or snowmelt. (Rev. 2/1/06)

Stormwater Treatment Practice - devices constructed for primary treatment, pretreatment or supplemental treatment of stormwater. (Rev. 2/1/06)

Street - any vehicular thoroughfare which is:

- a. accepted by the City or State; or
- b. shown on a subdivision plan approved by the Planning and Zoning Commission as a private thoroughfare.

Structure - anything constructed or erected on the ground or which is attached to something located on the ground. Structures include, but are not limited to, buildings, communication towers, sheds, permanent signs, mobile homes, swimming pools with a depth greater than 4 feet, and tents.

Tattoo parlor/body piercing studio - An establishment whose principle business activity, either in terms of operation or as held out to the public, is the practice of one or more of the following: (1) placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or instruments designed to contact or puncture the skin; (2) creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration with the exception of ear lobe piercing and only the insertion of stud type earrings is permissible. (Added 5/30/10)

Tent site - a home site used exclusively for tents.

Three Family Residence - three dwelling units in the same building on one lot.

Townhouse – a residential building consisting of a single-family dwelling unit constructed in a group of three (3) or more attached units, in which each unit extends from foundation to roof and has open space on at least two sides. (State definition)

Two Family Residence - two dwelling units in the same building on one lot. (also known as duplex)

Water Quality Swales - vegetated open channels designed to treat and attenuate the water quality volume and convey excess stormwater runoff (rev. 2/1/06)

Water Quality Volume - the volume of runoff generated by one inch of rainfall on a site. (Rev. 2/1/06)

Yard - the open space that lies between the principal or accessory structure or structures and the nearest lot line.

Yard, Front - a space extending the full width of the lot between any building, or part of a building - e.g. canopy, building overhang, marquee, etc. - and the front lot line. The front yard is measured perpendicular to the building at the closest point to the front lot line. Such front yard is unoccupied and unobstructed from the ground upward except as specifically provided for by these regulations. (Rev. 4/23/05)

Yard, Rear - a space extending across the full width of the lot between any building, or part of a building - e.g. canopy, building overhang, marquee and the rear lot line. The rear yard is measured perpendicular to the building to the closest point of the rear lot line. Such rear yard is unoccupied and unobstructed from the ground upward except as specifically provided for by these regulations. (Rev. 4/23/05)

Yard, Side - a space extending from the front yard to the rear yard between any building, or part of a building - e.g. canopy, building overhang, marquee and the side lot line. The side yard is measured perpendicular to the building to the closest point of the side lot line. Such side yard is unoccupied and unobstructed from the ground upward except as specifically provided for by these regulations. (Rev. 4/23/05)

END OF SECTION 2