



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS
WITH AMENDMENTS THROUGH:
December 1, 2023

I HEREBY CERTIFY THAT THIS IS A COMPLETE AND ACCURATE COPY OF THE ZONING REGULATIONS OF THE CITY OF WATERBURY IN EFFECT AS OF THE DATE NOTED BELOW:

DATE: _____

CERTIFIED BY: _____

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CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

**TABLE OF
CONTENTS**

TABLE OF CONTENTS

ARTICLE 1. GENERAL PROVISIONS.....	1
Section 1.01 Purpose and Authority.....	1
Section 1.02 Severability.....	2
Section 1.03 Other Regulations	2
Section 1.04 Interpretations.....	3
Section 1.05 Prior Zoning Applications	3
Section 1.06 Non-Conforming Lots, Uses, and Structures.....	4
ARTICLE 2. DEFINITIONS	7
Section 2.01 General.....	7
Section 2.02 Terms	8
ARTICLE 3. ZONING DISTRICTS AND MAP	24
Section 3.01 Establishment of Districts.....	24
Section 3.02 Map of Districts	24
ARTICLE 4. PERMITTED USES.....	26
Section 4.01 Principal Uses	26
Section 4.02 Accessory Uses and Structures.....	26
Section 4.03 Signs	28
Section 4.04 Uses Not Listed	28
Section 4.05 Exempt Uses and Properties	28
Section 4.06 Use Standards	28
Section 4.07 Use Approval Authority	30
Section 4.08 Master Use Table (<i>Amend. 9-28-11; 4-25-12, 10-23-13, 1-22-14, 11-28-15, 11-19-15, 5-25-16, 6-30-16</i>).....	32
Section 4.09 Master Development Standards Table.....	53
ARTICLE 5. RESIDENTIAL DISTRICTS.....	57
Section 5.01 Large Lot Single Family Residential District (RS-12).....	57
Section 5.02 Single Family Residential District (RS)	58



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**TABLE OF
CONTENTS**

Section 5.03	Low Density Residential District (RL).....	59
Section 5.04	Medium Density Multi-Family Residential District (RM).....	60
Section 5.05	High Density Multi-Family Residential District (RH)	62
Section 5.06	Residential/Office District (RO).....	63
ARTICLE 6. COMMERCIAL DISTRICTS	.....	66
Section 6.01	Neighborhood Shopping District (CN).....	66
Section 6.02	Commercial Office District (CO)	67
Section 6.03	Arterial Commercial District (CA).....	68
Section 6.04	General Commercial District (CG).....	69
Section 6.05	Central Business District (CBD)	71
ARTICLE 7. INDUSTRIAL DISTRICTS	.....	73
Section 7.01	General Industrial District (IG)	73
Section 7.02	Limited Industrial District (IL).....	74
Section 7.03	Industrial Park District (IP)	75
Section 7.04	Commercial Industrial Overlay District (CA-IL).....	76
ARTICLE 8. UNTITLED	.....	79
ARTICLE 9. GENERAL USE STANDARDS	.....	80
Section 9.01	General Performance Standards	80
Section 9.02	Non-Residential Use Performance Standards.....	83
Section 9.03	Parking and Access.....	86
Section 9.04	Lighting Standards.....	102
Section 9.05	Sign Standards	104
Section 9.06	Stormwater and Erosion Management Standards.....	111
ARTICLE 10. SPECIAL USE STANDARDS	.....	121
Section 10.01	General.....	121
Section 10.02	Two and Three Family and Multifamily Residences	121
Section 10.03	Active Adult Housing	123
Section 10.04	Residential Campus Development.....	126



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

**TABLE OF
CONTENTS**

Section 10.05	Planned Residential Conservation Subdivisions	129
Section 10.06	Group Living	132
Section 10.07	Halfway Residences	132
Section 10.08	Mixed-Use Planned Developments	134
Section 10.09	Alcohol Sales.....	136
Section 10.10	Large Venue Event Facilities	137
Section 10.11	Shopping Centers.....	138
Section 10.12	Adult Establishments.....	140
Section 10.13	Commercial Outdoor Recreation and Recreation Uses	141
Section 10.14	Non-Residential Campus Developments.....	145
Section 10.15	Religious Institutions	149
Section 10.16	Vehicle Service Facilities and Limited Vehicle Service Facilities.....	150
Section 10.17	Commercial Earth Excavation.....	154
Section 10.18	Accessory Earth Excavation	159
Section 10.19	Parking Structures and Lots.....	162
Section 10.20	Wireless Communications Facilities	163
Section 10.21	Home Occupation	165
Section 10.22	Livestock and Poultry	166
Section 10.23	Kennels	167
Section 10.24	Hazardous Industrial Operations	168
Section 10.25	Wind Energy Conversion Systems	170
Section 10.26	Crematories.....	172
Section 10.27	Construction on and Completion of a Paper Street	172
Section 10.28	Construction in a Floodplain	174
Section 10.29	Mixed Use Building <i>(Amend. 4-25-12)</i>	175
Section 10.30	Cannabis Establishment <i>(Amend. 5-31-23)</i>	176
Section 10.31	Student Housing Unit <i>(Amend. 6-30-16)</i>	179
Section 10.32	E-Commerce Fulfillment and Distribution <i>(Amend. 03-22-23)</i>	180



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

**TABLE OF
CONTENTS**

ARTICLE 11. ADMINISTRATION AND PROCEDURES	182
Section 11.01 Zoning Staff	182
Section 11.02 Approval Authority.....	182
Section 11.03 Zoning Permits	183
Section 11.04 Special Permits and Special Exceptions.....	186
Section 11.05 Site Plans	193
Section 11.06 Public Hearings.....	198
Section 11.07 Fees	200
Section 11.08 Pre-application Review Process	201
Section 11.09 Enforcement.....	201
Section 11.10 Certificate of Zoning Compliance (<i>Amend. 9-28-11</i>).....	202
Section 11.11 Zoning Board of Appeals	205
Section 11.12 Zoning Regulations and Zoning Map Changes	208
Section 11.13 Moratoriums.....	212
APPENDIX A - AMENDMENTS	A-1
SUMMARY OF MAP AMENDMENTS	A-1
SUMMARY OF REGULATION TEXT AMENDMENTS	A-3

Editors' Notes:

1 A scrivener's error has been corrected in the March 1, 2104 revision. In Section 2.02.02, the two bullet points under the definition of "Sign Area" was found to be erroneously placed under the definition of "Wetlands".



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 1
GENERAL
PROVISIONS**

ARTICLE 1. GENERAL PROVISIONS

Section 1.01 Purpose and Authority

1.01.01 Purpose

These Zoning Regulations (“Regulations”) of the City of Waterbury (“City”) are adopted to:

- (i) Encourage the most appropriate use of land throughout the City with consideration of the City of Waterbury Plan of Conservation and Development (“POCD”);
- (ii) Prevent the overcrowding of land and avoid undue concentration of population;
- (iii) Secure safety from fire, panic, flood, and other dangers;
- (iv) Provide adequate light and air;
- (v) Regulate and restrict the location of trades and industries and the location of buildings designed for specific uses;
- (vi) Regulate and limit the height, number of stories, and bulk of buildings;
- (vii) Determine and regulate the area of yards and other open space for development;
- (viii) Preserve the value of property;
- (ix) Facilitate the provision of transportation, water supply, sewerage, schools, parks, and other public services;
- (x) Minimize traffic congestion on the City streets;
- (xi) Provide for the public health, comfort, safety, and general welfare in living and working conditions;
- (xii) Encourage energy-efficient patterns of development and the use of solar and other renewable forms of energy;
- (xiii) Minimize soil erosion and sedimentation; and
- (xiv) Manage stormwater runoff to protect properties and water quality.



1.01.02 Authority

These Regulations are adopted under authority of Connecticut General Statutes (“CGS”) Title 8, Chapter 124, as amended or re-codified from time to time, and other applicable General or Special Acts, and pursuant to the Charter of the City of Waterbury, for the purposes of protecting, in accordance with the City of Waterbury Plan of Conservation and Development, the public health, safety, convenience, property values, and environment of the City of Waterbury.

Section 1.02 Severability

If any Section, paragraph, subdivision, clause, or provision of these Regulations shall be found to be invalid or unconstitutional, such finding shall apply only to that Section, paragraph, subdivision, clause, or provision, and the remainder of these Regulations shall remain valid and effective.

Section 1.03 Other Regulations

1.03.01 Previous City of Waterbury Regulations

Previously enacted, amended, and adopted versions of City of Waterbury Zoning Regulations are repealed as of the effective date of these Regulations, May 16, 2011.

1.03.02 Other Regulations

- (i) All references in these Regulations to other local, state, or federal regulations are for informational purposes only and do not constitute a complete list of such regulations. These references do not imply any responsibility on the part of the City of Waterbury for enforcement of those local, state, or federal regulations.
- (ii) All references to local, state, or federal regulations in these Regulations refer to the most current version of those regulations. When the referenced regulations have been repealed and not replaced by other regulations, the referenced requirement in these Regulations for compliance is no longer in effect.
- (iii) When any provision of these Regulations conflicts with requirements, regulations, restrictions, or limitations that are imposed or required by the



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 1
GENERAL
PROVISIONS

provisions of any other ordinance, statute, or law, the most restrictive provisions shall apply and govern. When any provision of these Regulations conflicts with another provision of these Regulations, the most restrictive provision shall apply and govern.

Section 1.04 Interpretations

1.04.01 Minimum Requirement

When a regulation standard is expressed in terms of a numerical minimum requirement, any fractional result of a computation made to determine the minimum requirement for a particular project shall be rounded up to the next consecutive whole number except that when units of measurements determining the number of required parking spaces result in the requirement of a fractional space, any fraction up to and including one-half ($\frac{1}{2}$) shall be disregarded and fractions over one-half ($\frac{1}{2}$) shall require one (1) parking space. Any fractional result of a computation of an amount provided by a development plan shall be rounded down to the next lowest whole number.

1.04.02 Maximum Limits

When a regulation standard is expressed in terms of numerical maximum limits, any fractional result of a computation made to determine the maximum limit for a particular project will be rounded down to the next lowest whole number. Any fractional result of a computation of an amount provided by a development plan shall be rounded up to the next highest whole number.

1.04.03 Headings

Headings are provided for convenience and reference only and do not define or limit the scope of any provision of the text associated with the heading.

Section 1.05 Prior Zoning Applications

Pursuant to CGS [Section 8-2h](#), an application filed with the Zoning Enforcement Officer, Zoning Commission, City Plan Commission, or Zoning Board of Appeals that is in conformance with these Regulations at the time of the filing shall not be required to comply with, nor shall it be disapproved for the reason that it does not comply with, any change in these Regulations or the boundaries of the Zoning Districts of the City, which take effect after the filing of the application.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 1
GENERAL
PROVISIONS

Section 1.06 Non-Conforming Lots, Uses, and Structures

1.06.01 Purpose

The purpose of this Section is to allow continuation of existing lots, uses, or structures that are or shall be made non-conforming upon adoption of Zoning Regulations by the City of Waterbury (September 5, 1928) or subsequent amendment to the Zoning Regulations that would otherwise make such lot, use, or structure non-conforming.

1.06.02 Applicability

A legal non-conforming lot, use, or structure is one which fails to conform to one or more of the applicable requirements of these Regulations or any amendment thereto, but which existed lawfully prior to the adoption of Zoning Regulations by the City of Waterbury (September 5, 1928) or prior to the date of any subsequent amendment to the Zoning Regulations that would otherwise make such lot, use, or structure non-conforming.

1.06.03 Non-conforming Lots

- (i) Any lot which does not conform to minimum area and frontage requirements for the Zoning District in which it is located shall be designated a legal non-conforming lot, provided such lot shall have been an existing lot of record prior to the adoption of Zoning Regulations by the City of Waterbury (September 5, 1928) or prior to the date of any subsequent amendment to the Zoning Regulations that would otherwise make such lot non-conforming.
- (ii) No more than one (1) single family dwelling and allowed accessory structures may be constructed on a non-conforming lot located in a residential district, provided all other requirements of these Regulations shall be met.
- (iii) A building or other structure located on a lot which is non-conforming in lot size or yard requirements may be extended or expanded in accordance with the provisions of these Regulations provided no yard shall be made more non-conforming.

1.06.04 Non-conforming Uses (Amend. 9-28-11)

- (i) Any existing use of a building or lot which lawfully existed prior to the adoption of Zoning Regulations by the City of Waterbury (September 5, 1928) or prior to the date of any subsequent amendment of the Zoning Regulations that would otherwise make such use non-conforming, and



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 1
GENERAL
PROVISIONS

which is not permitted within the Zoning District in which it is located, shall be designated a legal non-conforming use.

- (ii) A legal non-conforming use may continue subject to the provisions of this Section and may be modified, changed to an equally or less non-conforming use, or expanded, extended, or relocated on the same lot, subject to approval of a Special Exception by the Zoning Board of Appeals pursuant to Section 11.11. No such non-conforming use shall be modified, expanded, extended to occupy a greater area of land, or relocated on a lot in a manner that would make such use more non-conforming, taking into consideration:
 - 1) the extent to which the proposed use reflects the nature and purpose of the original use;
 - 2) any differences between the original and proposed use with respect to character, nature, and kind of use; and
 - 3) any substantial difference in effect upon the neighborhood resulting from differences between the original use and the proposed use to be conducted on the property.
- (iii) A legal non-conforming use may be changed to a conforming use subject to issuance of a Special Permit, Special Exception, Zoning Permit or a Certificate of Zoning Compliance, as appropriate, in accordance with these Regulations.
- (iv) In the RL District, any dwelling unit in an existing non-conforming two-family residential structure as of October 1, 2006, may be expanded on the existing lot provided that such expansion does not exceed height, yard, parking, and coverage requirements of the existing Zoning District and further provided that no additional dwelling unit is created.
- (v) No non-conforming use shall, if once changed to a conforming use, be changed back to a non-conforming use.
- (vi) A building or other structure containing a non-conforming use may be maintained or repaired provided that any expansion or extension in connection with such maintenance or repair fully complies with all applicable District Development Standards and the provisions of subsection 1.06.04, above.
- (vii) Any non-conforming use which has been abandoned shall not be resumed.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 1
GENERAL
PROVISIONS**

1.06.05 Non-conforming Structures

- (i) A building or other structure in existence prior to the adoption of Zoning Regulations by the City of Waterbury (September 5, 1928) or prior to the date of any subsequent amendment to the Zoning Regulations that would otherwise make such building or other structure non-conforming and which does not conform to the dimensional, yard, or other applicable standards of these Regulations shall be designated a legal non-conforming structure.
- (ii) A non-conforming structure may be improved or restored provided such improvement or restoration does not increase the non-conformance of such structure with any applicable provision of these Regulations.
- (iii) A non-conforming structure may be expanded, altered, or extended provided such expanded, altered, or extended portion conforms fully to the floor area, height, setback, bulk, lot coverage, and other dimensional or landscaping requirements of the use district within which it is located.
- (iv) A non-conforming structure that is damaged or destroyed by fire, explosion, natural disaster, or accident may be reconstructed, repaired, or rebuilt provided that the non-conforming portion of such reconstruction, repair, or rebuilding is on the identical foundation footprint as the original non-conforming portion of the structure and is commenced within two (2) years of the damage or destruction and completed within four (4) years, with the issuance by the ZEO of a Zoning Permit in accordance with Section 11.03 of these Regulations.

1.06.06 Certification of Nonconformity

When necessary to show legal prior existence of a non-conforming lot, use, or structure, the owner of the subject property or the owner's agent shall obtain a Certificate of Zoning Compliance in accordance with Section 11.10 of these Regulations certifying that the lot, use, or structure existed legally prior to the adoption of Zoning Regulations by the City of Waterbury (September 5, 1928) or prior to the date of any subsequent amendment to the Zoning Regulations that would otherwise make such lot, use, or structure non-conforming.



ARTICLE 2. DEFINITIONS

Section 2.01 General

2.01.01 Application

In the application of these Regulations, the definitions provided in this Section shall apply, except where the context clearly indicates otherwise.

2.01.02 Construction

Unless otherwise expressly stated, the following rules shall apply to words and phrases used throughout these Regulations.

- (i) Unless the context clearly indicates the contrary, words used in the singular shall include the plural, words used in the plural shall include the singular, and words used in the present tense shall include the future tense.
- (ii) The word "shall" indicates a mandatory and not discretionary condition.
- (iii) The word "may" indicates a discretionary or permissive condition.
- (iv) The word "lot" shall be synonymous with the words "tract", "piece" and "parcel".
- (v) The words "zone", "zoning district", and "district" shall have the same meaning.
- (vi) The word "use" and the word "uses" refer to any purpose for which a lot or part thereof is arranged, intended, or designed to be used, occupied, maintained, made available, or offered for use and to any purpose for which a building or structure or part thereof, is arranged, intended, or designed to be used, occupied, maintained, made available, or offered for use or erected, constructed, altered, enlarged, moved, or rebuilt with the intention or design of use.
- (vii) The phrase "these Regulations" shall refer to the entire body of the City of Waterbury Zoning Regulations.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 2
DEFINITIONS**

Section 2.02 Terms

2.02.01 Interpretation

Words used in these Regulations shall be construed to have the meanings as defined in this Section. As necessary, the precise meaning of other words and terms shall be determined by the Commission after reference to one or more of the following:

- The Connecticut General Statutes,
- Black's Law Dictionary,
- The Illustrated Book of Development Definitions (Rutgers University Center for Urban Policy Research), and
- a comprehensive general dictionary.

2.02.02 Specific Definitions (Amend. 9-28-11; 4-25-12; 7-25-12; 4-23-14, 6-30-16)

As used in these Regulations, the following words shall have the meaning described.

Abutter: An owner of a property adjacent to property or properties that is, or are, the subject of an application pursuant to these Regulations, including properties separated by a public or private street or other right-of-way, as shown on the City of Waterbury Tax Assessor's records and maps current as of the date of the subject application.

Accessory Building: See "Accessory Use or Building".

Accessory Use or Structure: A subordinate use or building or other structure customarily incidental to and located on the same lot with the principal use or building.

Adjacent: Property sharing one or more boundaries with another property including properties separated by any public or private street or other right-of-way.

Adult bookstore: An establishment having as a substantial or significant portion of its stock in trade motion pictures, video recordings, books, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to obscene activities, specific anatomical areas or specified sexual activities for observation by patrons thereof or an establishment with a segment or section devoted to the sale, rental or display of such material.

Adult cabaret: A nightclub, bar, restaurant or similar establishment that regularly features live performances that are characterized by obscene activities, the exposure of specific anatomical areas or by specified sexual activities, or the presentation of films, motion pictures, video, slides or other digital or photographic reproductions in which a substantial portion of the total presentation time is devoted to the showing of material that is characterized by any emphasis upon the depiction or description of obscene activities, specified activities or anatomical areas.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 2
DEFINITIONS**

Adult Establishment: An adult bookstore, adult cabaret, adult hotel/motel, adult modeling studio, adult mini-motion-picture-theater or adult motion picture theater, or any combination thereof or any establishment which defines itself as an adult bookstore, adult cabaret, adult mini-motion-picture-theater or adult motion picture theater, or any combination thereof.

Adult Hotel/Motel: Means any hotel, motel or other business establishment offering public accommodations for any form of consideration which rents leases or lets any room for less than a six hour period or rents, leases or lets any single room more than twice in a 24 hour period.

Adult Mini-Motion Picture Theater: An enclosed building with a capacity for less than fifty (50) persons used for presenting films, motion pictures, video, slides, or other digital or photographic reproductions in which a substantial portion of the total presentation time is devoted to the showing of material that is characterized by any emphasis upon the depiction or description of obscene activities, specified activities, or anatomical areas.

Adult Modeling Studio: Any business which provides, for any compensation, figure or apparel models who, in a private place, and for the purposes of sexual stimulation of patrons, display specified anatomical areas or engage in specified activities or obscene activities to be observed, sketched, photographed, painted, sculpted, or otherwise depicted by persons paying such consideration. The term adult modeling studio does not include any facility licensed, accredited, regulated, or operated by the Connecticut Board of Education or the Waterbury Board of Education.

Adult Motion Picture Theater: An enclosed building with a capacity of fifty (50) or more persons used for presenting films, motion pictures, video, slides or other digital or photographic reproductions in which a substantial portion of the total presentation time is devoted to the showing of material that is characterized by any emphasis upon the depiction or description of obscene activities, specified activities or anatomical areas.

Alcoholic Beverage/Liquor: As defined in Connecticut General Statutes (“CGS”) Section 30-1.

Applicant: A property owner or person with interest in the property, such as a lease or an option to purchase, who has filed an application for approval or a petition for amendment of the Zoning Map or these Regulations pursuant to these Regulations, or who is a respondent in any enforcement action initiated pursuant to these Regulations.

Application: The form and supporting information submitted for approval of any use or development requiring a Zoning Permit, Special Permit, Special Exception, Variance, or any other form of approval by any City of Waterbury office or official.

Approval Authority: The Zoning Enforcement Officer, Zoning Commission, City Plan Commission, Zoning Board of Appeals, or Inland Wetlands Commission of the City of Waterbury, as designated by these Regulations.

Basement: That portion of a building wholly or partly underground and extending no more than six feet above finished grade.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 2
DEFINITIONS**

Block: A set of contiguous lots that are bounded by streets, or are bounded by a combination of streets, public parks, railroad rights-of-way, rivers, creeks, ponds, or other bodies of water.

Blockface: All properties fronting on the same side of the same street in one (1) block, including such portions of corner lots as may be within one hundred fifty (150) feet of the street line of the intersecting streets which bound the block, and in blocks where the frontage on the same street exceeds twelve hundred (1200) feet a single blockface shall not include more than eight hundred (800) continuous feet thereof. In determining the bounds of a block for the purpose of this section, the right-of-way of a railroad, a perennial stream, the boundary of a public park and the city boundary line may be treated as intersecting streets.”

Board of Aldermen: The Board of Aldermen of the City of Waterbury.

Boarding or Rooming House: A building other than a hotel or motel where lodging or lodging and meals are provided for three (3) or more persons operated as a Group Living facility.

Building Area: The ground area enclosed by the walls of a building.

Building Coverage: The building area of all buildings (principal and accessory) on a site expressed as a percentage of the total area of the site.

Building Height: The vertical distance measured from the average elevation of the finished grade along the exterior perimeter of the structure to the highest point of the structure including roof ridges. Chimneys, spires, masts, elevator penthouses, tanks, and similar projections shall not be included in the calculation of building height, provided that any such projection does not occupy more than ten percent (10%) of the roof area.

Building Length: The horizontal distance between the walls of the building that are the furthest distance apart, measured along the line parallel to the axis of its greatest dimension.

Building: A structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any person, animal, process, equipment, goods, or materials of any kind or nature.

Butcher Shop A retail store supplying meat and poultry products where meat processing is limited to making cuts of meat from pre processed carcasses, but may include the sale and slaughter of live poultry provided all such processing, slaughtering and sales occur within a fully enclosed building. This is a “Food Sales and Processing Use.”

Cannabis Marijuana, as defined in Section 21a-240 of the Connecticut General Statutes.

Cannabis Establishment A cannabis producer, cannabis dispensary facility, cannabis cultivator, cannabis micro-cultivator, cannabis retailer, cannabis hybrid retailer, cannabis food and beverage manufacturer, cannabis product manufacturer, cannabis product packager, cannabis delivery service, cannabis transporter or medical marijuana dispensary facility. Cannabis establishments shall be licensed by the State of Connecticut Department of Consumer Protection pursuant to June Special Session Public Act 21-1, or other department(s) or licensing board(s) as may be sanctioned by the State of Connecticut.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 2
DEFINITIONS**

City Engineer: The licensed professional engineer who is the principal engineering official for the City of Waterbury.

City Plan Commission: The City Plan Commission of the City of Waterbury.

City Plan of Conservation and Development: The plan prepared and updated by the City Plan Commission in accordance with CGS Section 8-23.

City Planner: The qualified professional responsible for carrying out City planning, land use regulation, and administration of the City Planning Department, the Zoning Commission, Inland Wetlands Commission, City Plan Commission, Zoning Board of Appeals, and any other City board or commission as designated by the Mayor of the City of Waterbury.

Class A-2 Survey: A survey prepared by a professional land surveyor to the accuracy required by the Code of Practice for Standards of Accuracy of Surveys and Maps, adopted December 10, 1975, as amended, by the Connecticut Association of Land Surveyors, Inc.

Club, Lodge, or Association: An association of persons that is the owner, lessee, or occupant of an establishment operated solely for a recreational, civic, social, fraternal, religious, political, or athletic purpose whose activities are confined to the members and guests, are not extended to the general public, and include the establishment so operated, but does not include such clubs the chief activities of which are a service or services customarily carried out for business or gain.

Common Interest Community: A legal entity established pursuant to CGS Chapter 828 for the purposes of owning and maintaining common properties within specified developments where permitted by these Regulations.

Connecticut General Statutes (“CGS”): The general statutes of the State of Connecticut as may, from time to time, be amended.

Crematory: A building or structure containing one or more cremation chambers or retorts for the cremation of dead human bodies or large animals including but not necessarily limited to all cattle, horses, sheep, goat, swine, or similar species commonly kept as livestock.

Date of Receipt: The date a petition, application, request, or appeal is received which shall be the day of the next regularly scheduled meeting of the Zoning Commission, City Plan Commission, or Zoning Board of Appeals, as applicable, immediately following the day of the submission to the Waterbury Planning Department of such petition, application, request, or appeal or thirty-five days after such submission, whichever is sooner, as defined in CGS Section 8-7d as may be amended.

Deck: An unroofed porch-like structure or portion of a structure, usually constructed of wood, with structural supports and having a height of more than eight inches above grade.

Deposit: Filling, grading, dumping, placing, discharging, or emitting any materials onto land or into water.

Development: The modification of land or a structure or creation of one or more structures to accommodate a new or expanded use.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 2
DEFINITIONS**

District Development Standards: The bulk, area, open space, and other dimensional requirements applying to individual Zoning Districts, as provided in the District Development Standards tables for each Zoning District.

Disturbed Area: An area where the vegetation cover, surface soil, or other natural elements are destroyed or removed leaving the land subject to accelerated erosion.

Drainage: The controlled removal of surface water or groundwater from land by drains, grading, or other means to include runoff controls to minimize erosion and sedimentation, maximize groundwater recharge, and prevent or alleviate flooding during and after construction or development.

Dustless Surface: A surface adequately covered with stone, gravel, asphalt, or bituminous products, or adequately treated with calcium chloride, or similar dust-inhibiting substances.

Dwelling Unit: One or more rooms providing complete living, sleeping, and eating facilities for one family, including bathroom and kitchen facilities.

Dwelling: A building or portion thereof, designed exclusively for residential occupancy, including Single Family Residences, Two or Three Family Residences, and Multifamily Residences.

Earth Excavation Activities: Any activity involving earth excavation, filling, or grading; mining, quarrying, or other form of earth material extraction; or processing, importing, and/or removal of earth material.

Earth Materials Processing: Stockpiling, crushing, screening, sorting, or any similar manipulation or mechanical alteration of earth materials.

Earth/Earth Material: Natural soil, loam, sand, gravel, rock, clay, silt, or any other excavated natural material.

Easement: Right of use for a specific purpose or purposes by a person on a designated portion of land that is owned by another person.

Engineer, Professional: A person licensed in the State of Connecticut to practice engineering pursuant to CGS Chapter 391.

Erosion and Sediment Control Plan: A plan that describes the location and details of the erosion and sedimentation control measures to be utilized during construction and post-construction.

Erosion: The detachment and movement of earth material or the wearing away of the land surface by wind or water.

Excavation: The digging out, extraction, and removal of earth material.

Family: Any number of persons related by blood, marriage or adoption living and cooking together as a single Housekeeping entity in the same dwelling unit or not more than three (3) persons not related by blood or marriage living and cooking together as a single housekeeping entity in the same dwelling unit, as distinguished from a group occupying a boarding house, rooming house, tourist home, club, fraternity, hotel or motel.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 2
DEFINITIONS**

Fence: An artificially constructed barrier of wood, masonry, stone, wire, metal, or other manufactured material or combination of materials erected to enclose, screen, or separate areas, but not including hedges, shrubs, trees, or other natural growth.

Filing: Changing the existing contours of land by the placement of earth materials, including the addition of earth materials to wetlands or watercourses.

Firing Range: An area designed and improved to encompass firing stations or firing lines, target areas, berms and baffles, and other related components.

Firing Range Facility: A public or private facility, including individual firing ranges, surface danger zones, safety fans or shotfall zones, structures, parking areas, and other associated improvements, designed for the purpose of providing a place for the discharge of various types of firearms or the practice of archery.

Floodplain: The “Special Flood Hazard Areas Subject to Inundation by the 1% Annual Chance Flood” consisting of land in the City identified on the Flood Insurance Rate Map prepared by the Federal Emergency Management Agency by the 1% Annual Chance Floodplain Boundary.

Garage: A building or portion of a building used for the parking and storage of vehicles.

Grade, Finished: The completed surfaces of lawns, walks, or roads brought to grades as shown on approved plans or designs relating to the subject property.

Grade: The slope of roads, sidewalks, ground surfaces and the like, usually expressed as a percentage or ratio of horizontal distance to vertical distance.

Grading: Any excavation or filling, including temporary placement of earth material, or any combination thereof, that results in a change of contour or elevation of the land.

Gross Floor Area (“GFA”): The sum of the gross horizontal areas of the individual floors of all buildings on the lot, measured from the exterior faces of exterior walls or from center line of walls separating two buildings. Gross floor area includes the area of basements, excluding portions used for storage or housing of mechanical or HVAC equipment.

Gross Leasable Area (“GLA”): Gross leasable area is the total floor area permanently constructed for the exclusive occupancy and use of tenants, including basement, mezzanine, and upper floor areas, excluding areas such as public toilets, corridors, stairwells, elevators, machine and equipment rooms, utility rooms, lobbies, atria, and parking garages.

Group Living Entity Two or more persons sharing a common dwelling unit who are placed in the dwelling unit by any business, governmental agency, nongovernmental agency, club, organization, congregation, school, college, university entity or individual who does not reside within the dwelling unit or any number of persons occupying group living quarters.

Group Living Quarters: A building, portion of a building or dwelling unit used as a residence by a group of persons who are not a housekeeping entity including boarding houses, rooming houses, lodging houses, convalescent homes, nursing homes, rest homes, dormitories, fraternity or sorority houses, convents or nurses residences where the average stay is greater than one week.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 2
DEFINITIONS**

Hazardous Materials: Any substance that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. The term includes, but is not limited to, hazardous substances and hazardous wastes.

Height: The vertical distance measured from the average level of the ground at the base of any structure or along the front wall of any building to the highest point of the building or other structure. See "Building Height".

Housekeeping Entity: A person or persons living and cooking together and sharing a common dwelling unit who do not by definition constitute a Group Living Entity. A housekeeping entity can include up to two roomers or boarders who are not part of the family provided each roomer or boarder is the sole occupant of a distinct bedroom and an additional onsite parking space is provided for each roomer or boarder.

Impervious Coverage: The area of all impervious surfaces on a site expressed as a percentage of the total area of the site.

Impervious Surface: Surfaces that do not readily absorb water, including but not necessarily limited to building or other structure roofs, parking areas, driveways, roads, sidewalks, and any areas covered by concrete or asphalt, not including retention basins. Areas covered by materials designed to allow water infiltration, including stone, gravel, and manufactured surfaces, shall be considered impervious in the percentage documented by engineering specifications.

Importation of Earth Material: Transportation onto a lot of earth material (other than prepackaged earth material customarily sold at retail stores) excavated elsewhere.

Infiltration: The conveyance of surface water into the ground to permit groundwater recharge and the reduction of stormwater runoff from a site.

Inoperable Vehicle: A vehicle inherently incapable of performing the function for which it was designed by virtue of missing parts, broken essential components, or severe damage.

Land Surveyor, Professional: A land surveyor registered and licensed to conduct business in the State of Connecticut pursuant to CGS Chapter 391.

Licensed Environmental Professional: An environmental professional as defined in CGS Section 22a-133v, who has been issued a license by the Commissioner of Environmental Protection in accordance with the provisions of said Section, as may be amended.

Livestock and Poultry: Animals commonly kept in an agricultural, rather than an urbanized, environment. This includes but is not limited to chickens, pigs, sheep, goats, horses, cattle, llamas, emus, ostriches, donkeys, mules and any animal intended to be harvested for meat, fur, leather or any other animal product.

Lot Depth: The mean distance from the street line of the lot to the rear lot line measured in the general direction of the side lines of the lot.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 2
DEFINITIONS**

Lot Frontage: The length of that border of a lot abutting a single public or private street measured along the street line. Frontage does not exist along a paper street.

Lot Line(s), Front: The lot line(s) dividing the lot from the right-of-way of a street or streets which abuts the front yard of the lot. When a lot abuts multiple streets the property owner may specify which abutting lot line shall be the front lot line provided no principal structure exists on the lot.

Lot Line(s), Rear: The lot line(s) between the side lot lines and generally opposite to the front lot line.

Lot Line(s), Side: The lot line(s) extending from the street that divide contiguous lots that abut the street.

Lot Line: The property lines delineating a lot.

Lot of Record: A contiguous area of land that is either part of an approved subdivision filed with the Town Clerk or recorded in the land records of the town and listed as a separate development parcel on the tax assessor records as of the effective date of these Regulations or any applicable amendments thereof.

Lot Width: See Lot Frontage.

Lot, Corner: A parcel of land at the junction of and fronting on two (2) intersecting streets.

Lot, Through: A lot having frontages on two more or less parallel streets as distinguished from a corner lot.

Lot: A plot or parcel of land under the same ownership meeting the dimensional requirements of these Regulations except where legally non-conforming as provided in Section 1.06 of these Regulations.

Mobile Home: A transportable, single-family dwelling, capable of being towed on its own running gear, and that may be temporarily or permanently affixed to real estate, used for non-transient residential purposes, and constructed with the same, or similar, electrical, plumbing, and sanitary facilities as immobile housing, but not including manufactured homes having as their narrowest dimension twenty-two (22) feet or more and built in accordance with federal manufactured home construction and safety standards.

Municipality or City: The City of Waterbury, Connecticut.

Non-Residential Campus Development: A General Hospital Campus, College or University, or School development involving primarily non-residential buildings that compose a unified development.

Obscene Activities: Representations or descriptions of ultimate sexual acts, normal or perverted, actual or simulated and/or representations or descriptions of masturbation, excretory functions, and lewd exhibition of the genitals.

Open Space, Setaside: Land provided as required for any approvals under the Special Use Standards of these Regulations, provided that the total amount of land characterized as wetlands, floodplain, or steep slopes shall be provided in proportions no greater than the



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 2
DEFINITIONS**

proportion of the total amount of such land existing on the entire parcel to be subdivided and/or developed.

Open Space, Usable: Unoccupied land on the same lot and contiguous to the principal building or buildings that is either landscaped with shrubs, planted with grass, or developed and maintained for recreational purposes, and excluding those portions of the lot that are utilized for off-street parking, driveway, or building purposes and areas that have a slope in excess of three (3) percent.

Open Space: A space not occupied by a building or other structure on the same lot as the principal building or use.

Ordinance: An ordinance contained in the City of Waterbury Code of Ordinances.

Overlay Zone District: An area mapped on the City of Waterbury Zoning Map where a uniform set of regulations serving a particular purpose applies as a supplement to or in lieu of the regulations applying to the underlying use District.

Owner: The owner of a lot as recorded in the land records of the City of Waterbury Town Clerk.

Permit: The whole or any part of any Zoning Permit, Special Permit, Special Exception, Variance, or other certificate of approval or form of permission issued in accordance with these Regulations.

Permittee: The person to whom a permit has been issued.

Person: Any individual, group of individuals, association, partnership, corporation, limited liability company, company, business organization, trust, estate, public or quasi-public corporation or body, and any other legal entity, its legal representatives, agents, or assigns.

Petitioner: A person who submits a petition to amend these Regulations or the Zoning Map.

Planning Department: The offices of the City Planner, the Zoning Enforcement Officer(s), the Zoning Commission, the City Plan Commission, the Zoning Board of Appeals, and the Inland Wetlands Commission and the official office for receipt of all applications, filings, reports, or other documentation required by these Regulations.

Plot Plan: A plat of a lot drawn to scale by a Professional land surveyor showing actual dimensions and measurements; the size and location of existing and proposed structures; the size and location of existing and proposed parking spaces, the location and dimensions of existing and proposed drives, walkways, fences and other significant site features; and the location of the lot in relation to abutting streets.

Pollution: Contamination by chemical, thermal, or other means.

Porch: A roofed structure attached to and projecting out four feet or more from the exterior wall or walls of a building.

Post-Secondary Student: A person who has completed his or her secondary education and is enrolled in a university or other accredited post-secondary school.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 2
DEFINITIONS**

Premises: A lot, parcel, or tract of land together with the buildings and structures thereon.

Principal Building: The building in which the principal use of the lot on which it is situated is conducted.

Principal Use: The primary or predominant use of a building, structure, or lot.

Private: Confined to, or intended only for, the persons immediately concerned; not for public or common use.

Public Utility: A person duly authorized to furnish electricity, gas, steam, communications, transportation, and water or wastewater service to the public.

Reclamation: The rehabilitation of the area of land affected by earth material excavation, including, but not limited to, the stabilization of slopes and creation of safety benches, the planting of vegetation, or enhancement of the site for future use.

Recreational Vehicle: A vehicle primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or is drawn by another vehicle.

Removal of Earth Material: Taking or transportation of earth material off of a site, other than prepackaged earth material customarily sold at retail stores.

Residence Hall: A residential structure used to house students and/or staff of a School or College or University, personnel of a General Purpose Hospital Campus, or religious personnel associated with a Religious Institution.

Residential Property: A residential property is a property, or portion thereof, located in a Residential District and containing a residential use.

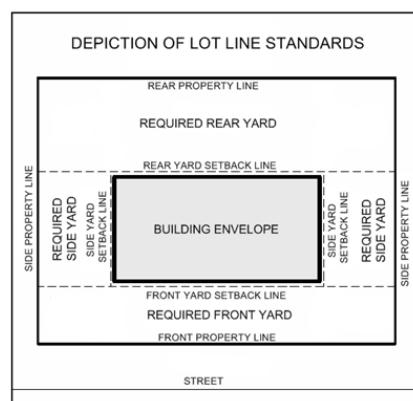
Safety Fan: The area on a firing range facility designed to contain all projectiles fired from a firing range.

Sediment: Solid material, either mineral or organic, that can be displaced from its site of origin by erosion.

Sedimentation: The deposition of sediment that has been suspended and transported by erosion.

Setback Line: A line parallel to a street or lot line at a distance established by the minimum yard requirements of these Regulations, behind which buildings and structures may be legally erected. See "Depiction of Lot Standards" sketch on next page.

Setback Illustration

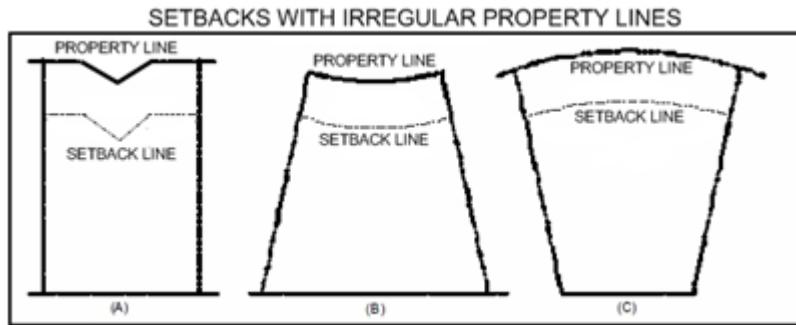




**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 2
DEFINITIONS**

Setback Illustration



Sewer: A pipe or conduit, and all the appurtenances thereto, conveying waste water. A sanitary sewer conveys sewage to which stormwater, surface water, and groundwater are not intentionally admitted. A storm drain or storm sewer conveys stormwater, surface water, and groundwater, but excludes sanitary and industrial waste waters. A combined sewer serves the functions of both a sanitary sewer and storm sewer.

Shotfall Zone: The area within a firing range in which the shot or pellets contained in a shotgun shell typically fall.

Sign Area:¹ The area of a sign shall include all faces of a sign measured as follows:

- When such sign is free-standing, on its own background, or outlined to define its extent, all of the area of such background or the outlined extent shall be included; and
- When such sign consists only of letters, designs or figures projected from or in any manner affixed on a wall, said wall being of the same material as the entire face of the building, the total area of such sign shall be considered to be the area of the smallest rectangle that encloses all letters, symbols, and designs that constitute the sign.

Sign, Construction: A temporary sign indicating the names of the design professionals, contractors, owners, financial supporters, sponsors, and/or similar individuals or firms having a role or interest with respect to the structure or project being constructed.

Sign, Directional: A sign limited to directional messages, principally for pedestrian or vehicular traffic such as "one way," "entrance", or "parking."

Sign, Ground: A sign placed on the ground or supported by one or more uprights, poles, or other supports placed in or upon the ground.

Sign, Marquee: A sign attached to or made part of the vertical face of a building marquee.



Sign, Mobile: A sign that is not permanent, affixed to a building or other structure or the ground. A mobile sign is a transportable sign that may be towed on its own running gear and that may be temporarily affixed to real estate.

Sign, Outdoor Advertising: A temporary or permanent sign that directs attention to a business, service or event conducted, sold or offered on or off the property upon which the sign is located. Political signs and public event signs are not outdoor advertising signs.

Sign, Permanent: A sign attached to a building or other structure or the ground in some manner that requires a Building Permit and which is made of materials intended for long-term use, including wall, ground, marquee, and roof signs.

Sign, Political: A sign announcing a candidate seeking election to a political office or expressing opinion on any candidate, referendum, or political issue.

Sign, Public Event: A temporary sign erected to promote the civic event of a nonprofit organization or the City, or to promote a grand opening or other temporary event of a business organization.

Sign, Real Estate: A sign that pertains to the sale, lease, or rental of the premises, or a portion of the premises, on which the sign is located.

Sign, Roof: A sign mounted on, against, or directly above the roof or on top of or above the parapet of a building or structure.

Sign, Temporary: A sign, including banners, not permanently attached to a building or other structure or the ground, not requiring a building permit and temporary in nature such as announcing a construction project, real estate availability, a civic or non-profit event, business opening, or a political campaign.

Sign, Wall: A sign attached to the exterior wall of a structure in such a manner that the wall becomes the support for or forms the background surface of the sign.

Sign: Any advertisement, announcement, direction, or communication produced in whole or in part by the construction, erection, affixing, or placing of a structure on any land or on any other structure, or produced by printing on or posting or placing any printed, lettered, pictured, figured, or colored material on any building or other structure or surface.

Site Area: The total area within the lot lines of a site excluding external streets.

Site Preparation: Earth excavation activities proposed as Accessory Earth Excavation for the preparation of a site for future development or use otherwise permitted in the Zoning District.

Site: The parcel, or parcels, of land under common ownership where a land development project is located or proposed.

Soil: Unconsolidated mineral and organic material of any origin.

Special Exception Approval: An approval issued by the City Plan Commission or the Zoning Board of Appeals pursuant to Article 11 of these Regulations.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 2
DEFINITIONS**

Special Permit Approval: An approval issued by the Zoning Commission pursuant to Article 11 of these Regulations.

Specified Anatomical Areas: Less than completely and opaquely covered human genitals, pubic region, or female breast below a point immediately above the top of the areola and human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities: Human genitals in a state of sexual stimulation or arousal; actual or simulated acts of human masturbation, sexual intercourse or sodomy, or oral copulation; or fondling or other erotic touching of human genitals, pubic regions, buttocks, or female breasts.

State Building Code: The Connecticut State Building Code as defined in CGS Chapter 541.

State: The State of Connecticut.

Steep Slope: Land graded naturally or otherwise at twenty percent (20%) or greater.

Stockpiling: Temporary storage of earth material.

Story, Half: That portion of a building under a gable, hip or gambrel roof, the floor of which is not more than two feet below the roof plate at its closest point, and having a floor area not exceeding sixty percent (60%) of the area of floor directly underneath.

Story: That portion of a building, other than the basement, between a floor and the ceiling or roof above it.

Street Line: The common line between a lot and a street right-of-way.

Street, Arterial: As used in these Regulations, any street identified as an arterial street in the City Plan of Conservation and Development or identified as a Principal Arterial or Minor Arterial Street on the Connecticut Department of Transportation Town Aid Road Map on file in the City of Waterbury Public Works Department.

Street, City: A public way permanently dedicated to movement of vehicles and pedestrians, and i) accepted into the City of Waterbury street system by the Board of Aldermen, or ii) maintained under public authority, or iii) shown on a subdivision plan approved by the City Plan Commission, filed on the Land Records of the Waterbury Town Clerk, and a public improvement bond is in place in accordance with the City of Waterbury Land Subdivision Regulations.

Street, Collector: As used in these Regulations, any street identified as a Collector street on the Connecticut Department of Transportation Town Aid Road Map on file in the City of Waterbury Public Works Department.

Street, Cul-De-Sac: A street with only one means of vehicular ingress and egress.

Street, Local: A cul-de-sac, loop street, or lane that primarily provides access to abutting lots, but may also serve as a connector to other local streets.

Street, Paper: Any street or highway, that is not a City Street, shown on a map but not actually laid out on the ground.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 2
DEFINITIONS**

Street, Private: Streets owned and maintained by a private entity or a common interest community.

Street: A public or private way permanently dedicated to movement of vehicles and pedestrians, which is a City street, a private street, or a State highway or road.

Street Segment: Any portion of a public street lying between intersecting streets. In determining the bounds of street segment the centerline and, or, in the case of a street intersecting on only one side of a through street the projected centerline, of an intersecting street shall be used. The centerline of a railroad right-of-way, the centerline of a perennial stream, and the city boundary line may be treated as intersecting streets.

Structure, Accessory: A structure, the use of which is customarily incidental and subordinate to that of the principal structure or use on the same lot or site.

Structure, Principal: A building or other structure in which is conducted the main or principal use of the lot on which it is situated.

Structure: Anything constructed or erected, the use of which requires i) location on, in, or under the ground or water; or ii) attachment to something having location on the ground or water including, but not necessarily limited to, buildings and other structures, fabric covered frame enclosures, swimming pools, tennis courts, towers, paddle or platform tennis courts, docks, balconies, open entries, porches, decks, handicap ramps, signs, permanent awnings, gas or liquid storage tanks that are principally above ground, ground-mounted antennas, ground-mounted solar panels or satellite dishes, and fences or walls more than six feet in height.

Subdivision Plan: The final map or drawing of a Subdivision or Resubdivision approved by the City Plan Commission, or any body authorized to regulate the subdivision of land by the City of Waterbury prior to the creation of the City Plan Commission, and filed or recorded in the office of the Town Clerk.

Substantial or Significant Portion of Its Stock In Trade: With regard to adult establishments means 25 percent or more of its stock is distinguished or characterized by an emphasis upon the depiction or description of obscene activities, specified sexual activities or specified anatomical areas.

Substantial Portion of the Total Presentation Time: With regard to adult establishments means 25 percent or more of the total running time is distinguished or characterized by an emphasis upon the depiction or description of obscene activities, specified sexual activities or specified anatomical areas.

Supermajority: Two thirds ($\frac{2}{3}$) of the total number of seats authorized for the Zoning Commission, whether filled or vacant.

Surface Danger Zone: The area determined by a Professional Engineer that may reasonably expect projectile impact resulting from direct fire, including misdirected and accidental discharges, and ricochets from any firearm or bow, which takes into consideration the types



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 2
DEFINITIONS**

of firearms used, types of ammunition used, the length of the range and the width of the firing point or points and physical mitigation measures proposed by the applicant.

Temporary Event: A temporary use on private property including but not necessarily limited to art shows, sidewalk sales, tent sales, revival meetings, pumpkin and Christmas tree sales, haunted houses, carnivals (major and minor), circuses, fairs, carnivals, festivals, church bazaars or other types of special events that run for longer than one day but not longer than two weeks and occur no more than 21 days in any calendar year. Sale of food, sale of alcoholic beverages for onsite consumption, sale of merchandise may be accessory to a temporary event.

Terrace or Patio: A level, landscaped and/or surfaced area located on the ground with no structural supports other than subsurface base material and retaining walls and a height of no more than eight (8) inches above grade. A terrace or patio located at grade or ground level shall not be deemed a structure.

Townhouse: A building designed to house one dwelling unit from lowest level to roof, with a private outside entrance, its own roof and foundation, separate utility connections for water, sanitary sewer, storm drainage, and private utilities and sharing a fire-retardant common wall or walls with one or two adjoining residential buildings each housing one dwelling unit, such common walls extending from ground to roof and having no openings.

Trailer: An open frame or enclosed unit standing entirely or in part on wheels intended to be towed or hauled by another vehicle.

Use or Uses: As defined in the Master Table of Uses in Section 4.8 of these Regulations, the purpose or activity for which the land or building or other structure thereon is designed, arranged, or intended or for which it is occupied or maintained.

Vehicle: Automobiles, cars, trucks, trailers, recreational vehicles, motorcycles, or any other motorized wheeled vehicle designed or used for highway use and required to be registered by the Connecticut Department of Motor Vehicles.

Wetlands:¹ Land, including submerged land, as defined in CGS Section 22a-39, as may be amended, not regulated pursuant to CGS Section 22a-28 through 22a-35 (Tidal Wetlands), inclusive, which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial and flood plain by the National Cooperative Soil Survey, as it may be amended from time to time, of the Natural Resources Conservation Service of the U.S. Department of Agriculture (USDA). Such areas may include filled, graded, or excavated sites that possess an aquic (saturated) soil moisture regime as defined by the USDA Cooperative Soil Survey.

WPCA: The City of Waterbury Water Pollution Control Authority.

Yard or Setback: The area between a lot line and the line that is the minimum distance from a lot line as required by these Regulations (see Section 4.09), unoccupied and unobstructed from the ground to the sky by buildings or structures, except as specifically permitted by these Regulations.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 2
DEFINITIONS**

Yard, Front: An open space on the same lot with a building, situated between the street line and the horizontal plane of the wall of the building nearest the street line extended to the side lot lines.

Yard, Rear: An open space on the same lot with a building, between the rear lot line and the horizontal plane of the rear wall of the building extended to the side lot lines.

Yard, Side: An open space parallel to a side lot line, extending from the front yard setback line to the rear yard setback line and lying between the side line of the lot and the nearest facing wall of a Principal Building on the same lot.

Zoning Board of Appeals: The Zoning Board of Appeals (“ZBA”) of the City of Waterbury.

Zoning Certificate of Compliance: A letter, form, or sign-off of an application for a Building Permit or a Certificate of Occupancy, signed by the Zoning Enforcement Officer confirming compliance of any proposed or existing use, lot, or structure with all applicable Zoning Regulations of the City of Waterbury.

Zoning Commission: The Zoning Commission (“ZC”) of the City of Waterbury.

Zoning Districts, Commercial: the Neighborhood Shopping (“CN”), Commercial Office (“CO”), Arterial Commercial (“CA”), General Commercial (“CG”), and Central Business (“CBD”) Districts delineated on the Zoning Map.

Zoning Districts, Industrial: The General Industrial (“IG”), Limited Industrial (“IL”), and Planned Industrial (“IP”) Districts delineated on the Zoning Map.

Zoning Districts, Residential: The Large Lot Single Family Residential (“RS-12”), Single Family Residential (“RS”), Low Density Residential (“RL”), Moderate Density Residential (“RM”), High Density Residential (“RH”), and Residential Office (“RO”) Districts delineated on the Zoning Map.

Zoning Enforcement Officer: The City official (“ZEO”) appointed by the City Planner and authorized to issue permits, certificates, and violation notices or citations and to perform related tasks as assigned.

Zoning Map: The official map adopted by the Zoning Commission delineating all Zoning Use Districts in the City of Waterbury.

Zoning Permit Approval: Approval issued by the Zoning Enforcement Officer pursuant to Article 11 of these Regulations.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 3
ZONING
DISTRICTS**

ARTICLE 3. ZONING DISTRICTS AND MAP

Section 3.01 Establishment of Districts

For all of the purposes described in these Regulations, the City of Waterbury is hereby divided into the following land use districts (collectively, "Zoning Districts").

- RS-12: Large Lot Single-Family Residential District
- RS: Single-Family Residential District
- RL: Low Density Residential District
- RM: Moderate Density Residential District
- RH: High Density Residential District
- RO: Residential Office District
- CN: Neighborhood Shopping District
- CO: Commercial Office District
- CA: Arterial Commercial District
- CG: General Commercial District
- CBD: Central Business District
- IP: Industrial Park District
- IL: Limited Industrial District
- IG: General Industrial District

Section 3.02 Map of Districts

3.02.01 Zoning Map

The location and boundaries of the Zoning Districts are set forth on the map entitled Comprehensive Zoning Map of the City of Waterbury, filed in the office of the City Engineer. Such map, as may from time to time be amended, with all explanatory matter thereon, is hereby made a part of these Regulations.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 3
ZONING
DISTRICTS**

3.02.02 Extent of Districts

It is the intent of these Regulations that all areas of the City of Waterbury, including all land and water areas, be included in the Zoning Districts delineated by these Regulations.

3.02.03 Boundaries of Districts

Where uncertainty exists with respect to the boundaries of any of the Zoning Districts delineated by these Regulations, the following rules shall apply.

- (i) District boundaries extend to the center line of any street, road, highway, railroad, stream, river or other natural feature forming a boundary between two different Zoning Districts on the map at the time of adoption of the map.
- (ii) Where Zoning District boundaries are indicated as approximately following lot lines of record at the time of adoption or most recent amendment of these Regulations, such lot lines shall be construed to be such boundaries.
- (iii) Where uncertainty over a Zoning District boundary cannot be resolved by existing maps or features, as above, the Zoning District boundary shall be determined by the Zoning Commission.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

ARTICLE 4. PERMITTED USES

Section 4.01 Principal Uses

4.01.01 Principal Uses

Principal uses are defined and categorized by Zoning District in the Master Use Table in Section 4.08 of these Regulations and are subject to the applicable standards and requirements of the Zoning District in which they are permitted and the applicable General Use Standards, District Development Standards, and Special Use Standards of these Regulations.

4.01.02 Multiple Principal Uses

When all principal uses of a proposed development fall within one use category, the entire development is assigned to that use category. When multiple principal uses are proposed for any development, the applicable regulations for each principal use shall apply respectively.

Section 4.02 Accessory Uses and Structures

4.02.01 Accessory Uses

Accessory uses as listed in the Master Use Table or as otherwise determined in accordance with the provisions of Section 4.04 shall be allowed as-of-right in conjunction with a principal use. No ZEO approval is required unless a Certificate of Zoning Compliance is required, in accordance with Section 11.10, for a Building Permit or Certificate of Occupancy.

4.02.02 Accessory Site Development and Buildings and Other Structures
(Amend. 9-28-11)

(i) Except as provided below or as otherwise required by these Regulations or otherwise indicated in the Permitted Uses Table for each Zoning District, accessory buildings and other structures and site development for accessory uses or structures shall be permitted as-of-right in conjunction with a principal use. No ZEO approval is required unless a Certificate of Zoning Compliance is required for a Building Permit or Certificate of Occupancy. Accessory buildings and other structures are subject to the following limitations:

- 1) no accessory building or other structure shall be located on a lot with no principal building;
- 2) no accessory building or other structure shall be permitted in any required front or side yard;



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

- 3) accessory buildings or other structures in any rear yard shall not be closer than five feet from any side or rear lot line;
- 4) the total area of all accessory buildings and other structures shall not occupy more than twenty-five percent (25%) of the required rear yard in which they are located;
- 5) no accessory building or other structure, other than a swimming pool, shall include a below grade space;
- 6) no free-standing accessory building or other structure shall exceed fifteen (15) feet in height, unless otherwise permitted; and
- 7) all accessory buildings and other structures shall be located at least ten (10) feet from any principal building situated on the same lot. Accessory buildings located closer than 10 feet from a principal structure shall be considered part of the principal structure.

(ii) A Zoning Permit shall be required for any building or other structure, site development for accessory structures or uses, or change of use that

- 1) is located within a floodplain;
- 2) involves construction or site development disturbing an area of one-half (1/2) acre or more;
- 3) involves construction or site development requiring, in the opinion of the ZEO, a soil erosion and sedimentation control plan; or
- 4) requires additional parking or loading spaces to comport with Section 9.03 of these Regulations.

4.02.03 Conditional Accessory Uses

Conditional Accessory Uses require conformance to the applicable District Development Standards, General Use Standards, and Special Use Standards provided by these Regulations. Such uses are permitted only when associated with a permitted principal use in the respective Zoning District. Where associated with any principal use requiring Special Permit or Special Exception approval, such Conditional Accessory Use shall be subject to the approval criteria provided in Section 11.04.



Section 4.03 Signs

Signs are permitted as-of-right as accessory uses, as provided on the Master Use Table in Section 4.08, below, or by Zoning Permit as provided in Section 11.03 of these Regulations.

Section 4.04 Uses Not Listed

All uses are defined on the Master Use Table provided in Section 4.08. Uses not listed are not permitted. Where any uncertainty exists as to the classification of any use, the ZEO may determine whether such use constitutes a use defined and assigned to one or more Zoning Districts on the Master Use Table or the ZEO may request a determination by the Zoning Commission.

Section 4.05 Exempt Uses and Properties

Uses subject exclusively or in part to State or Federal jurisdiction as to location and use standards are exempt from these Regulations only to the extent that such State or Federal jurisdiction preempts local regulation. Properties owned by the United States Government, the State of Connecticut and the City of Waterbury shall be exempt from these regulations.

Section 4.06 Use Standards

4.06.01 Applicable Standards

All uses are subject to the applicable District Development Standards provided in the Master District Development Standards Table in Section 4.09, the General Standards provided in Article 9, and any applicable Special Standards provided in Article 10.

4.06.02 Exceptions to District Development Standards

- (i) Appurtenant structures, including penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans, or similar equipment required to operate and maintain a building; fire or parapet walls; skylights, towers, steeples, stage lofts, and screens; flagpoles,



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

chimneys, smokestacks, individual domestic radio and television aerials, wireless masts, communication towers, telecommunications antennas, and water tanks; or similar structures as determined applicable by the ZEO may be erected above the height limits provided in the District Development Standards tables. No such appurtenant structure may be erected that

- 1) causes the total height of the building and appurtenant structure to exceed by more than fifteen (15) feet the height limits of the Zoning District in which it is located; or
- 2) has a total area greater than ten (10) per cent of the roof area of the building; or
- 3) is to be used for any purpose other than incidental to the principal use of the building; or
- 4) exceeds the height required to satisfy the technical requirements of the user(s).

- (ii) Architectural features that are not integral to the structure may extend or project into any required yard not more than two (2) feet.
- (iii) Uncovered ramps required for handicapped accessibility to a one, two, or three family residential dwelling, installed as required by applicable building code provisions, may project up to four (4) feet into a required side yard or up to eight (8) feet into a required front or rear yard, unless determined by the ZEO that greater projection into required yards is necessary to provide access in accordance with applicable building codes.
- (iv) In the case of one, two, and three family residential dwellings, unenclosed stoops or verandas and associated roof overhangs may project not more than six feet into the required front yard.

4.06.03 Second Principal Residential Building

No lot in a Residential District shall contain more than one principal Residential building or structure, unless permitted as Special Permit or a Special Exception in accordance with these Regulations. No building to be used as a dwelling shall be constructed or moved to the rear of any building situated on the same lot.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

Section 4.07 Use Approval Authority

Approval of uses and change of use shall be by the Zoning Enforcement Officer, the Zoning Commission, the City Plan Commission, or the Zoning Board of Appeals (collectively and individually “Approval Authority”) in accordance with the following.

4.07.01 Uses Permitted by Zoning Permit

Uses permitted by Zoning Permit shall be reviewed and acted on by the Zoning Enforcement Officer (“ZEO”) in accordance with Section 11.03 of these Regulations.

4.07.02 Uses Permitted by Special Permit Approval

Uses permitted by Special Permit approval shall be reviewed and acted on by the Zoning Commission (“ZC”) in accordance with Section 11.04 of these Regulations, except as provided by subsection 4.07.05.

4.07.03 Uses Permitted by Special Exception Approval

Uses permitted by Special Exception approval shall be reviewed and acted on by the City Plan Commission (“CPC”) in accordance with Section 11.04 of these Regulations. Special exceptions related to nonconforming uses shall be reviewed and acted on by the Zoning Board of Appeals.

4.07.04 Uses Requiring Certificate of Zoning Compliance

Any use or building or other structure or expansion of a building or other structure requiring Building Permit approval in accordance with the State of Connecticut Building Code, not otherwise subject to Zoning Permit, Special Permit, or Special Exception approval, shall require a Certificate of Zoning Compliance in accordance with Section 11.10 of these Regulations.

4.07.05 Accessory Earth Excavation

Accessory Earth Excavation in excess of the limits provided by Section 10.18 of these Regulations, when associated with any application requiring Special Exception approval by the CPC, shall be issued by the CPC and may be consolidated with any such Special Exception for the purposes of processing, hearings, notices, and decisions.

4.07.06 Change of Use

- (i) A use permitted by Zoning Permit, Special Permit, or Special Exception approval may be changed to another use with the approval of the Approval Authority, whichever Authority has jurisdiction for the use in accordance with this Article 4.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

- (ii) The Approval Authority shall not approve such change of use unless it finds that
 - 1) the proposed use is permitted in the Zoning District and requires the same approval (Zoning Permit, Special Permit, or Special Exception); and
 - 2) the proposed use will not result in any new building or other structure, increase the height or footprint of any existing building or other structure, or require additional parking to conform to the parking standards of Section 9.03.
- (iii) An application for approval of a change of use shall provide the information required for a Zoning Permit application, as provided in Section 11.03 of these Regulations, unless waived by the Approval Authority, and such other information as may be required by the Approval Authority.
- (iv) A change of use not approved by the respective Approval Authority in accordance with this subsection may be approved by a new Zoning Permit, Special Permit, or Special Exception, if such use is permitted in accordance with this Article 4 and the use provisions of the applicable Zoning District.

4.07.07 Change of Non-Conforming Use

Special Exceptions for expansions or changes of existing non-conforming uses are reviewed and acted on by the Zoning Board of Appeals, in accordance with Section 11.11 of these Regulations.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

Section 4.08

Master Use Table (Amend. 9-28-11; 4-25-12, 10-23-13, 1-22-14, 11-28-15, 11-19-15, 5-25-16, 6-30-16, 10-28-20, 3-22-23, 5-31-23)

USE CATEGORIES	RS 12	RS	RL	RM	RH	RO	CN	CO	CA	CG	CBD	IG	IL	IP	STANDARDS
RESIDENTIAL USES															
Single Family Residence	ZP	ZP	ZP	ZP	SP	ZP		SP		SP					
Two/Three Family Residence	SP*	SP*	SP*	ZP SP	ZP SP	ZP SP				SP					10.02
Multi-Family Residence				ZP SP	ZP SP	ZP SP		SP		SP	SP				10.02
Active Adult Housing	SE	SE	SE	SE	SE			SE	SE	SE					10.03
Residential Campus Development	SE	SE	SE	SE	SE										10.04
Planned Residential Conservation Development	SE	SE	SE	SE	SE										10.05
Group Living				SP	SP	SP		SP		SP	SP				10.06
Student Housing Unit											ZP				10.31
Halfway Residences											SP				10.07
Short-term Lodging						ZP		ZP	ZP	ZP	ZP				

* two family only, permitted in conjunction with a Planned Residential Conservation Development



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

USE CATEGORIES	RS 12	RS	RL	RM	RH	RO	CN	CO	CA	CG	CBD	IG	IL	IP	STANDARDS
COMMERCIAL USES															
Mixed Use Planned Development				SP	SP	SP		SP		SP	SP		SP		10.08
Retail Sales					SP	SP	ZP	ZP	ZP	ZP	ZP		ZP		
Mixed Use Building							ZP	ZP	ZP**	ZP	ZP				10.29
Package Store							SP	SP	SP	SP	SP		ZP		10.09
Eating and Drinking Establishments					SP	ZP	ZP	ZP	ZP	ZP	SP	ZP	SP		
Personal, Business and Repair Services					SP	SP	ZP	ZP	ZP	ZP	ZP		ZP		
Entertainment Uses						SP	SP	ZP	ZP	ZP	ZP	SP	ZP	SP	
Large Venue Event Facilities								SP	SP	SP	SP	SP	SP	SP	10.10
Shopping Centers						SP	ZP	ZP	ZP	ZP			ZP		10.11
Food Processing and Sales			SP	SP	SP	SP	ZP	ZP	ZP	ZP	SP	ZP	ZP		
Adult Establishment												ZP			10.12
Recreation Uses					SP	SP	ZP	ZP	ZP	ZP	SP	ZP	SP		10.13
Social Gathering Places				SP	SP	SP	ZP	ZP	ZP	ZP	SP				



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

USE CATEGORIES	RS 12	RS	RL	RM	RH	RO	CN	CO	CA	CG	CBD	IG	IL	IP	STANDARDS
Automobile and Marine Craft Trade									ZP	SP		ZP	ZP	ZP	
Commercial Outdoor Recreation	SP	SP	SP	SP	SP	SP	ZP	ZP	ZP	ZP		SP	SP	SP	10.13
Office Uses					SP	ZP	ZP	ZP	ZP	ZP	SP	ZP	SP		
Medical Office						ZP	ZP	ZP	ZP	ZP	SP	ZP	SP		
General Purpose Hospital Campus	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	10.14
Inpatient Clinic					SP	SP		SP	SP	SP					
Community Facilities	SP	SP	SP	SP	SP	SP	ZP	ZP	ZP	ZP	ZP				
Day Care Center		SP	SP	SP	SP	ZP	ZP	ZP	ZP	ZP	SP	ZP	ZP		
Schools	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP				
Business and Trade Schools						SP	SP	SP	SP	SP	SP	ZP	ZP	ZP	
Colleges or Universities	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	10.14
Religious Institutions	SP	SP	SP	SP	SP	ZP	ZP	ZP	ZP	ZP	ZP		ZP		10.15
Essential Public Services	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	
Parks and Open Areas	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

USE CATEGORIES	RS 12	RS	RL	RM	RH	RO	CN	CO	CA	CG	CBD	IG	IL	IP	STANDARDS
Kennel									ZP				SP		<i>10.23</i>
Veterinary Services					SP	SP	ZP	ZP	ZP	ZP	ZP				
Wind Energy Conversion Systems	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	<i>10.25.</i>
Crematories	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	<i>10.26</i>
Cannabis Establishment, Dispensary Facility													SP		<i>10.30</i>
Cannabis Establishment, Hybrid Retailer													SP		<i>10.30</i>
Cannabis Establishment, Product Packager													SP		<i>10.30</i>
Cannabis Establishment, Retailer													SP		<i>10.30</i>
INDUSTRIAL USES															
Manufacturing and Processing									ZP**			ZP	ZP	ZP	
Industrial Services									ZP**			ZP	ZP	ZP	
Warehouse and Freight Handling									ZP**			ZP	ZP	ZP	
Wholesale Trade					SP	SP	SP	SP	ZP	SP		ZP	ZP	ZP	



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

USE CATEGORIES	RS 12	RS	RL	RM	RH	RO	CN	CO	CA	CG	CBD	IG	IL	IP	STANDARDS
Limited Vehicle Service Facilities								SP	ZP	SP		ZP	ZP	ZP	<i>10.16</i>
Agriculture	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP					
Vehicle Service Facilities									SP	SP		SP	ZP	SP	<i>10.16</i>
Hazardous Industrial Operations												SP			<i>10.24</i>
Commercial Earth Excavation												SP			<i>10.17</i>
Basic Utilities	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	
Passenger Terminals				SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	
Commercial Parking Structure					SP	SP	ZP	ZP	ZP	ZP	ZP	SP	SP	SP	<i>10.19</i>
Surface Parking Lot				SP	SP	SP	SP	SP	SP	SP		SP	SP	SP	<i>10.19</i>
Commercial Energy Generation and Storage Facilities									SP**			SP	SP	SP	
Wireless Communications Facilities	SP	SP	SP	SP	SP	SP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	
eCommerce Fulfillment and Distribution Centers									ZP			ZP	ZP	ZP	<i>10.32</i>



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

USE CATEGORIES	RS 12	RS	RL	RM	RH	RO	CN	CO	CA	CG	CBD	IG	IL	IP	STANDARDS
CONDITIONAL ACCESSORY USES															
Home Occupation	ZP	ZP	ZP	ZP	ZP	ZP		ZP		ZP	ZP				<i>10.21</i>
Livestock and Poultry	ZP	ZP	ZP	ZP	ZP	ZP									<i>10.22</i>
Drive Through Service							SP	ZP	ZP	ZP	SP	ZP	ZP	ZP	
Outdoor Display							ZP	ZP	ZP	ZP	ZP		ZP		
Accessory Earth Material Excavation*	ZP SP	ZP SP	ZP SP	ZP SP	ZP SP	ZP SP	ZP SP	ZP SP	ZP SP	ZP SP	ZP SP	ZP SP	ZP SP	ZP SP	<i>10.18</i>
Temporary Structures	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	
Accessory Packaged Alcohol sales					SP		SP	SP	SP	SP	SP	SP		SP		<i>10.09</i>
Accessory Energy Facilities	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	
Accessory Wireless Facilities									ZP**			ZP	ZP	ZP	<i>10.20</i>

* Removal of more than 500 cubic yards of earth materials per acre *or a duration of more than two years* requires Special Permit approval by the Zoning Commission.

** Permitted in the CA-IL Overlay District.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

USE DEFINITIONS	AS-OF-RIGHT ACCESSORY USES
Residential Uses	
<u>Single Family Residence</u> : - A fully detached dwelling structure containing one dwelling unit occupied by a family where the average length of stay is sixty (60) days or longer. Community residences and child-care facilities as defined in CGS 8-3e, as may be amended, shall be classified as Single Family Residences.	Including but not necessarily limited to off street parking, recreational activities, home day care, detached garages, fences, swimming pools, accessory structures and accessory room rental of not more than 2 non- transient roomers or boarders.
<u>Two or Three Family Residence</u> : - A fully detached dwelling structure containing two or three dwelling units each occupied by a family where the average length of stay is sixty (60) days or longer.	Including but not necessarily limited to off street parking, recreational activities, home day care, detached garages, fences, swimming pools, and accessory structures.
<u>Multi-Family Residence</u> : - A fully detached dwelling structure containing four or more dwelling units each occupied by a family where the average length of stay is sixty (60) days or longer.	Including but not necessarily limited to off street parking, recreational activities, home day care, detached garages, fences, swimming pools, and accessory structures.
<u>Active Adult Housing</u> : - A housing development containing one or more dwelling structures, each containing one or more dwelling units that are intended for occupancy by at least one person age fifty-five (55) or older per dwelling unit, where the average length of stay is sixty (60) days or longer.	Including but not necessarily limited to off street parking, community center for use of residents, maintenance and office for use related to the management of the development, recreational activities, home occupations, detached garages, signs, fences, swimming pools, and accessory structures.
<u>Residential Campus Development</u> : - A group of two or more residential buildings occupying a single lot where the average length of stay is sixty (60) days or longer. Such uses may include two or three family residences, and/or multifamily residences in common ownership communities or rental housing developments.	Including but not necessarily limited to off street parking, community center for use of residents, maintenance and office for use related to the management of the development, recreational activities, home occupations, detached garages, fences, swimming pools, and accessory structures.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

USE DEFINITIONS	AS-OF-RIGHT ACCESSORY USES
<p><u>Planned Residential Conservation Development:</u> - A use which requires the approval of a PRCD Subdivision by the City Plan Commission which shall apply flexible lot areas, lot widths, setbacks and building coverage standards without increasing the number of units that could be legally constructed on a particular tract of land under the Zoning Regulations and providing a minimum of 35% of the pre-developed parcel as open space, with consideration of compatibility for the district or districts in which the property lies.</p>	Including but not necessarily limited to off street parking, community center for use of residents, maintenance and office for use related to the management of the development, recreational activities, home occupations, detached garages, fences, swimming pools, and accessory structures.
<p><u>Group Living:</u> - Residential occupancy of a building by a group of people who receive any combination of board, care, training, or treatment where the average length of stay is sixty (60) days or longer, excluding occupancy as a community residence or child care facility as defined in CGS 8-3e or 8-3f, or as a Student Housing Unit. Buildings generally have a common eating area for residents and residents share or have separate bedrooms. Such uses may include assisted living facilities, convalescent or nursing homes, hospices, boarding or rooming houses, and residence halls.</p>	Including but not necessarily limited to off street parking, recreational activities, detached garages, fences, swimming pool, and accessory structures.
<p><u>Student Housing Unit:</u> A Dwelling Unit housing only post-secondary students who are individually placed in the unit by the person who manages the Student Housing Unit.</p>	Including but not necessarily limited to recreational activities, and accessory structures.
<p><u>Halfway Residences:</u> - A facility for the housing of persons placed at the direction or under the custody and control of the Department of Corrections, probation, parole.</p>	Including but not necessarily limited to off street parking, recreational activities, detached garages, fences, swimming pool, and accessory structures.
<p><u>Short-Term Lodging:</u> - Facilities offering transient lodging accommodations to the general public, where the average length of stay is less than 60 days. Such uses may include bed and breakfasts, hostels, hotels, motels, tourist homes, shelters, and guest houses.</p>	Including but not necessarily limited to off street parking, signs, fences, coffee shops, banquet halls, dining and recreation facilities primarily for use by guests or residents of the facility.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

Commercial Uses	
<u>Mixed-Use Planned Development:</u> - A group of two or more principal structures on a single lot with a mix of commercial and residential uses in a compact urban form.	Including but not necessarily limited to off street parking, community center for use of residents, maintenance and office for use related to the management of the development, recreational activities, home occupations, detached garages, fences, swimming pools, and accessory structures.
<u>Retail Sales:</u> - The sale, lease, or rental of new or used consumer products to the general public including grocery stores and convenience stores in a single principal building but excluding Automotive and Marine Craft Trade.	Including but not necessarily limited to off street parking, signs, fences, offices, storage of goods, and repackaging of goods for on-site sales.
<u>Mixed Use Building:</u> - A building which houses two or more of the following uses: Single Family Residence; Two/Three Family Residence; Multi-Family Residence; Group Living; Short Term Lodging; Retail Sales; Eating and Drinking Establishments; Personal; Business and Repair Services; Entertainment Uses; Food Processing and Sales; Recreation Uses; Office Uses; Medical Office; Community Facilities; Day Care Center; Schools; Business and Trade Schools; Colleges or Universities; Religious Institutions; Veterinary Services; Package Store; Social Gathering Places.	Including but not necessarily limited to the Accessory uses related to the individual uses housed in the structure.
<u>Package Store:</u> - A retail establishment engaged in the sale of prepackaged alcoholic beverages intended for off premises consumption and operating under a "Package Store Permit" as per CGS Section 30-20 (a).	Including but not necessarily limited to off street parking, signs, fences, offices, storage of goods, and repackaging of goods for on-site sales.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

<p><u>Eating and Drinking Establishments:</u> - Establishments used primarily for the preparation and sale of food and beverages for immediate consumption in provided seating areas. Such uses may include bars and taverns, restaurants, cafes, soup kitchens and delicatessens.</p>	Including but not necessarily limited to off street parking, signs, fences, offices, and storage of food and alcohol.
<p><u>Personal, Business, and Repair Services:</u> - Businesses primarily engaged in providing personal or business services, beauty parlors, barber shops, therapeutic massage facilities, funeral homes, crematoriums, repair of consumer and business goods, veterinary services and kennels, and similar services, but excluding retail sales.</p>	Including but not necessarily limited to off street parking, signs, fences, offices, storage of goods, and repackaging of goods for on-site sales.
<p><u>Entertainment Uses:</u> - Facilities providing entertainment to the general public that generally takes place indoors. Such uses may include, but are not necessarily limited to, billiards, bowling alleys, game arcades, and indoor motion picture theaters.</p>	Including but not necessarily limited to off street parking, signs, fences, offices, storage areas, and concession stands.
<p><u>Large Venue Event Facilities:</u> - Activities and facilities that draw people as spectators at specific events or shows, including but not necessarily limited to auditoriums, coliseums, exhibition halls, race tracks, sports arenas, and stadiums.</p>	Including but not necessarily limited to off street parking, signs, fences, restaurants, bars, concessions, and maintenance facilities.
<p><u>Shopping Center:</u> - A grouping of businesses in one or more buildings that may include retail; package store; eating and drinking establishment; personal, business, and repair services; and office uses on a single site with common parking facilities and containing at least 25,000 square feet of gross building floor area and where at least 60% of the total floor area is used for retail.</p>	Including but not necessarily limited to off street parking, signs, fences, temporary events, and offices.
<p><u>Food Sales and Processing:</u> - The preparation and sale of foods, excluding cannabis-based food products, for both retail and wholesale where at least 20 percent of the gross floor area is devoted to retail activity and the total gross floor area of the establishment does not exceed 5000 square feet, including but not necessarily limited to bakeries, food processing for wholesale distribution, and butcher shops.</p>	Including but not necessarily limited to uses such as seating areas for the retail consumption of prepared food products, off street parking, signs, fences, offices, storage of goods, and manufacture, repackaging or transportation of goods for on or off-site sales.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

<p><u>Adult Establishment:</u> - An adult bookstore, adult cabaret, adult hotel/motel, adult modeling studio, adult mini-motion picture-theater or adult motion picture theater, or any combination thereof or any establishment which defines itself as an adult bookstore, adult cabaret, adult min-motion-picture-theater, or adult motion picture theater, or any combination thereof.</p>	Including but not necessarily limited to off street parking, signs, fences, offices and storage areas.
<p><u>Recreation Uses:</u> - Commercial facilities providing indoor recreation to the general public, including but not necessarily limited to health clubs, indoor sports training facilities, bowling alleys, laser tag, indoor firing ranges, indoor racquet courts, and swimming pools.</p>	Including but not necessarily limited to as off street parking, signs, fences, club houses, maintenance facilities, and concessions.
<p><u>Social Gathering Places:</u> - Places that draw people primarily for social gatherings, including but not necessarily limited to clubs, lodges, and associations.</p>	Including but not necessarily limited to off street parking, signs, fences, offices, bars, temporary events and storage of food and drinks.
<p><u>Automotive and Marine Craft Trade:</u> - The retail sale or leasing of cars, trucks, motorcycles, recreational vehicles, marine craft, or other motorized conveyances.</p>	Including but not necessarily limited to off street parking, signs, fences, vehicle servicing, and detailing when conducted as a secondary activity to the sale of vehicles.
<p><u>Commercial Outdoor Recreation:</u> - Large commercial facilities where continuous or seasonal recreation oriented activities occur. Activities generally take place outdoors and may take place in a number of structures that are arranged together in an outdoor setting. Such uses may include amusement parks, beach clubs, campgrounds, picnic recreation areas, rod and gun clubs, outdoor firing ranges, golf courses and practice ranges, country clubs and commercial game fields.</p>	Including but not necessarily limited to off street parking, signs, fences, offices, concessions, restaurants, temporary events and caretakers' quarters and maintenance service facilities.
<p><u>Offices:</u> - Activities conducted in an office setting and primarily focused on administrative, business, government, professional (not including medical), or financial services. Also included are services performed off-site provided equipment and materials are not stored on site and fabrication services or similar work is not done on site.</p>	Including but not necessarily limited to off street parking, signs, fences, amenities primarily used by employees or visitors of the business or organization such as cafeterias and health facilities.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

<p><u>Medical Office:</u> - An office or single building used exclusively by physicians, dentists, and similar personnel for the diagnosis, treatment, and examination of patients solely on an outpatient basis, provided that no overnight patients shall be kept on the premises.</p>	Including but not necessarily limited to off street parking, signs, fences, amenities primarily used by employees or visitors of the business or organization such as cafeterias and health facilities.
<p><u>General Purpose Hospital Campus:</u> - Establishment for the housing, care, and treatment of persons suffering from disease or other physical or mental conditions, including diagnostic and surgical services and inpatient psychiatric services. Does not include facilities where more than ten percent (10%) of beds are intended for drug and/or alcohol abuse treatment patients.</p>	Including but not necessarily limited to off street parking, signs, fences, out-patient clinics, offices, laboratories, teaching and meeting facilities, cafeterias, therapy and recreation areas, maintenance service facilities, retail sales, and housing for staff and trainees.
<p><u>Inpatient Clinic:</u> - A facility providing medical or surgical care to patients and offering overnight care, including uses that provide in-patient care and planned treatment for psychiatric, alcohol, or drug problems. Such uses may include drug, alcohol, and psychiatric in-patient facilities, and out-patient medical centers.</p>	Including but not necessarily limited to off street parking, signs, fences, offices, laboratories, teaching and meeting facilities, and housing for staff and trainees.
<p><u>Community Facilities:</u> - Nonresidential operations generally providing a local service to people of the community. Services are generally provided on the site or employees are at the site on a regular basis, and services are on-going. The use may also provide special counseling, education, or training by a public, nonprofit, or charitable entity. Such uses include but are not necessarily limited to adult day care centers, community centers, libraries, museums, senior centers, vocational training for the handicapped, and youth club facilities.</p>	Including but not necessarily limited to off street parking, signs, fences, offices, meeting rooms, food preparation areas, health, recreation, temporary events, and therapy areas.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

<p><u>Day Care Center:</u> - A facility where a program of supplementary care to more than twelve related or unrelated children or more than seven unrelated adults outside their own homes on a regular basis, is offered or provided.</p>	Including but not necessarily limited to off street parking, signs, fences, offices, food preparation areas, and play areas.
<p><u>Schools:</u> - Facilities that provide a curriculum of elementary and secondary academic instruction, including public and private kindergartens, elementary schools, junior high schools, middle schools, and high schools. Such uses may include boarding schools, military academies, and public and private day schools.</p>	Including but not necessarily limited to off street parking, signs, fences, offices, recreation and sports facilities, cafeterias, auditoriums, residence halls, temporary events, and before- and after-school day care.
<p><u>Business and Trade Schools:</u> - A specialized instructional establishment that provides on-site training of business, commercial, and/or trade skills including but not necessarily limited to accounting, secretarial skills, data processing, hair and beauty care, and computer repair in part or all of a single building. Incidental instructional services in conjunction with another primary use shall not be considered a business and trade school.</p>	Including but not necessarily limited to off street parking, signs, fences, offices, cafeterias, and auditoriums.
<p><u>Colleges and Universities:</u> - Institutions of higher learning that offer courses of general or specialized study leading to a degree and certified by a recognized accrediting agency. Such uses include but are not necessarily limited to community colleges, liberal arts colleges, and nursing and medical schools not accessory to a hospital, religious institution, seminary, or university.</p>	Including but not necessarily limited to off street parking, signs, fences, offices, residence halls, food preparation, theaters, laboratories, health and recreation facilities, conference and meeting facilities, temporary events, maintenance services, sports fields, field houses, gymnasiums, stadiums, swimming pools and other enclosed sports facilities, including seating for spectators, and associated parking.
<p><u>Religious Institutions:</u> - A facility where people regularly attend religious services and affiliated meetings and activities, including but not necessarily limited to churches, mosques, synagogues, temples, and other houses of worship.</p>	Including but not necessarily limited to off street parking, signs, fences, school facilities for religious instruction (excluding elementary, middle and high schools), caretakers' housing, food banks, eleemosynary uses, temporary events, and housing for religious personnel such as convents, parsonages, or rectories.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

<p><u>Essential Public Services:</u> - Services that generally provide essential services to the area in which it is to be located. Such uses include but are not necessarily limited to ambulance stations, fire stations, and police stations.</p>	Including but not necessarily limited to off street parking, signs, fences, offices, meeting rooms, and food preparation areas.
<p><u>Parks and Open Areas:</u> - Land outdoors, open to the public and not for profit, and reserved primarily as a natural area or an area consisting mostly of vegetative landscaping, outdoor recreation space, community gardens, or public square or plaza. Such uses may include botanical gardens, cemeteries, nature preserves, parks, plazas, public squares, recreational trails, and tennis and basketball courts.</p>	Including but not necessarily limited to off street parking, signs, fences, club houses, maintenance facilities, concessions, temporary events and caretakers' quarters.
<p><u>Kennel:</u> - Any lot where four (4) or more dogs or four (4) or more cats six (6) months old or older are available for sale or kept for compensation.</p>	Including but not necessarily limited to off street parking, signs, fences, offices, food preparation areas, exercise areas and veterinary services.
<p><u>Veterinary Services:</u> - A facility for the care and treatment of diseases and injuries of animals under the supervision of a licensed veterinarian and where overnight boarding is of animals is prohibited except when necessary in the medical treatment of the animal.</p>	Including but not necessarily limited to off street parking, signs, fences, and offices.
<p><u>Wind Energy Conversion Systems:</u> - Any device or assemblage which directly converts wind energy into usable thermal, mechanical or electrical energy including directly connected facilities such as towers, generators, alternators, inverters and associated control equipment.</p>	None
<p><u>Crematories:</u> - a building or structure containing one or more cremation chambers or retorts for the cremation of dead human bodies or large animals and "large animals" means all cattle, horses, sheep, goat, swine or similar species commonly kept as livestock.</p>	None



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

<p><u>Cannabis Establishment, Dispensary Facility:</u> - a place of business where cannabis may be dispensed, sold or distributed in accordance with Chapter 420F of the Connecticut General Statutes and any other State regulations or licensing procedures adopted thereunder, to qualifying patients and caregivers, and to which the State of Connecticut has issued a dispensary facility license.</p>	None
<p><u>Cannabis Establishment, Hybrid Retailer:</u> - an establishment operating under State of Connecticut licensing requirements, engaged in the sale, dispensing or distribution of cannabis and cannabis products to adult consumers over the age of 21 and to qualifying patients and caregivers.</p>	None
<p><u>Cannabis Establishment, Product Packager:</u> a business licensed by the State of Connecticut and engaged in the packaging and labeling of cannabis products for either on-premise or off premise distribution and sale with at least 25% but not more than 5,000 square feet of the gross floor area of the establishment devoted to either dispensary, hybrid or retail sales.</p>	None
<p><u>Cannabis Establishment - Retailer:</u> an establishment, excluding a Dispensary Facility and Hybrid Retailer, operating in accordance with State of Connecticut licensing requirements and engaged in the business of acquiring cannabis from producers, cultivators, micro-cultivators, product manufacturers and food and beverage manufacturers for sale, dispensing or distribution to consumers over the age of 21 and to research program providers.</p>	None



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

Industrial Uses	
<p><u>Manufacturing and Processing:</u> - The manufacturing, processing, fabrication, packaging, or assembly of goods or wares by manual labor or by machinery, which may include incidental sale of products produced on site only.</p>	Including but not necessarily limited to off street parking, signs, fences, offices, cafeterias, employee recreation and health facilities, storage yards, truck fleet maintenance and parking areas, repair facilities, rail spur or lead lines, docks, and caretaker quarters.
<p><u>Industrial Services:</u> - Businesses that provide the repair or servicing of industrial, business, or consumer machinery, equipment, products or by-products, but do not include personal, business, and repair services or retail outlets. Such uses may include but are not necessarily limited to electric motor repair, exterminators, heavy machinery repair, laundry, dry-cleaning and carpet cleaning facilities, machine shops, research and development laboratories, bulk landscaping material storage and sales, and yards for storage of equipment and materials.</p>	Including but not necessarily limited to off street parking, signs, fences, offices, storage, and rail spur or lead lines, and docks.
<p><u>Warehouse and Freight Handling:</u> - Facilities involved with the bulk storage and movement of materials or goods (typically referred to as inventory) which are stored, until they are either: (i) sold and delivered to the end-user; or (ii) used by the end user. These facilities involve less on-site automation and logistics management and rely on more traditional labor-intensive modes of inventory storage and distribution than eCommerce Fulfillment and Distribution Centers, with only incidental on-site direct sales activity. Such uses may but are not necessarily limited to include taxi, limousine, and bus barns or yards, cold storage plants, distribution post offices, mini-warehousing and self-service storage facilities, and retail store warehouses.</p>	Including but not necessarily limited to off street parking, signs, fences, offices, repackaging of goods for off-site sale, truck fleet maintenance and parking, rail spur or lead lines, docks, and repackaging of goods.
<p><u>Wholesale Trade:</u> - The sale, lease, or rental of products intended for purchase by industrial, institutional, or commercial businesses, primarily through on-site sales or order-taking with limited sales to the general public. Such uses may include but are not necessarily limited to the sale of building materials and wholesalers of alcoholic beverages and food.</p>	Including but not necessarily limited to off street parking, signs, fences, offices, product repair and minor fabrication, and repackaging of goods for off-site sales, warehouses, and limited retail areas.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

<p><u>Limited Vehicle Service Facilities:</u> - Operations that conduct minor services to vehicles, including the sale of gasoline and other petroleum products and the services of a limited repairer as defined in CGS Section 14-51. Such uses include car washes, vehicle emission test sites, gas stations, minor auto repair and tire sales, quick lubrication services, and detailing shops.</p>	Including but not necessarily limited to off street parking, signs, fences, offices, and storage.
<p><u>Agriculture:</u> - Operations that entail the commercial production of agricultural goods, including crops and raising of livestock or poultry for slaughter or sale. For the purpose of this definition, "Agriculture" shall not be construed to mean the commercial cultivation of cannabis.</p>	Including but not necessarily limited to off street parking, signs, fences, offices, storage, rail spur or lead lines, and docks.
<p><u>Vehicle Service Facilities:</u> - Operations that conduct engine overhaul and other major services to vehicles, including automobile painting, and facilities qualified to conduct such business in accordance with the requirements of CGS Section 14-52. Such uses include body shops and vehicle repair shops.</p>	Including but not necessarily limited to off street parking, signs, fences, offices, parts and supplies sales, and vehicle storage.
<p><u>Hazardous Industrial Operations:</u> - Operations that receive solid or liquid wastes from others for disposal, storage or treatment on-site or for transfer to another location; collect sanitary wastes; treat contaminated materials; process materials for recycling; manufacture or produce goods or energy from the composting of organic material; or produce hazardous materials. Such uses may include, but are not necessarily limited to, waste to energy recovery plants, portable sanitary collection equipment storage and pumping, recycling operations, waste water treatment plants, waste composting, waste incineration, junk and salvage yards, and facilities for the production or processing of hazardous materials.</p>	Including but not necessarily limited to uses such as off street parking, signs, fences, offices, recycling of materials, truck fleet maintenance and parking, repackaging and transshipment of by-products.
<p><u>Commercial Earth Excavation:</u> - Any activity involving earth excavation, filling, grading, stockpiling of earth material, importing, processing, and/or removal of earth material for wholesale or retail sale in excess of 50 cubic yards per acre in any one calendar year. Any activity which involves the importation of earth material, asphalt tailings or construction debris not for reuse on site. Such uses may include mining, quarrying, crushing, screening, sorting, and mineral extraction.</p>	Including but not necessarily limited to uses such as off street parking, signs, fences, offices, truck fleet maintenance and parking, sale of earth material products, importation of earth material, recycling of bituminous concrete, recycling of construction debris.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

<p><u>Basic Utilities:</u> - Utility (public or private) infrastructure, not subject to the siting jurisdiction of any State or Federal agency, that needs to be located in or near the area where the service is provided. Basic Utility facilities generally do not have regular employees at the site. Such uses include but are not necessarily limited to electrical substations, telephone exchanges, water and sewer pump stations, water towers and reservoirs, communication transmission buildings or towers, wireless telecommunication facilities, and similar utility facilities.</p>	Including but not necessarily limited to off street parking, fences.
<p><u>Passenger Terminals:</u> - Passenger terminals and related facilities for aircraft, regional bus service, regional rail service, and regional water-based transportation. Such uses may include but are not necessarily limited to bus passenger terminals for regional bus service, helicopter landing facilities, passenger docks for regional water-based travel, and railroad passenger stations for regional rail service.</p>	Including but not necessarily limited to off street parking, signs, fences, offices, freight handling areas, ticketing areas, concessions, and maintenance and fueling facilities.
<p><u>Commercial Parking Structure:</u> - A structure that provides regular parking for vehicles not associated with or connected to a designated structure or for accessory parking for a specific structure. Such uses include commercial shuttle parking, office/retail zone shared parking lots, and short- and long-term fee parking facilities.</p>	Including but not necessarily limited to off street parking, signs, fences, car washing, detailing, and vehicle service activities if these uses provide service solely for vehicles parked in the structure.
<p><u>Surface Parking Lot:</u> - A surface lot for parking of vehicles not connected with a designated structure or for accessory parking for a specific structure.</p>	Including but not necessarily limited to off street parking, signs, fences, car washing, detailing, and vehicle service activities if these uses provide service solely for vehicles parked in the commercial surface parking lot.
<p><u>Commercial Energy Generation and Storage Facilities:</u> - Any facility that is not subject to the siting authority of any State or Federal agency installed for the purpose of generating and selling energy (excluding waste to energy facilities) or for storing and distributing non-renewable solid or liquid fuels.</p>	Including but not necessarily limited to off street parking, signs, fences, offices, cafeterias, employee recreation and health facilities, storage yards, truck fleet maintenance and parking areas, repair facilities, rail spur or lead lines, docks, and caretaker quarters.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

Wireless Communication Facility: - The antennas exceeding 1 meter in diameter or diagonal measurement, satellite dish antennas exceeding 1 meter in diameter, any antenna or satellite dish mounted on a mast higher than 12 feet above the roofline, satellite dish antennas, telecommunications equipment, communication towers, monopoles, and/or support structures used in conjunction with the provision of commercial wireless communication services, not subject to the siting jurisdiction of any State or Federal agency. These services may include, but are not necessarily limited to cellular communications, personal communication services, specialized mobilized radio, and paging.

Including but not necessarily limited to off street parking.

eCommerce Fulfillment and Distribution Centers – Facilities which are part of a supply chain sorting, distribution, and logistics processes needed to get products from internet-based sellers, and their suppliers, to customers. These establishments are characterized by the short-term storage, sorting, assembly, packaging, and distribution of products purchased online and typically involve a high-level of on-site automation and logistics management. Such uses may include, but are not necessarily limited to, sorting and distribution centers (sometimes referred to as first-mile or middle-mile centers), order fulfillment centers and distribution processing centers (sometimes referred to as last-mile centers) and usually part of a large distribution network.

Including, but not necessarily limited to, off street parking, signs, fences, offices, freight handling areas, fleet vehicle storage and maintenance. In addition, for any site greater than 75 acres containing an eCommerce Fulfillment and Distribution Center located in the Industrial Park Zoning District, detached garage structures up to 60 feet in height shall be allowed as an as-of-right accessory use, subject to the issuance of a Zoning Permit. Further, such accessory use shall not be subject to the standards of Section 4.02 but shall instead be subject only to the Development Standards of the Industrial Park Zoning District and the Parking Structures and Lots Special Use Standards of Section 10.19.03. The GFA of the detached garage structure shall not be included for the purposes of determining the number of required parking spaces for an eCommerce Fulfillment and Distribution Center under Section 9.03.05.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

Conditional Accessory Uses	
<u>Home Occupation:</u> - An occupation, profession, activity, or use undertaken by a resident of a dwelling unit that is clearly a secondary and incidental use of a residential dwelling unit and which does not alter the exterior of the property or affect the residential character of the neighborhood.	None
<u>Livestock and Poultry:</u> - Keeping of livestock and poultry by the occupant of the dwelling unit on the same property.	None
<u>Drive through Service:</u> - A building opening, including windows, doors, or mechanical devices, through which occupants of a motor vehicle receive or obtain a product or service.	None
<u>Outdoor Display:</u> - The outdoor exhibition of products, materials, equipment, or machinery for sale or lease.	None
<u>Accessory Earth Material Excavation:</u> - Earth excavation, processing, or related activity occurring at a constant rate unrelated to market conditions for earth materials and involving removal of no more than 500 cubic yards of earth material per acre which shall be completed within two years or in accordance with a phasing plan approved as part of a Special Permit or Special Exception, and which is associated with and necessary for the preparation of a site for a) development meeting the applicable general use, district development, and special use standards; or b) completion of an approved building permit, subdivision, Special Permit, Special Exception or Zoning Permit and; or c) environmental remediation as approved by the Connecticut Department of Environmental Protection or under the supervision of a licensed environmental professional.	Earth excavation, filling and/or grading, processing of earth material for reuse on site, stockpiling of earth material, importation of earth material for use on the site , stockpiling of imported earth material and/or removal of earth material of fifty (50) cubic yards or less in volume on any one property in any one calendar year.
<u>Temporary Structure:</u> - Any accessory structure placed or erected on a lot which does not require a building permit or is not shown on an approved zoning site plan including but not necessarily limited to storage containers, PODS, dumpsters, portable toilets, inflatable structures, and tents for a period of more than 7 days not to exceed 90 days. Temporary structures associated with an approved site plan do not require separate permitting as a Conditional Accessory Use.	None.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

<u>Accessory Packaged Alcohol Sales:</u> - Any retail establishment, other than a package store, engaged in the sale of alcoholic beverages for off-premises consumption and operating under a "Grocery Store Beer Permit" as per CGS Sections 30-20 (b) and (c).	None.
<u>Accessory Energy Generation Facility:</u> - Buildings and other structures and appurtenant components for the generation of energy primarily for the use of the principal building(s) on the same parcel.	None.
<u>Accessory Wireless Communications Facilities:</u> - Wireless communications facilities installed exclusively for use by a principal commercial use on the same parcel, such as two-way radio, dispatching, and emergency communications.	None.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

Section 4.09 Master Development Standards Table

	Minimum Lot Area (square feet)	Minimum Frontage (feet)	Front Yard (feet)	Rear Yard (feet)	Total Side Yard (feet)	Minimum side yard (feet)	Corner Lot Setback from secondary street(s) (feet)	Maximum Impervious Cover	Maximum Building Coverage	Maximum Height	Minimum Usable Open Space	Maximum Residential Density (units per acre)
Residential Districts (NA: Not Applicable)												
RS-12	12000	100	25	25	30% Lot Width	10	20	50%	NA	Lesser of 2½ stories or 35 feet	NA	4
RS	7500	75	25	25	30% Lot Width	10	20	50%	NA	Lesser of 2½ stories or 35 feet	NA	6
RL	6000	60	20	25	16	6	15	50%	NA	Lesser of 2½ stories or 35 feet	NA	8
RM	6000	Greater of 60 or 25 per dwelling unit with exterior access	15	25	16	6	10	50%	NA	Lesser of 3 stories or 35 feet	400 square feet per dwelling unit	24



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

	Minimum Lot Area (square feet)	Minimum Frontage (feet)	Front Yard (feet)	Rear Yard (feet)	Total Side Yard (feet)	Minimum side yard (feet)	Corner Lot Setback from secondary street(s) (feet)	Maximum Impervious Cover	Maximum Building Coverage	Maximum Height	Minimum Usable Open Space	Maximum Residential Density (units per acre)
RH	6000	Greater of 60 or 25 per dwelling unit with exterior access ¹	15	25	20	10	10	50%	NA	Lesser of 6 stories or 75 feet	200 square feet per dwelling unit	42
RO	6000 or 100 per dwelling unit	Greater of 60 or 25 per dwelling unit with exterior access ¹	15 or average of adjacent building setbacks	25	20	10	10	60%	30%	Lesser of 3 stories or 37½ feet	100 square feet per bedroom	8
Commercial Districts (NA: Not Applicable)												
CN	6000	60	15 or average of adjacent building setbacks	25	20	10	15	90%	30%	Lesser of 3 stories or 35 feet	NA	8
CO	10000	60	15	25	20	10	10**	75%; 85% on lots < five acres	40%	Lesser of 5 stories or 60 feet	NA	24



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

	Minimum Lot Area (square feet)	Minimum Frontage (feet)	Front Yard (feet)	Rear Yard (feet)	Total Side Yard (feet)	Minimum side yard (feet)	Corner Lot Setback from secondary street(s) (feet)	Maximum Impervious Cover	Maximum Building Coverage	Maximum Height	Minimum Usable Open Space	Maximum Residential Density (units per acre)
CA	10000*	100	50; 15 if lot < 1 acre	25 feet from residential use or district	NA	15 feet from residential use or District	25; 15 if lot < 1 acre	75%; 85% on lots < five acres	40%	Lesser of 4 stories or 60 feet	NA	0
CG	6000	60	15	20 feet from residential use or district	NA	8 feet from residential use or District	10	80%; 90% on lots < two acres	50%	Lesser of 5 Stories or 60 feet.	NA	24
CBD	NA	NA	NA	15 feet from any Residential District	NA	15 feet from Residential any District	Average Depth of Bldgs within 200 ft.	NA	NA	NA	NA	NA
Industrial Districts (NA: Not Applicable)												
IG	20000	100	15	20 feet from residential use or district	NA	20 feet from residential use or District; 15 feet from any street line	15	NA	50%	Lesser of 4 Stories or 80 feet	NA	0



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 4
PERMITTED
USES

	Minimum Lot Area (square feet)	Minimum Frontage (feet)	Front Yard (feet)	Rear Yard (feet)	Total Side Yard (feet)	Minimum side yard (feet)	Corner Lot Setback from secondary street(s) (feet)	Maximum Impervious Cover	Maximum Building Coverage	Maximum Height	Minimum Usable Open Space	Maximum Residential Density (units per acre)
IP	40000	150	25	25 ²	NA	25 feet from residential use or District; 15 feet from any street line ²	20	85%	40%	Lesser of 3 Stories or 60 feet ³	NA	0
IL	20000	100	15	20 feet from residential use or district	NA	20 feet from residential use or District; 15 feet from any street line	15	85%	50%	Lesser of 3 Stories or 60 feet.	NA	0

Notes to the Development Standards Table

- 1 The greater of 60 feet or 25 feet per dwelling unit with direct access to the exterior of the structure except as authorized by a site plan for a Special Exception under Sections 10.03, 10.04 or 10.05. Frontage of at least 25 feet per unit is required for approval of a Zoning permit by the ZEO.
- 2 For any site greater than 75 acres, the minimum rear yard and side yard setbacks shall be 150 feet from the lot line of any residential lot that abuts the site.
- 3 For any site greater than 75 acres, the maximum height shall be 130 feet and there shall be no maximum stories limit.



ARTICLE 5. RESIDENTIAL DISTRICTS

Section 5.01 Large Lot Single Family Residential District (RS-12)

5.01.01 Purpose

The RS-12 District is established to provide for low density single-family residential neighborhoods and limited non-residential uses on lots having a minimum area of twelve thousand (12,000) square feet. Uses and Conditional Accessory Uses are permitted by Zoning Permit, Special Permit, or Special Exception approval as provided in Article 11 of these Regulations. Uses are defined in the Master Use Table in Section 4.08 of these Regulations.

5.01.02 RS-12 District Permitted Uses

Refer to Section 4.08 - Master Use Table.

5.01.03 RS-12 District Minimum Lot Area

Refer to Section 4.09 - Master Development Standards Table.

5.01.04 RS-12 District Minimum Frontage (Lot Width)

Refer to Section 4.09 - Master Development Standards Table.

5.01.05 RS-12 District Front Yard

Refer to Section 4.09 - Master Development Standards Table.

5.01.06 RS-12 District Rear yard

Refer to Section 4.09 - Master Development Standards Table.

5.01.07 RS-12 District Total Side Yard

Refer to Section 4.09 - Master Development Standards Table.

5.01.08 RS-12 District Minimum Side yard

Refer to Section 4.09 - Master Development Standards Table.

5.01.09 RS-12 District Corner Lot Setback from Secondary Street

Refer to Section 4.09 - Master Development Standards Table.

5.01.10 RS-12 District Maximum Impervious Coverage

Refer to Section 4.09 - Master Development Standards Table.

5.01.11 RS-12 District Maximum Building Coverage

Refer to Section 4.09 - Master Development Standards Table.

5.01.12 RS-12 District Maximum Height

Refer to Section 4.09 - Master Development Standards Table.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 5
RESIDENTIAL
DISTRICTS**

5.01.13 RS-12 District Minimum Usable Open Space

Refer to Section 4.09 - Master Development Standards Table.

5.01.14 RS-12 District Parking, Loading, Access

Refer to Section 9.03 - Parking and Access.

Section 5.02 Single Family Residential District (RS)

5.02.01 Purpose

The RS District is established to provide for single-family residences and limited non-residential uses on lots having a minimum area of seven thousand five hundred (7,500) square feet. Uses and Conditional Accessory Uses are permitted by Zoning Permit, Special Permit, or Special Exception approval as provided in Article 11 of these Regulations. Uses are defined in the Master Use Table in Section 4.08 of these Regulations.

5.02.02 RS District Permitted Uses

Refer to Section 4.08 - Master Use Table.

5.02.03 RS District Minimum Lot Area

Refer to Section 4.09 - Master Development Standards Table.

5.02.04 RS District Minimum Frontage (Lot Width)

Refer to Section 4.09 - Master Development Standards Table.

5.02.05 RS District Front Yard

Refer to Section 4.09 - Master Development Standards Table.

5.02.06 RS District Rear yard

Refer to Section 4.09 - Master Development Standards Table.

5.02.07 RS District Total Side Yard

Refer to Section 4.09 - Master Development Standards Table.

5.02.08 RS District Minimum Side yard

Refer to Section 4.09 - Master Development Standards Table.

5.02.09 RS District Corner Lot Setback from Secondary Street

Refer to Section 4.09 - Master Development Standards Table



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 5
RESIDENTIAL
DISTRICTS**

5.02.10 RS District Maximum Impervious Coverage

Refer to Section 4.09 - Master Development Standards Table.

5.02.11 RS District Maximum Building Coverage

Refer to Section 4.09 - Master Development Standards Table.

5.02.12 RS District Maximum Height

Refer to Section 4.09 - Master Development Standards Table.

5.02.13 RS District Minimum Usable Open Space

Refer to Section 4.09 - Master Development Standards Table.

5.02.14 RS District Parking, Loading, Access

Refer to Section 9.03 - Parking and Access.

Section 5.03 Low Density Residential District (RL)

5.03.01 Purpose

The RL District is established to provide for single family dwellings and limited non-residential uses on lots having a minimum area of six thousand (6,000) square feet. Uses and Conditional Accessory Uses are permitted by Zoning Permit, Special Permit, or Special Exception approval as provided in Article 11 of these Regulations. Uses are defined in the Master Use Table in Section 4.08 of these Regulations.

5.03.02 RL District Permitted Uses

Refer to Section 4.08 - Master Use Table.

5.03.03 RL District Minimum Lot Area

Refer to Section 4.09 - Master Development Standards Table.

5.03.04 RL District Minimum Frontage (Lot Width)

Refer to Section 4.09 - Master Development Standards Table.

5.03.05 RL District Front Yard

Refer to Section 4.09 - Master Development Standards Table.

5.03.06 RL District Rear yard

Refer to Section 4.09 - Master Development Standards Table.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 5
RESIDENTIAL
DISTRICTS**

5.03.07 RL District Total Side Yard

Refer to Section 4.09 - Master Development Standards Table.

5.03.08 RL District Minimum Side yard

Refer to Section 4.09 - Master Development Standards Table.

5.03.09 RL District Corner Lot Setback from Secondary Street

Refer to Section 4.09 - Master Development Standards Table.

5.03.10 RL District Maximum Impervious Coverage

Refer to Section 4.09 - Master Development Standards Table.

5.03.11 RL District Maximum Building Coverage

Refer to Section 4.09 - Master Development Standards Table.

5.03.12 RL District Maximum Height

Refer to Section 4.09 - Master Development Standards Table.

5.03.13 RL District Minimum Usable Open Space

Refer to Section 4.09 - Master Development Standards Table.

5.03.14 RL District Parking, Loading, Access

Refer to Section 9.03 - Parking and Access.

Section 5.04 Medium Density Multi-Family Residential District (RM)

5.04.01 Purpose

The RM District is established to provide for a variety of housing choices and limited non-residential uses. The District allows for moderate density multi-family residences, townhouses, and Residential Campus Developments. Uses and Conditional Accessory Uses are permitted by Zoning Permit, Special Permit, or Special Exception approval as provided in of these Regulations. Uses are defined in the Master Use Table in Section 4.08 these Regulations.

5.04.02 RM District Permitted Uses

Refer to Section 4.08 - Master Use Table.

5.04.03 RM District Minimum Lot Area

Refer to Section 4.09 - Master Development Standards Table.



5.04.04 RM District Minimum Frontage (Lot Width)

- (i) Frontage of at least 25 feet per unit is required for approval of a Zoning permit by the ZEO.
- (ii) The greater of 60 feet or 25 feet per dwelling unit with direct access to the exterior of the structure shall be required except as authorized by a site plan for a Special Exception under Sections 10.03, 10.04 or 10.05.
- (iii) If a lot has 60 feet of frontage but is insufficient to meet the 25 foot per unit for the number of units desired, a Special permit from the Zoning Commission shall be required under Section 10.03.

5.04.05 RM District Front Yard

Refer to Section 4.09 - Master Development Standards Table.

5.04.06 RM District Rear yard

Refer to Section 4.09 - Master Development Standards Table.

5.04.07 RM District Total Side Yard

Refer to Section 4.09 - Master Development Standards Table.

5.04.08 RM District Minimum Side yard

Refer to Section 4.09 - Master Development Standards Table.

5.04.09 RM District Corner Lot Setback from Secondary Street

Refer to Section 4.09 - Master Development Standards Table.

5.04.10 RM District Maximum Impervious Coverage

Refer to Section 4.09 - Master Development Standards Table.

5.04.11 RM District Maximum Building Coverage

Refer to Section 4.09 - Master Development Standards Table.

5.04.12 RM District Maximum Height

Refer to Section 4.09 - Master Development Standards Table.

5.04.13 RM District Minimum Usable Open Space

Refer to Section 4.09 - Master Development Standards Table.

5.04.14 RM District Parking, Loading, Access

Refer to Section 9.03 - Parking and Access.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 5
RESIDENTIAL
DISTRICTS**

5.04.15 RM District Maximum Residential Units per Building

There shall be a maximum of twelve dwellings units in any residential structure.

Section 5.05 High Density Multi-Family Residential District (RH)

5.05.01 Purpose

The RH District is established to provide for medium and high-rise multifamily residential structures at a maximum density of forty-two (42) dwelling units per acre and limited non-residential uses and mixed-use development. Uses and Conditional Accessory Uses are permitted by Zoning Permit, Special Permit, or Special Exception approval as provided in Article 11 of these Regulations. Uses are defined in the Master Use Table in Section 4.08 of these Regulations.

5.05.02 RH District Permitted Uses

Refer to Section 4.08 - Master Use Table.

5.05.03 RH District Minimum Lot Area

Refer to Section 4.09 - Master Development Standards Table.

5.05.04 RH District Minimum Frontage (Lot Width)

- (i) Frontage of at least 25 feet per unit is required for approval of a Zoning permit by the ZEO.
- (ii) The greater of 60 feet or 25 feet per dwelling unit with direct access to the exterior of the structure shall be required except as authorized by a site plan for a Special Exception under Sections 10.03, 10.04 or 10.05.
- (iii) If a lot has 60 feet of frontage but is insufficient to meet the 25 foot per unit for the number of units desired, a Special permit from the Zoning Commission shall be required under Section 10.03.

5.05.05 RH District Front Yard

Refer to Section 4.09 - Master Development Standards Table.

5.05.06 RH District Rear yard

Refer to Section 4.09 - Master Development Standards Table.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 5
RESIDENTIAL
DISTRICTS**

5.05.07 RH District Total Side Yard

Refer to Section 4.09 - Master Development Standards Table.

5.05.08 RH District Minimum Side yard

Refer to Section 4.09 - Master Development Standards Table.

5.05.09 RH District Corner Lot Setback from Secondary Street

Refer to Section 4.09 - Master Development Standards Table.

5.05.10 RH District Maximum Impervious Coverage

Refer to Section 4.09 - Master Development Standards Table.

5.05.11 RH District Maximum Building Coverage

Refer to Section 4.09 - Master Development Standards Table.

5.05.12 RH District Maximum Height

Refer to Section 4.09 - Master Development Standards Table.

5.05.13 RH District Minimum Usable Open Space

Refer to Section 4.09 - Master Development Standards Table.

5.05.14 RH District Parking, Loading, Access

Refer to Section 9.03 - Parking and Access.

5.05.15 *RH District Maximum Residential Units per Floor*

There shall be a maximum of twelve dwellings units per floor in any residential structure.

Section 5.06 Residential/Office District (RO)

5.06.01 Purpose

The RO District is established to provide for mixed professional, medical, and similar office uses with residential uses, the conversion of older residences to commercial use, and the development of new low-rise office buildings that are compatible with the surrounding residential neighborhood. Uses and Conditional Accessory Uses are permitted by Zoning Permit, Special Permit, or Special Exception approval as provided in Article 11 of these Regulations. Uses are defined in the Master Use Table in Section 4.08 of these Regulations.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 5
RESIDENTIAL
DISTRICTS**

5.06.02 RO District Permitted Uses

Refer to Section 4.08 - Master Use Table.

5.06.03 RO District Minimum Lot Area

Refer to Section 4.09 - Master Development Standards Table.

5.06.04 RO District Minimum Frontage (Lot Width)

- (i) Frontage of at least 25 feet per unit is required for approval of a Zoning permit by the ZEO.
- (ii) The greater of 60 feet or 25 feet per dwelling unit with direct access to the exterior of the structure shall be required except as authorized by a site plan for a Special Exception under Sections 10.03, 10.04 or 10.05.
- (iii) If a lot has 60 feet of frontage but is insufficient to meet the 25 foot per unit for the number of units desired, a Special permit from the Zoning Commission shall be required under Section 10.03.

5.06.05 RO District Front Yard

Refer to Section 4.09 - Master Development Standards Table.

5.06.06 RO District Rear yard

Refer to Section 4.09 - Master Development Standards Table.

5.06.07 RO District Total Side Yard

Refer to Section 4.09 - Master Development Standards Table.

5.06.08 RO District Minimum Side yard

Refer to Section 4.09 - Master Development Standards Table.

5.06.09 RO District Corner Lot Setback from Secondary Street

Refer to Section 4.09 - Master Development Standards Table.

5.06.10 RO District Maximum Impervious Coverage

Refer to Section 4.09 - Master Development Standards Table.

5.06.11 RO District Maximum Building Coverage

Refer to Section 4.09 - Master Development Standards Table.

5.06.12 RO District Maximum Height

Refer to Section 4.09 - Master Development Standards Table.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 5
RESIDENTIAL
DISTRICTS**

5.06.13 RO District Minimum Usable Open Space

Refer to Section 4.09 - Master Development Standards Table.

5.06.14 RO District Parking, Loading, Access

Refer to Section 9.03 - Parking and Access.



ARTICLE 6. COMMERCIAL DISTRICTS

Section 6.01 Neighborhood Shopping District (CN)

6.01.01 Purpose

The CN District is established to provide for commercial uses to meet local neighborhood needs. Uses and Conditional Accessory Uses are permitted by Zoning Permit, Special Permit, or Special Exception approval as provided in Article 11 of these Regulations. Uses are defined in the Master Use Table in Section 4.08 of these Regulations.

6.01.02 CN District Permitted Uses

Refer to Section 4.08 - Master Use Table.

6.01.03 CN District Minimum Lot Area

Refer to Section 4.09 - Master Development Standards Table.

6.01.04 CN District Minimum Frontage (Lot Width)

Refer to Section 4.09 - Master Development Standards Table.

6.01.05 CN District Front Yard

Refer to Section 4.09 - Master Development Standards Table.

6.01.06 CN District Rear yard

Refer to Section 4.09 - Master Development Standards Table.

6.01.07 CN District Total Side Yard

Refer to Section 4.09 - Master Development Standards Table.

6.01.08 CN District Minimum Side yard

Refer to Section 4.09 - Master Development Standards Table.

6.01.09 CN District Corner Lot Setback from Secondary Street

Refer to Section 4.09 - Master Development Standards Table.

6.01.10 CN District Maximum Impervious Coverage

Refer to Section 4.09 - Master Development Standards Table.

6.01.11 CN District Maximum Building Coverage

Refer to Section 4.09 - Master Development Standards Table.

6.01.12 CN District Maximum Height

Refer to Section 4.09 - Master Development Standards Table.



6.01.13 CN District Minimum Usable Open Space

Refer to Section 4.09 - Master Development Standards Table.

6.01.14 CN District Parking, Loading, Access

Refer to Section 9.03 - Parking and Access.

6.01.15 CN District Mandatory Commercial Space

A minimum of the entire ground floor and at least 33% of the total GFA shall be commercial space.

Section 6.02 Commercial Office District (CO)

6.02.01 Purpose

The CO District is established to provide for modern professional office development to accommodate financial, professional, personal services, and other similar office uses and limited residential uses located outside of the downtown area of Waterbury. Uses and Conditional Accessory Uses are permitted by Zoning Permit, Special Permit, or Special Exception approval as provided in Article 11 of these Regulations. Uses are defined in the Master Use Table in Section 4.08 of these Regulations.

6.02.02 CO District Permitted Uses

Refer to Section 4.08 - Master Use Table.

6.02.03 CO District Minimum Lot Area

Refer to Section 4.09 - Master Development Standards Table.

6.02.04 CO District Minimum Frontage (Lot Width)

Refer to Section 4.09 - Master Development Standards Table.

6.02.05 CO District Front Yard

Refer to Section 4.09 - Master Development Standards Table.

6.02.06 CO District Rear yard

Refer to Section 4.09 - Master Development Standards Table.

6.02.07 CO District Total Side Yard

Refer to Section 4.09 - Master Development Standards Table.

6.02.08 CO District Minimum Side yard

Refer to Section 4.09 - Master Development Standards Table.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 6
COMMERCIAL
DISTRICTS**

6.02.09 CO District Corner Lot Setback from Secondary Street

Refer to Section 4.09 - Master Development Standards Table.

6.02.10 CO District Maximum Impervious Coverage

Refer to Section 4.09 - Master Development Standards Table.

6.02.11 CO District Maximum Building Coverage

Refer to Section 4.09 - Master Development Standards Table.

6.02.12 CO District Maximum Height

Refer to Section 4.09 - Master Development Standards Table.

6.02.13 CO District Minimum Usable Open Space

Refer to Section 4.09 - Master Development Standards Table.

6.02.14 CO District Parking, Loading, Access

Refer to Section 9.03 - Parking and Access.

Section 6.03 Arterial Commercial District (CA)

6.03.01 Purpose

The CA District is established to provide suitable locations for a wide variety of retail and service commercial trade uses primarily accessed by vehicle and business services, that function independently from other establishments typically located in central business or neighborhood shopping districts, and limited residential uses. Uses and Conditional Accessory Uses are permitted by Zoning Permit, Special Permit, or Special Exception approval as provided in Article 11 of these Regulations. Uses are defined in the Master Use Table in Section 4.08 of these Regulations.

6.03.02 CA District Permitted Uses

Refer to Section 4.08 - Master Use Table.

6.03.03 CA District Minimum Lot Area

Refer to Section 4.09 - Master Development Standards Table.

6.03.04 CA District Minimum Frontage (Lot Width)

Refer to Section 4.09 - Master Development Standards Table.

6.03.05 CA District Front Yard

Refer to Section 4.09 - Master Development Standards Table.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 6
COMMERCIAL
DISTRICTS**

6.03.06 CA District Rear yard

Refer to Section 4.09 - Master Development Standards Table.

6.03.07 CA District Total Side Yard

Refer to Section 4.09 - Master Development Standards Table.

6.03.08 CA District Minimum Side yard

Refer to Section 4.09 - Master Development Standards Table.

6.03.09 CA District Corner Lot Setback from Secondary Street

Refer to Section 4.09 - Master Development Standards Table.

6.03.10 CA District Maximum Impervious Coverage

Refer to Section 4.09 - Master Development Standards Table.

6.03.11 CA District Maximum Building Coverage

Refer to Section 4.09 - Master Development Standards Table.

6.03.12 CA District Maximum Height

Refer to Section 4.09 - Master Development Standards Table.

6.03.13 CA District Minimum Usable Open Space

Refer to Section 4.09 - Master Development Standards Table.

6.03.14 CA District Parking, Loading, Access

Refer to Section 9.03 - Parking and Access.

Section 6.04 General Commercial District (CG)

6.04.01 Purpose

The CG District is established to provide a mixed-use district similar to the CN District, with higher residential densities. Uses and Conditional Accessory Uses are permitted by Zoning Permit, Special Permit, or Special Exception approval as provided in Article 11 of these Regulations. Uses are defined in the Master Use Table in Section 4.08 of these Regulations.

6.04.02 CG District Permitted Uses

Refer to Section 4.08 - Master Use Table.

6.04.03 CG District Minimum Lot Area

Refer to Section 4.09 - Master Development Standards Table.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 6
COMMERCIAL
DISTRICTS**

6.04.04 CG District Minimum Frontage (Lot Width)

Refer to Section 4.09 - Master Development Standards Table.

6.04.05 CG District Front Yard

Refer to Section 4.09 - Master Development Standards Table.

6.04.06 CG District Rear yard

Refer to Section 4.09 - Master Development Standards Table.

6.04.07 CG District Total Side Yard

Refer to Section 4.09 - Master Development Standards Table.

6.04.08 CG District Minimum Side yard

Refer to Section 4.09 - Master Development Standards Table.

6.04.09 CG District Corner Lot Setback from Secondary Street

Refer to Section 4.09 - Master Development Standards Table.

6.04.10 CG District Maximum Impervious Coverage

Refer to Section 4.09 - Master Development Standards Table.

6.04.11 CG District Maximum Building Coverage

Refer to Section 4.09 - Master Development Standards Table.

6.04.12 CG District Maximum Height

Refer to Section 4.09 - Master Development Standards Table.

6.04.13 CG District Minimum Usable Open Space

Refer to Section 4.09 - Master Development Standards Table.

6.04.14 CG District Parking, Loading, Access

Refer to Section 9.03 - Parking and Access.

6.04.15 CG District Mandatory Commercial Space

A minimum of the entire ground floor and at least 20% of the total GFA shall be commercial space.



Section 6.05 Central Business District (CBD)

6.05.01 Purpose

The CBD District is established in the City center area to allow intensive development of a wide range of uses, including mixed residential, office, and retail uses, serving the entire City and the region. Uses and Conditional Accessory Uses are permitted by Zoning Permit, Special Permit, or Special Exception approval as provided in Article 11 of these Regulations. Uses are defined in the Master Use Table in Section 4.08 of these Regulations.

6.05.02 CBD District Permitted Uses

Refer to Section 4.08 - Master Use Table.

6.05.03 CBD District Minimum Lot Area

Refer to Section 4.09 - Master Development Standards Table.

6.05.04 CBD District Minimum Frontage (Lot Width)

Refer to Section 4.09 - Master Development Standards Table.

6.05.05 CBD District Front Yard

Refer to Section 4.09 - Master Development Standards Table.

6.05.06 CBD District Rear yard

Refer to Section 4.09 - Master Development Standards Table.

6.05.07 CBD District Total Side Yard

Refer to Section 4.09 - Master Development Standards Table.

6.05.08 CBD District Minimum Side yard

Refer to Section 4.09 - Master Development Standards Table.

6.05.09 CBD District Corner Lot Setback from Secondary Street

Refer to Section 4.09 - Master Development Standards Table.

6.05.10 CBD District Maximum Impervious Coverage

Refer to Section 4.09 - Master Development Standards Table.

6.05.11 CBD District Maximum Building Coverage

Refer to Section 4.09 - Master Development Standards Table.

6.05.12 CBD District Maximum Height

Refer to Section 4.09 - Master Development Standards Table.



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 6
COMMERCIAL
DISTRICTS**

6.05.13 CBD District Minimum Usable Open Space

Refer to Section 4.09 - Master Development Standards Table.

6.05.14 CBD District Parking, Loading, Access

Refer to Section 9.03 - Parking and Access.



ARTICLE 7. INDUSTRIAL DISTRICTS

Section 7.01 General Industrial District (IG)

7.01.01 Purpose

The IG District is established to provide areas for development of heavy industrial uses. Uses and Conditional Accessory Uses are permitted by Zoning Permit, Special Permit, or Special Exception approval as provided in Article 11 of these Regulations. Uses are defined in the Master Use Table in Section 4.08 of these Regulations.

7.01.02 IG District Permitted Uses

Refer to Section 4.08 - Master Use Table.

7.01.03 IG District Minimum Lot Area

Refer to Section 4.09 - Master Development Standards Table.

7.01.04 IG District Minimum Frontage (Lot Width)

Refer to Section 4.09 - Master Development Standards Table.

7.01.05 IG District Front Yard

Refer to Section 4.09 - Master Development Standards Table.

7.01.06 IG District Rear yard

Refer to Section 4.09 - Master Development Standards Table.

7.01.07 IG District Total Side Yard

Refer to Section 4.09 - Master Development Standards Table.

7.01.08 IG District Minimum Side yard

Refer to Section 4.09 - Master Development Standards Table.

7.01.09 IG District Corner Lot Setback from Secondary Street

Refer to Section 4.09 - Master Development Standards Table.

7.01.10 IG District Maximum Impervious Coverage

Refer to Section 4.09 - Master Development Standards Table.

7.01.11 IG District Maximum Building Coverage

Refer to Section 4.09 - Master Development Standards Table.

7.01.12 IG District Maximum Height

Refer to Section 4.09 - Master Development Standards Table.



7.01.13 IG District Minimum Usable Open Space

Refer to Section 4.09 - Master Development Standards Table.

7.01.14 IG District Parking, Loading, Access

Refer to Section 9.03 - Parking and Access.

Section 7.02 Limited Industrial District (IL)

7.02.01 Purpose

The IL District is established to provide for the location of low-impact light industries such as distribution, fabrication, and warehousing without outdoor storage. Uses and Conditional Accessory Uses are permitted by Zoning Permit, Special Permit, or Special Exception approval as provided in Article 11 of these Regulations. Uses are defined in the Master Use Table in Section 4.08 of these Regulations.

7.02.02 IL District Permitted Uses

Refer to Section 4.08 - Master Use Table.

7.02.03 IL District Minimum Lot Area

Refer to Section 4.09 - Master Development Standards Table.

7.02.04 IL District Minimum Frontage (Lot Width)

Refer to Section 4.09 - Master Development Standards Table.

7.02.05 IL District Front Yard

Refer to Section 4.09 - Master Development Standards Table.

7.02.06 IL District Rear yard

Refer to Section 4.09 - Master Development Standards Table.

7.02.07 IL District Total Side Yard

Refer to Section 4.09 - Master Development Standards Table.

7.02.08 IL District Minimum Side yard

Refer to Section 4.09 - Master Development Standards Table.

7.02.09 IL District Corner Lot Setback from Secondary Street

Refer to Section 4.09 - Master Development Standards Table.



7.02.10 IL District Maximum Impervious Coverage

Refer to Section 4.09 - Master Development Standards Table.

7.02.11 IL District Maximum Building Coverage

Refer to Section 4.09 - Master Development Standards Table.

7.02.12 IL District Maximum Height

Refer to Section 4.09 - Master Development Standards Table.

7.02.13 IL District Minimum Usable Open Space

Refer to Section 4.09 - Master Development Standards Table.

7.02.14 IL District Parking, Loading, Access

Refer to Section 9.03 - Parking and Access.

Section 7.03 Industrial Park District (IP)

7.03.01 Purpose

The IP district is established to provide for industrial parks that offer larger lots and site layout suitable for uses such as light industry, wholesaling, warehousing, and transportation and distribution facilities. Uses and Conditional Accessory Uses are permitted by Zoning Permit, Special Permit, or Special Exception approval as provided in Article 11 of these Regulations. Uses are defined in the Master Use Table in Section 4.08 of these Regulations.

7.03.02 IP District Permitted Uses

Refer to Section 4.08 - Master Use Table.

7.03.03 IP District Minimum Lot Area

Refer to Section 4.09 - Master Development Standards Table.

7.03.04 IP District Minimum Frontage (Lot Width)

Refer to Section 4.09 - Master Development Standards Table.

7.03.05 IP District Front Yard

Refer to Section 4.09 - Master Development Standards Table.

7.03.06 IP District Rear Yard

Refer to Section 4.09 - Master Development Standards Table.



7.03.07 IP District Total Side Yard

Refer to Section 4.09 - Master Development Standards Table.

7.03.08 IP District Minimum Side yard

Refer to Section 4.09 - Master Development Standards Table.

7.03.09 IP District Corner Lot Setback from Secondary Street

Refer to Section 4.09 - Master Development Standards Table.

7.03.10 IP District Maximum Impervious Coverage

Refer to Section 4.09 - Master Development Standards Table.

7.03.11 IP District Maximum Building Coverage

Refer to Section 4.09 - Master Development Standards Table.

7.03.12 IP District Maximum Height

Refer to Section 4.09 - Master Development Standards Table.

7.03.13 IP District Minimum Usable Open Space

Refer to Section 4.09 - Master Development Standards Table.

7.03.14 IP District Parking, Loading, Access

Refer to Section 9.03 - Parking and Access.

Section 7.04 Commercial Industrial Overlay District (CA-IL)

7.04.01 Purpose

The CA-IL Overlay District is established to allow for the redevelopment of a mix of commercial and light industrial uses, such as retail stores, restaurants, offices, light industry and warehouses, distribution facilities, and eCommerce fulfillment and distribution centers along the lower Thomaston Avenue corridor. The goal is to provide greater flexibility in the types of uses permitted in the CA-IL Overlay District, and to promote responsible redevelopment. Uses and Conditional Accessory Uses are permitted by Zoning Permit, Special Permit, or Special Exception approval as provided in Article 11 of these Regulations. The CA-IL Overlay District permits additional uses beyond those uses permitted in the underlying CA District and are defined in the Master Use Table in Section 4.08 of these Regulations.

7.04.02 Boundaries

The location and boundaries of the CA-IL Overlay District shall be set forth on the map entitled Zoning Map of the City of Waterbury, filed in the office of the City Engineer.



7.04.03 CA-IL Overlay District Permitted Uses

Refer to Section 4.08 - Master Use Table.

7.04.04 CA-IL Development Standards

Refer to Section 4.09 – Master Development Table.

7.04.05 CA-IL Parking, Loading, Access

Refer to Section 9.03 – Parking and Access.

7.04.06 CA-IL District Conditions and Limitations on eCommerce Fulfillment and Distribution Centers

- (i) The total combined GFA of all eCommerce Fulfillment and Distribution Centers and Warehouse and Freight Handling Facilities located on any Site in the CA-IL District shall not exceed 100,000 SF. No individual eCommerce Fulfillment and Distribution Center operating at the Site shall exceed 50,000 SF GFA.
- (ii) eCommerce Fulfillment and Distribution Centers shall comply with the applicable Special Use Standards provided in Section 10.32 of these Regulations.

7.04.07 CA-IL District Limitations on Warehouse and Freight Handling Facilities

- (i) The total combined GFA of all Warehouse and Freight Handling Facilities and eCommerce Fulfillment and Distribution Centers located on any Site in the CA-IL District shall not exceed 100,000 SF. No individual Warehouse and Freight Handling Facility operating at the Site shall exceed 50,000 SF GFA.
- (ii) Bus barns or yards shall not be allowed under the Warehouse and Freight Handling use in the CA-IL District. Notwithstanding the prohibition on bus barns or yards in the CA-IL District, related outdoor parking of service and fleet vehicles, and outdoor storage of equipment used in connection with such Warehouse and Freight Handling Facilities shall be permitted on the Site. Such outdoor parking of service or fleet vehicles or such outdoor storage of equipment shall be separated from public parking areas located on the Site, and such outdoor storage of equipment shall be screened from adjacent public rights-of-way and adjacent properties by a suitable opaque fence (which shall bear no advertising) or landscaping, of sufficient height, but in no event less than six (6) feet in height and providing year-round screening.
- (iii) Mini-warehousing and self-service storage facilities shall only be allowed under the Warehouse and Freight Handling use in the CA-IL District provided such mini-warehousing and self-service storage facilities are located in a pre-existing building located on the Site. Any such area used for mini-warehousing and self-service storage facilities shall be included in the calculation of the total combined GFA allowable in 7.04.07 (i) above.



7.04.08 CA-IL District Limitations on Industrial Services

- (i) Bulk landscaping material storage and sales, and yards used for storage of equipment and materials, except as otherwise permitted under Section 7.04.08(ii), shall not be allowed under the Industrial Services use in the CA-IL District.
- (ii) Industrial Services within the CA-IL District shall be conducted inside a fully enclosed building located on the Site, except for the related outdoor parking of service and fleet vehicles, and outdoor storage of equipment used in connection with such Industrial Services, which shall be permitted on the Site. Such outdoor parking of service or fleet vehicles or such outdoor storage of equipment shall be separated from public parking areas located on the Site, and such outdoor storage of equipment shall be screened from adjacent public rights-of-way and adjacent properties by a suitable opaque fence (which shall bear no advertising) or landscaping, of sufficient height, but in no event less than six (6) feet in height and providing year-round screening.

7.04.09 Commercial Energy Generation and Storage Facilities

Commercial Energy Generation and Storage Facilities within the CA-IL District shall not be allowed to generate or sell non-renewable energy, including but not limited to, propane, natural gas, oil and/or energy products of the like. Commercial Energy Generation and Storage Facilities within the CA-IL District shall be allowed to generate and sell commercial renewable energy through solar, fuel cells, battery generation and/or renewable energy products of the like. Such commercial renewable energy generation and sale shall be subject to the siting authority of any State or Federal agency, as applicable.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 8
UNTITLED

ARTICLE 8. UNTITLED

This Article is Reserved for Future Use.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

ARTICLE 9. GENERAL USE STANDARDS

Section 9.01 General Performance Standards

9.01.01 Purpose

The purpose of this Section is to provide general performance standards for all uses in all Zoning Districts in the City of Waterbury.

9.01.02 Visibility at Intersections

No wall, fence, shrubbery, tree, sign, or obstructions shall be erected, maintained, or planted on any lot that unreasonably or dangerously obstructs or interferes with visibility of drivers of vehicles on a curve, at any street intersection, or where a driveway intersects a street. Sight distances as provided in the Waterbury Public Improvement Standards and Policies shall be maintained. At a minimum, to provide vision clearance, no obstruction greater than three feet above street grade within a distance of twenty-five (25) feet on either side of an intersection shall be allowed.

9.01.03 Non-Registered Vehicles

No more than one (1) unregistered or inoperable vehicle may be stored outside of a building or other structure in any District except as permitted in accordance with a Special Permit, Special Exception, or Variance.

9.01.04 Debris and Litter

No person owning or occupying land in the City shall place debris and /or litter either on land owned or occupied by himself or on land of another, or permit or allow debris and/or litter to remain on such land. No facility shall be used as a dumping or transfer area for refuse or as a place for disposal of trash except as expressly permitted under these Regulations.

9.01.05 Fences (Amend. 9-28-11)

(i) All fences shall be subject to the following general standards:

- 1) all fences shall conform to subsection 9.01.02 of these Regulations regarding visibility at intersections;
- 2) a Zoning Permit shall be required in accordance with Section 11.03 of these Regulations for a fence installed on a property with no Principal Structure; and
- 3) the ZEO shall issue a CZC in accordance with Section 11.10 of these Regulations for any fence requiring a Building Permit.
- 4) Notwithstanding other provisions of this regulation concerning setbacks, fences may be located anywhere on a lot provided such



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

fence is in compliance with the applicable provisions of this section 9.01.05

(ii) Fences in Residential Districts shall be subject to the following standards:

- 1) any boundary fence in a Residential District shall not exceed six (6) feet above grade. Any fence exceeding six (6) feet in height elsewhere on a property shall be set back from the property line at least the same distance as the height of the fence;
- 2) the frame or supporting members shall be on the installer's side, the good or finished side shall face the street or the adjoining property owner; and
- 3) no barbed wire, razor wire, concertina wire, or any other hazardous materials shall be used in the construction of fences in a Residential District or between one property in any District and an adjoining property in a Residential District.

(iii) Fences in Commercial and Industrial Districts shall be subject to the following standards:

- 1) for new development and redevelopment, all fences shall be shown on the Development Plan or Site Plan, as may be required for a Zoning Permit, Special Permit, or Special Exception, respectively; and
- 2) fence height shall not exceed that necessary to provide required screening or site security, as demonstrated on the Development Plan or Site Plan.

9.01.06 Recreational Vehicles, Mobile Homes, and Storage Trailers

Storage, parking, and use of recreational vehicles, mobile homes, and storage trailers shall be subject to the following standards.

- (i) A property owner may permit the occupancy of its property by a non-paying guest using a recreational vehicle, house trailer or mobile home for a period not exceeding thirty (30) days in any single calendar year, subject to issuance of a CZC if a Building Permit is required.
- (ii) In any Residence District no recreational vehicle, house trailer or mobile home shall be parked for more than thirty (30) days in any single calendar year except when the house trailer or mobile home is stored within an approved building or other structure.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- (iii) The use of trailers for storage purposes is prohibited:
 - 1) in any Residential District; and
 - 2) in any Commercial or Industrial District for a period of more than thirty (30) days in any calendar year, other than for temporary storage of returnable bottles and cans.
- (iv) Trailers for use as construction offices shall be permitted as an accessory use to an approved Zoning Permit, Special Permit, or Special Exception.
- (v) Shipping containers and portable storage units in Residential Districts shall comply with the requirements for Temporary Structures (Short Term).

9.01.07 Commercial Vehicles

No Commercial motor vehicle, truck tractor, semitrailer or tandem trailer truck shall be parked or stored on any property in a Residential District except:

- (i) during the course of regular business involving construction, service delivery related to a permitted or legal nonconforming use;
- (ii) the parking or storage is itself considered a legal nonconforming use; or
- (iii) the parking or storage is otherwise expressly permitted by this section.

In any Residential District, no more than one (1) vehicle used for commercial or industrial purposes, as evidenced by business identification, visible tools or equipment, or accessory attachments or customization, may be parked or stored on a parcel in a Residential District for a continuous period exceeding 24 hours unless as part of an approved construction or site development project. No such vehicle shall exceed 12,000 pounds maximum gross vehicle weight. Any such vehicle shall be for the principal use of an occupant of the Residential property. Trailers and construction equipment may not be parked or stored on a parcel in a Residential District for a continuous period exceeding 24 hours unless as part of an approved construction or site development project.

No commercial vehicle may be parked or stored on a parcel for more than 30 consecutive days unless such storage is a legal nonconforming use.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

9.01.08 Outside Storage in Residential Districts

- (i) Outside storage associated with residential uses shall conform to the standards of this subsection and shall be screened so the stored material is not visible from adjacent properties and public streets.
- (ii) Outside storage of materials associated with a home occupation or any type of commercial purpose shall be prohibited on residential properties.
- (iii) Outside storage of materials shall not create or cause any dangerous, injurious, noxious, or otherwise objectionable conditions in such a manner or in such amount as to affect adversely the reasonable use of the surrounding area or adjoining premises.

9.01.09 Street Access

Except as may be approved as part of a Special Exception or Special Permit, all structures shall be located on a lot which has the required frontage on a City Street.

9.01.10 Slope and Grade of Land (Amend. 4-25-12)

- (i) All slopes, including retaining walls and other structures supporting the grade of land shall be maintained in a stable condition by the owner of the property where such slope or retaining structure is located.
- (ii) No finished slope or grading of land involving a vertical elevation change of 24 inches or more shall exceed 2:1, horizontal to vertical, unless a professional engineer certifies the stability of the slope or structure. The ZEO may consider successive slopes interrupted by reverse benches as one continuous slope.

Section 9.02 Non-Residential Use Performance Standards

9.02.01 Purpose

The purpose of this Section is to provide general performance standards for all Commercial and Industrial uses in the City of Waterbury.

9.02.02 Applicability

- (i) The performance standards of this Section shall apply to all Commercial and Industrial uses, whether located in a Commercial or Industrial District or located in a Residential District as a non-conforming use or by Special Permit or Special Exception approval.
- (ii) Measurements to determine present compliance and estimates to determine future compliance may be made by the ZEO or, as approved by the ZEO, by



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

any other public or private agency, firm, or person competent to make such measurements or estimates. The ZEO may require the owner or user of property to furnish such measurements or estimates as appropriate.

9.02.03 Nuisance and Hazardous Conditions

No Commercial or Industrial use shall create or cause any dangerous, injurious, noxious, or otherwise objectionable conditions in such a manner or in such amount as to affect adversely the reasonable use of the surrounding area or adjoining premises, including but not necessarily limited to conditions causing

- (i) risk of fire, explosion, or other hazard;
- (ii) noise or vibration;
- (iii) smoke, dust, odor, or other form of air pollution;
- (iv) heat, cold, dampness, electromagnetic, or other disturbance;
- (v) light glare;
- (vi) liquid or solid refuse or waste or hazardous substance discharge; or
- (vii) other nuisance or hazardous conditions.

9.02.04 General Performance Standards

- (i) All activities involving and all storage of flammable and explosive materials shall be provided with safety devices adequate to combat the hazard of fire and explosion including adequate firefighting and fire-suppression equipment and devices.
- (ii) No activities shall be permitted which emit dangerous radioactivity or which generate electromagnetic disturbance adversely affecting the off-site operation of any equipment.
- (iii) Every use shall be operated so that continuous, frequent, or repetitive vibrations are not detectable at the lot line of the lot on which the use is located. Vibrations from temporary construction work and vehicles or that last less than five (5) minutes per day are exempt. Vibrations from vehicles and equipment that are regularly used or operated on the lot are not exempt.
- (iv) No emissions, including but not necessarily limited to smoke, fly ash, dust, fumes, vapors, gases, and other forms of air pollution, shall be permitted that can cause damage to health, animals, vegetation, or other forms of property, or that may cause excessive odors or soiling or result in poor or limited visibility.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- (v) No glare visible from off of any parcel used for Commercial or Industrial uses shall be permitted whether from floodlights or from high-temperature processes such as combustion or welding or otherwise. This restriction shall not apply to signs otherwise permitted by the provisions of these Regulations.
- (vi) All outdoor garbage cans and garbage collection and recycling areas shall be screened from public rights-of-way, other than alleys, and from adjacent properties. Such areas shall not be permitted in any required front yard or within five (5) feet of any other side or rear property line. Trash receptacles for pedestrian or other public use, such as in parks and at roadside rest areas, are exempt from this provision.
- (vii) Mechanical equipment located on the ground, such as cooling and heating equipment, pumps, and generators, shall be screened from public rights-of-way, other than alleys, and from adjacent properties. Such equipment shall not be permitted in any required front yard or within five (5) feet of any other side or rear property line. Mechanical equipment on roofs shall be completely screened from the ground level of adjacent properties used or zoned for Residential purposes.
- (viii) No discharge shall be permitted at any point into any public sewer, private sewage disposal system or stream, or into the ground of any materials of such quantity, nature, or temperature as may contaminate any water supply or otherwise cause the emission of dangerous or offensive elements.

9.02.05 Outdoor Storage and Display

All outdoor storage and display associated with Commercial or Industrial uses is subject to the following conditions.

- (i) Outdoor storage and display of materials associated with any non-Residential use is prohibited in all Residential Districts.
- (ii) Outdoor storage and display areas shall comply with applicable setback requirements and shall be included in the calculation of building coverage.
- (iii) In all Commercial and Industrial Districts, storage of items customarily associated with Residential occupancy such as boats, campers, trailers, vehicles, etc., is considered an accessory use and shall conform to the applicable District Development Standards for accessory structures.
- (iv) In all Commercial and Industrial Districts, outdoor storage shall comply with standards applying to accessory structures. Outdoor storage of equipment, supplies, or material shall be screened by landscaping or fencing so that it is



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

not visible from any adjacent property or public street, except for outdoor display of retail items as permitted in accordance with any Zoning Permit, Special Permit, or Special Exception.

- (v) Where permitted, storage of flammable materials shall not be closer than ten (10) feet from any lot line and shall be screened by fencing.
- (vi) Outdoor storage areas shall be kept clear of debris and shall not create offensive noises or odors or attract pests.
- (vii) Outdoor storage and displays shall not impede access to the building or structure entrance, obstruct fire and other emergency access to the building or structure, or replace any parking area required to comply with Section 9.03 of these Regulations.

Section 9.03 Parking and Access

9.03.01 Purpose

The purpose of this Section is to provide for adequate parking and loading areas and safe circulation of pedestrian and vehicular traffic and to minimize the amount of impervious surface which results from parking areas.

9.03.02 Applicability

This Section shall apply to parking and access in Commercial and Industrial Districts and where associated with non-Residential uses in Residential Districts at the time of:

- (i) the erection of any principal building or structure;
- (ii) the alteration or enlargement of any principal building or structure or increase in such building or structure capacity by adding dwelling units, guest rooms, floor areas, beds, seats, or other criteria provided in this section;
- (iii) an increase of employees, students, or faculty and staff; or
- (iv) a modification of use of any building or structure.

9.03.03 General Standards

Parking areas required by this Section, whether on site or off-site, shall be maintained and shall not be encroached upon so long as the use requiring such parking continues, unless an equivalent



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

number of such parking spaces is provided elsewhere in conformance with subsection 9.03.07, below.

- (i) Parking areas shall be designed to provide for safe circulation of vehicular and pedestrian traffic within the parking area and in relation to adjacent streets and shall be laid out so that vehicles shall enter and leave the public street or right-of-way only at the approved entrances and exits.
- (ii) The parking spaces required for all Residential dwellings shall be located on the same lot as the dwelling.
- (iii) The parking spaces required for uses in Commercial and Industrial Districts shall be located on the same lot as the principal use or when approved in accordance with subsection 9.03.07, below, on a lot in a CN, CO, CA, CG, IP, IL, or IG District.
- (iv) Parking areas shall not occupy any part of any required Residential front yard, any part of any required usable open space, or any part of any access way as required by these Regulations.
- (v) On Residential District corner or through lots, parking areas may not be included as part of required yards lying adjacent to either street.
- (vi) On all lots, a four (4) foot wide landscaped strip shall be provided between the street line and parking areas.
- (vii) Where required, stacking spaces shall not overlap or block access to any required parking spaces.
- (viii) Handicapped accessible parking spaces shall be provided in accordance with the most recent version of the State of Connecticut Building Code, Standards for Accessible Design in the Americans with Disabilities Act, or other applicable requirements.
- (ix) Any parking area or access way to such parking area or any driveway shall be surfaced with asphalt, bituminous, cement or other properly bound pavement so as to provide a durable dustless surface, and shall be so graded and drained as to dispose of all surface water accumulation within the area and without significant modification to preexisting drainage patterns in accordance with Section 9.06 of these Regulations.
- (x) Parking areas in Commercial and Industrial Districts shall provide adequate lighting for safety and security. Where proposed, lighting shall be provided in accordance with Section 9.04 of these Regulations.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- (xi) If more than ten (10) parking spaces are provided on any lot adjacent to an RS-12, RS, RL, or RM District, they must be separated from lot lines by a suitable fence, wall or compact hedge, at least four (4) feet in height.
- (xii) If twenty-five (25) or more surface parking spaces are provided on a lot, the area or areas containing those spaces must be landscaped as follows:
 - 1) trees suitable to the location and at least two inches (2") in diameter four (4) feet above grade and equal in number to not less than twenty percent (20%) of the number of parking spaces shall be planted, and dispersed throughout the parking area to the extent practicable;
 - 2) provision shall be made to prevent vehicles from overhanging any walkway and from damaging trees or other landscaping materials;
 - 3) any portion of a parking area not used for parking, circulation, or emergency access, must be landscaped; and
 - 4) notwithstanding the forgoing, in connection with the expansion or redevelopment (including demolition and reconstruction) of buildings on a developed site, the requirement for a certain number of trees based on a percentage of parking spaces shall be fifty percent (50%) of that set forth in 1) above, provided, however, that if the demolition involves more than fifty percent (50%) of the building square footage of the developed site or within the development, then the forgoing percentage reduction in the required landscaping shall not apply and the redevelopment shall meet the requirement set forth in 1) above; and
 - 5) when buildings on a developed site are expanded or redeveloped, the new required landscaping may be spread throughout the existing and newly constructed parking area so as to provide for a uniform landscape treatment.

9.03.04

Size of Parking Spaces and Aisles (Amend. 9-28-11)

- (i) Parking spaces and aisles shall be laid out to provide the lowest ratio of total pavement to parking space permissible by the site in accordance with the requirements of this Section. All parking spaces shall be marked out by appropriate striping or lines.
- (ii) Parking area design shall comply with the following:
 - 1) The standards in the table and diagram entitled "Parking Space and Layout Standards"; and



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- 2) The stall width shall be 8 feet for compact spaces, except that 0° Parking spaces shall have a width of 10 feet; and
- 3) Any aisle which serves as a fire lane shall be at least 24 feet wide.

(iii) Up to 25 percent of the required parking spaces may be compact spaces provided:

- 1) Each compact space is identified with a permanent sign and pavement markings.
- 2) As far as practical, compact spaces shall be located away from building entrances.

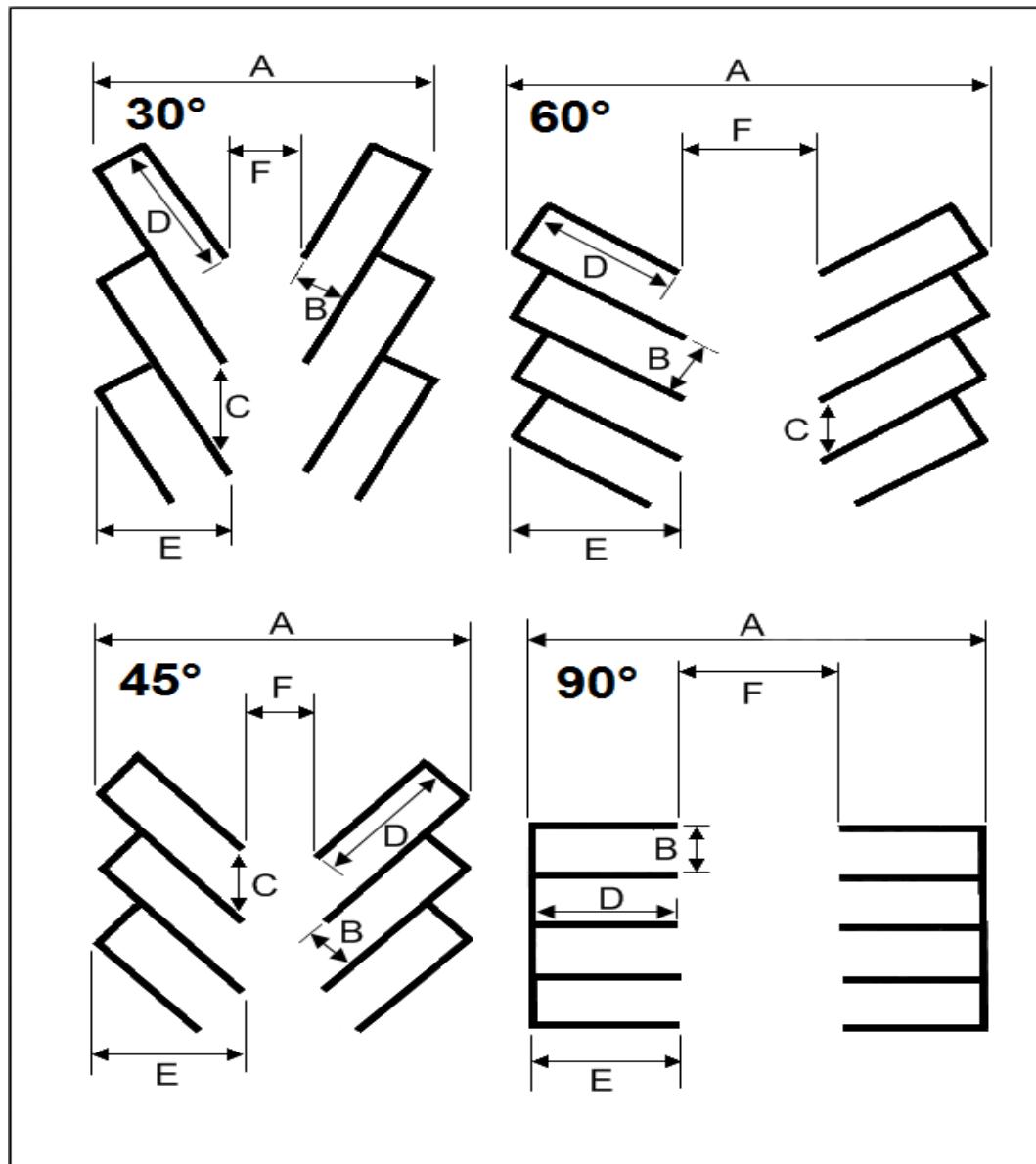


CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

Table 1 Parking Space and Layout Standards

STANDARD SPACES		0°	30°	45°	60°	90°
A1	Overall module width - One-way	35	49	56	59	60
A2	Overall module width - Two-way	40	55	60	63	60
B	Stall width	10	9	9	9	9
C	Stall width parallel to aisle or curb	22	18	12.5	10.4	9
D	Length of parking stall	22	18	18	18	18
E	Stall depth to wall or curb	10	17.5	20	20.5	18
F1	Aisle width - One-way	15	14	16	18	24
F2	Aisle width - Two-way	20	20	20	22	24





CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

9.03.05 Number of Parking Spaces *(Amend. 9-28-11)*

- (i) The number of parking spaces shall be provided in accordance with the schedule of requirements provided in this Section unless fewer spaces are permitted in accordance with subsection 9.03.06, below. When units of measurements determining the number of required parking spaces result in the requirement of a fractional space, any fraction up to and including one-half (½) shall be disregarded and fractions over one-half (½) shall require one (1) parking space.
- (ii) Uses in the CBD are exempt from all parking requirements on the condition that no existing on-site parking will be removed. A proposal that includes the removal of existing on-site parking in the CBD must show that replacement parking will be available within five hundred (500) feet of the proposed use.
- (iii) Refer to Table 2 for the required number of Parking Spaces

Table 2 Required number of Parking Spaces

Residential Use Parking Space Requirements		
Use	Required Spaces	SPC
Single Family, Two/Three Family, and Multifamily Residences	1.5 per Dwelling Unit	A
Active Adult Housing	1.5 per Dwelling Unit	A
Residential Campus Development	1.5 per Dwelling Unit	A
Planned Residential Conservation Development	1.5 per Dwelling Unit	A
Group Living and Halfway Residences	1 per Bed	A
Single Room Occupancy Establishment	1 per Bedroom	D
Short-term Lodging	1 per Guest Room	D



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

Commercial Use Parking Space Requirements		
Use	Required Spaces	SPC
Mixed Use Planned Development	Sum of component uses	NA
Retail Sales (< 5000 SFGFA)	5 per 1000 Square Feet of Gross Floor Area (SF GFA)	C
Retail Sales (\geq 5000 SFGFA)	4 per 1000 SF GFA	C
Cannabis Establishment, Dispensary Facility	7 per 1000 Square Feet of Gross Floor Area SF GFA	C
Cannabis Establishment, Hybrid Retailer	10 per 1000 SF GFA	C
Cannabis Establishment, Retailer	10 per 1000 SF GFA	C
Cannabis Establishment, Product Packager	10 per 1000 SF GFA for designated retail areas and 2 per 1000 SF GFA for all other areas	C
Package Store	5 per 1000 SF GFA	C
Eating and Drinking Establishments	7 per 1000 SF GFA	E
Personal, Business and Repair Services	5 per 1000 SF GFA	C
Entertainment Uses	0.25 per Person of Fire Code Occupancy	G
Large Venue Events	0.25 per Person of Fire Code Occupancy	F
Shopping Centers	4 per 1000 SF GFA	C
Food Processing and Sales	2 per 1000 SF GFA	B
Adult Establishment	7 per 1000 SF GFA	C
Recreation Uses	0.25 per Person of Fire Code Occupancy	F
Social Gathering Places	7 per 1000 SF GFA	G
Automobile and Marine Craft Trade	0.1 per Display Space plus 3 per Service Bay	C
Commercial Outdoor Recreation (< 1 acre)	10	J
Commercial Outdoor Recreation (\geq 1 acre)	10 per Acre	J
Offices	4 per 1000 SF GFA	B
Medical Offices	6 per 1000 SF GFA	B
General Purpose Hospital Campus	4 per Bed	C
Inpatient Clinic	6 per 1000 SF GFA	D
Community Facilities	4 per 1000 SF GFA	G
Day Care Center	3 per 1000 SF GFA	C
Schools	0.1 per Student	C



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

Commercial Use Parking Space Requirements

Use	Required Spaces	SPC
Business and Trade Schools	0.2 per Student, Faculty, and Employee	C
Colleges and Universities	0.3 per Student	I
Religious Institutions	0.25 per Person of Fire Code Occupancy	J
Essential Public Services	No Requirement	NA
Parks and Open Areas	10 per Acre	J

Industrial Use Parking Space Requirements

Use	Required Spaces	SPC
Manufacturing and Processing	2 per 1000 SF GFA	B
Industrial Service	2 per 1000 SF GFA	B
Warehouse and Freight Handling	2 per 1000 SF GFA	B
Wholesale Trade	5 per 1000 SF GFA	B
Limited Vehicle Service Facilities	3 per Service Bay	C
Agriculture	No Requirement	NA
Vehicle Service Facilities	3 per Service Bay	C
Hazardous Industrial Operations	2 per 1000 SF GFA	B
Commercial Earth Excavation	No Requirement	NA
Basis Utilities	No Requirement	NA
Passenger Terminals	100 per 1000 Daily Boardings	NA
Commercial Parking Structure	No Requirement	NA
Surface Parking Lot	No Requirement	NA
Commercial Energy Generation and Storage Facilities	No Requirement	NA
Wireless Communications Facilities	No Requirement	NA
eCommerce Fulfillment and Distribution Centers ≤100,000 SF GFA	2 per 1000 SF GFA	B
eCommerce Fulfillment and Distribution Centers >100,000 SF GFA but <200,000 SF GFA	200 parking spaces plus one parking space for each 1,000 SF GFA in excess of 200,000 SF GFA	B



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

Industrial Use Parking Space Requirements

Use	Required Spaces	SPC
eCommerce Fulfillment and Distribution Centers \geq 200,000 SF GFA	300 parking spaces plus one parking space for each 5,000 SF GFA in excess of 200,000 SF GFA	B

Conditional Accessory Use Parking Space Requirements

Use	Required Spaces	SPC
Home Occupation	No Requirement	NA
Livestock and Poultry	No Requirement	NA
Drive Through Service (Food)	10 Stacking Spaces per Drive-up Window	NA
Drive Through Service (Non-Food)	4 Stacking Space per Drive-up Window	NA
Outdoor Display	No Requirement	NA
Accessory Earth Material Excavation	No Requirement	NA
Temporary Structures	No Requirement	NA
Accessory Packaged Alcohol Sales	No Requirement	NA
Accessory Energy Facility	No Requirement	NA
Accessory Wireless Communications Facilities	No Requirement	

9.03.06 Alternative Parking Requirements (Amend. 9-28-11)

The number of required parking spaces for a lot with mixed uses may be reduced utilizing the procedures in this section. An alternative parking requirement shall be recalculated if any modification to the magnitude or proportion of the uses on which the computation is based occurs and any additional required parking spaces shall be provided.

(i) Shared Parking Computation: The number of shared spaces for two (2) or more distinguishable land uses shall be determined by the ZEO using the following procedure:

- 1) Multiply the minimum parking required for each individual use, as set forth in the Shared Parking Class (SPC) column in Table 2 Required number of Parking Spaces, , by the appropriate percentage indicated in Table 3 Parking Demand Table, for each of the six (6) designated time periods.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- 2) Add the resulting sums for each of the six (6) columns.
- 3) The minimum parking requirement shall be the highest sum among the six (6) columns resulting from the above calculations.



Table 3 Parking Demand Table

Uses	Shared Parking Class	M-F	M-F	M-F	Sat. & Sun.	Sat. & Sun.	Sat. & Sun.
		8am-5pm	6pm-12am	12am-6am	8am-5pm	6pm-12am	12am-6am
Residential	A	60%	100%	100%	80%	100%	100%
Office/ Warehouse/ Industrial	B	100%	20%	5%	5%	5%	5%
Commercial	C	90%	80%	5%	100%	70%	5%
Hotel	D	70%	100%	100%	70%	100%	100%
Restaurant	E	70%	100%	10%	70%	100%	20%
Movie Theater	F	40%	80%	10%	80%	100%	10%
Entertainment	G	40%	100%	10%	80%	100%	50%
Conference/Convention	H	100%	100%	5%	100%	100%	5%
Institutional (non- church)	I	100%	20%	5%	10%	10%	5%
Institutional (church)	J	10%	5%	5%	100%	50%	5%

All spaces used to calculate the parking reduction must be accessible to all uses.

(ii) Special Permit For Parking Reduction Exceeding Those Allowed By Applying The Parking Demand Table : The Special Permit shall require a parking demand analysis prepared by a qualified parking or traffic consultant, a licensed architect, city planner, or urban planner or civil engineer, which substantiates the basis for granting a reduced number of spaces. A local parking study shall be subject to the approval of the Commission. The study shall take into account the following three factors:

- 1) *Existing parking surveys.* Parking surveys shall determine parking occupancy rates of morning, afternoon and evening peaks on the seven different days of the week. The seven days of observation may take place over the span of two consecutive, typical weeks. In the case of new construction or addition of new uses, the surveys shall observe another circumstance with similar mixed uses. A combination of similar circumstances may be necessary to cover all



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

the proposed land uses. The approximate square footages of the various land uses of the specimen projects shall be compared to the proposed project to allow the ratios of uses to be rated accordingly. In the case of an enlargement, or substitution of existing uses, the surveys shall document the occupancy rates of the existing parking facility.

- 2) *Proximity and convenience factors.* The following factors may influence the Zoning Commission's approval of the parking reduction figures:
 - Distance between sharing uses and the parking facility
 - Pedestrian connections among sharing uses and the parking facility
 - Vehicular connections
 - Whether parking will be paid
 - Location--proximity to the CBD and general development density.
 - Proximity to major transit corridors or stations.
 - Special trip reduction programs, such as subsidized vanpooling, transit, shuttle or telecommuting
 - Need for any reserved parking spaces. (Parking spaces to be shared cannot be reserved for specific uses or individuals except during off-peak hours.)
- 3) *Captive market parking requirements.* Parking requirements for retail, restaurant, hotel, convention and conference uses may be reduced where it can be determined that some portion of the patronage of these businesses comes from other uses (e.g., employees of area offices patronizing restaurants) located within a maximum walking distance of 500 feet. Parking requirements may be reduced up to 90 percent as appropriate. Whenever practical, such a reduction should be supported by surveys at similar establishments.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

9.03.07 Off-Site Parking

The Approval Authority may allow use of off-site parking in any Commercial or Industrial District under the following conditions.

- (i) The off-site parking area shall be within five hundred (500) feet of the principal use measured along lines of public access to the property.
- (ii) A pedestrian access way shall be provided from the parking spaces to the lot with of the principal use.
- (iii) A parking lot constituting a principal use on any lot shall be subject to Special Permit approval, as provided in Article 4.
- (iv) Documentation of legal rights to such parking shall have been provided to the Approval Authority's satisfaction.
- (v) Parking spaces located on a lot which is within five hundred (500) feet of the principal use and are shared by other uses are subject to the requirements in this Section for collective parking.
- (vi) The Approval Authority finds that the provided parking will be adequate for the proposed use.

9.03.08 Loading Space Requirements

- (i) On the same premises with every building or other structure or part thereof, erected and occupied for manufacture, storage, warehouse, goods display, department store, wholesale store, market, offices, hotel, hospital, mortuary, laundry, dry cleaner, multiple dwelling or other uses similarly involving the receipt or distribution of vehicles, materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, turning, loading and unloading services in order to avoid interference with public use of the streets and alleys, in accordance with the following:
 - 1) loading areas shall be designed in order to avoid interference with public use of streets, sidewalks and other public Rights-of-Way;
 - 2) except for access drives, no loading area is permitted in any required front yard or any required yard adjacent to a public highway or major artery; and
 - 3) the first loading space required for a building shall occupy a space of eight hundred (800) square feet and have a minimum vertical clearance of fourteen (14) feet and all additional required loading



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

spaces shall occupy a space of five hundred (500) square feet and have a minimum vertical clearance of fourteen (14) feet.

(ii) Loading and unloading space, unless otherwise adequately provided for, shall be provided in accordance with the following table.

Table 4 Loading Space Requirements

Gross Floor Area	Commercial and Industrial Uses	All Other Uses
0 - 2000	0	0
2001 – 15,000	1	0
15,001 – 25,000	1	1
25,001 – 50,000	2	1
50,001 – 75,000	3	2
75,001 – 100,000	4	2
Over 100,000	Plus 1 for each additional 50,000 square feet	Plus 1 for each additional 100,000 square feet

(iii) Loading Space development shall comport with the following standards:

- 1) any loading area shall be surfaced with asphalt, bituminous, cement, or other properly bound pavement so as to provide a durable and dustless surface, and shall be so graded and drained as to dispose of all surface water accumulation within the area; and
- 2) if proposed, lighting shall be provided in accordance with Section 9.04 of these Regulations.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

9.03.09 Commercial and Industrial District Driveways and Accessways

For uses in Commercial or Industrial Districts the following standards shall apply.

- (i) Proposed traffic accessways shall be adequate but not excessive in number; adequate in width, grade, alignment and visibility; not located too near street corners or other places of public assembly; and meet safety considerations.
- (ii) Pedestrian access to and across the site shall be adequate and convenient. The number, locations and dimensions of all vehicular and pedestrian access drives and walkways, parking spaces and drop-off and loading areas shall conform to applicable standards, including those set forth in the Americans with Disabilities Act and state laws and regulations. Such areas shall be constructed of suitable hard surface materials and be maintained in good condition.
- (iii) The following conditions shall be met by any Site Plan involving driveways or accessways:
 - 1) no driveway or accessway leading into a permitted commercial or industrial use shall pass through an RS-12, RS, RL, or RM District;
 - 2) entrances and exits shall be located to not interfere with traffic through a street intersection(s) or with any designated bus stop;
 - 3) no exits or entrances shall be located within a designated bus stop or unloading zones;
 - 4) entrances and exits serving uses other than Residential uses which are adjacent to a Residential use shall be placed as far away from the Residential use as possible except entrances for emergency access only exits are exempt from this requirement; and
 - 5) visibility at intersections with any street shall comply with subsection 9.01.02 of these Regulations.

9.03.10 Residential District Driveways and Accessways

- (i) Driveway width for single family and two family uses shall be at least ten (10) feet and shall not exceed twenty (20) percent of the lot frontage or eighteen (18) feet, whichever is less.
- (ii) Driveway width for three family and multifamily uses shall be at least twelve (12) feet and shall not exceed twenty (20) percent of the lot frontage or twenty four (24) feet, whichever is less



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- (iii) Driveway width for commercial and all other uses shall be at least twelve (12) feet for one way traffic and twenty four (24) feet for two way traffic.
- (iv) The elevation of the driveway surface at its intersection with the street line shall be a minimum of six (6) inches higher than the elevation of the street pavement at the intersection of the driveway apron unless the City Engineer has approved an alternative method of preventing stormwater discharge from the street into the driveway.
- (v) Combined driveways serving no more than two lots may be allowed with a minimum width of twelve (12) feet.
- (vi) Where feasible, the grade of driveways should not exceed three percent for the 25 feet of the driveway immediately adjacent to its intersection with the street right-of-way line. Driveway grade shall not exceed 15% at any location.
- (vii) Stormwater runoff shall be retained within the travel portion of a driveway until discharged into a stormwater management facility or natural watercourse in accordance with subsection 4.06.04 of these Regulations.

9.03.11 Drive Through Facilities

All drive-through facilities approved as conditional accessory use are subject to the following conditions.

- (i) Service areas and stacking lanes for a drive-through facility must be set back at least five (5) feet from all lot lines. Where the setback abuts a Residential District, the setback must be landscaped and screening shall be provided to prevent vehicle headlights from shining into the Residential District.
- (ii) Stacking lanes and service areas must be designed so that adequate on-site maneuvering, queuing, and circulation area is provided; stacking vehicles will not impede traffic on abutting streets; and stacking lanes do not interfere with on-site vehicle circulation.



Section 9.04 Lighting Standards

9.04.01 Purpose

The purpose of this Section is to ensure that all outdoor lighting is designed for safety, convenience, security, and to promote energy conservation while minimizing glare, sky glow, the damaging effects of night time lighting on the natural environment, light trespass, and adverse effects from illumination on enjoyment and value of nearby property and the overall appearance of the community.

9.04.02 Applicability

This Section shall apply to all outdoor lighting proposed or required as part of an activity subject to Zoning Permit, Special Permit, or Special Exception approval. Holiday and temporary lighting (less than thirty (30) days per year) shall be permitted as-of-right. Temporary emergency services, and street and utility repair lighting shall be permitted as-of-right.

9.04.03 Outdoor Lighting Design Standards

Outdoor lighting shall be designed for safety by reducing glare that causes reduced visibility, to limit the damage effects of night time lighting on the natural environment, and to promote energy conservation in accordance with the following general standards. The Approval Authority may require that the number of light fixtures be increased or decreased or that the light source be shielded or screened where necessary to conform to this Section.

- (i) The “maintained horizontal luminance recommendations” set by the Illuminating Engineering Society of North America (“IESNA”) shall be observed unless modified by the Approval Authority.
- (ii) Misdirected, unnecessary, or excessive lighting shall be avoided.
- (iii) Direct uplighting shall be permitted only to illuminate specific objects. Spillage of light beyond the outside edge of an object directly being illuminated shall be minimized to the maximum extent possible.
- (iv) Light shall not create a nuisance, disability, or hazard to pedestrians and motorists.
- (v) Light sources shall not interfere or conflict with traffic movement or parking, and shall be located and protected as to avoid being easily damaged by vehicles.
- (vi) Pole-mounted light fixtures shall be kept as low as practicable. In Residential Districts and the CBD District, pole-mounted light fixtures shall be no more than thirty (30) feet in height. In all other Commercial Districts and in



Industrial Districts, pole-mounted light fixtures shall be no more than fifty (50) feet in height.

- (vii) Lighting for sport fields, used for nighttime events, shall minimize glare and light trespass and use lights only where necessary.
- (viii) Searchlights operated for advertising purposes are prohibited.
- (ix) Light fixtures shall be maintained to meet their intended purpose.

9.04.04 Street and Intersection Lighting

Street and intersection lighting shall be designed for safety and to promote maximum energy conservation. A low uniformity ratio along a street shall be encouraged to the maximum extent practicable. The illuminance level along a street shall be in accordance with any applicable State requirements and the recommendations of the IESNA or equivalent standards.

9.04.05 Parking Area Lighting

Illumination in parking areas located in areas of Commercial or Industrial use that contain twenty (20) or more parking spaces must be reduced to at least fifty percent (50%) of the minimum illuminance level recommended by the IESNA (or equivalent standards) one hour after the business closes to one hour before the business opens.

9.04.06 Pedestrian Access Lighting

Sidewalk, pathway, trail, stairway, and sloping or rising path lighting shall be designed to provide for pedestrian safety. The illuminance level along a sidewalk, pathway, or trail and at a stairway and sloping or rising path shall be in accordance with the recommendations of the IESNA or equivalent standards.



Section 9.05 Sign Standards

9.05.01 Purpose

The purpose of this Section is to regulate the location, number, and appearance of signs in the City of Waterbury; promote a positive economic and business climate; and protect property values, the environment, and the welfare of the public.

9.05.02 Applicability

- (i) This Section of these Regulations shall apply to all publicly visible signs.
- (ii) Signs requiring Building Permit approval shall be reviewed for conformance with this Section prior to issuance of a CZC for such Building Permit in accordance with Section 11.10 of these Regulations. Signs included in applications for Zoning Permit, Special Permit, or Special Exception approval in accordance with these Regulations shall meet the standards of this Section.
- (iii) In the event a sign requires a Building Permit independent of any other proposed development on a property, the sign may be permitted by Certificate of Zoning Compliance as an accessory use as-of-right if it conforms to all applicable conditions.
- (iv) Alternative or supplemental sign standards may apply in the case of Shopping Centers, as provided in Section 10.11 of these Regulations.

9.05.03 Signs Permitted As-of-Right

The following signs are permitted in all Districts as-of-right requiring no Zoning approval.

- (i) Official government notices.
- (ii) Government signs to control traffic or for other regulatory purposes, to identify streets, or to warn of danger.
- (iii) Signs that warn of danger, prohibit trespassing, or direct traffic on a lot, provided such signs shall not exceed a total area of two (2) square feet each and shall not extend higher than four (4) feet above ground level.
- (iv) Temporary signs of public service companies to warn of danger.
- (v) Religious symbols attached to buildings and not extending within a required yard.
- (vi) Signs visible only from the lot where the sign is located.
- (vii) Temporary signs as specified in subsection 9.05.05, below.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

9.05.04 Prohibited Signs

Outdoor advertising signs are prohibited provided that any outdoor advertising sign existing as of the effective date of these regulations shall be considered a nonconforming use in accordance with section 1.06.04 of these regulations and the preexisting outdoor advertising sign structure shall be considered a nonconforming structure in accordance with section 1.06.05 of these regulations. Nothing in this subsection shall regulate or prevent modification of the content of a preexisting legal nonconforming outdoor advertising sign.

9.05.05 Temporary Signs

- (i) Temporary signs, as specified below, are allowed in all Districts. Temporary signs shall be installed in accordance with the following conditions, and as otherwise specified in these Regulations.
 - (ii) All temporary signs:
 - 1) shall not obstruct or impair access to a public sidewalk, public or private street or driveway, traffic signs or signals, fire hydrant, or otherwise create a hazard;
 - 2) shall be stable under all conditions; and
 - 3) shall only be placed with the consent of the property owner or occupant.
 - (iii) Temporary construction signs shall:
 - 1) be located on the premises of the construction project;
 - 2) advertise no product;
 - 3) be installed at the start of construction and removed within fourteen (14) days of completion of the project; and
 - 4) be a maximum size of thirty-two (32) square feet.
 - (iv) Temporary real estate signs shall:
 - 1) be located at the premises, or part of premises, that are for sale, rental, or lease;
 - 2) be removed no later than fourteen (14) days following sale, rental, or lease of the premises; and
 - 3) be a maximum size of six (6) square feet in Residential Districts, and thirty-two (32) square feet in Commercial and Industrial Districts.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- (v) Temporary political campaign signs shall be placed on private property with the approval of the property owner.
- (vi) Temporary event signs shall:
 - 1) be placed in locations specifically approved by the ZEO;
 - 2) be placed no more than thirty (30) days prior to, and removed within seven (7) days following the Temporary Event advertised, except that signs promoting sales events shall be removed within two (2) days of the end of the sale event; and
 - 3) be limited to a maximum of six (6) per calendar year on any single property when promoting commercial events including but not necessarily limited to grand openings, changes in management, sale events, and yard and tag sales.
- (vii) Temporary public hearing notice signs shall:
 - 1) be placed in locations and for such time periods as specified by the notice provisions of the Waterbury Zoning Regulations, Land Subdivision Regulations, and Inland Wetlands and Watercourses Regulations; and
 - 2) be removed within seven (7) days of the conclusion of any public hearing for which such signs are required.

9.05.06

Permanent Signs (Amend. 9-28-11)

- (i) The following permanent signs are permitted in Residential Districts, subject to the requirements of this Section:
 - 1) an announcement sign, giving the address of the premises and the name(s) of the occupants, not exceeding two (2) square feet in area;
 - 2) an identification sign for a home occupation in accordance with all other applicable provisions of these Regulations, not exceeding two (2) square feet in area;
 - 3) signs for other permitted uses in the respective District, such as schools, churches and public buildings, which signs shall not exceed thirty-two (32) square feet; and
 - 4) wall Signs on non-residential buildings in the RO District subject to the Wall Sign conditions given below.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

(ii) Permanent wall signs are permitted in Commercial and Industrial Districts subject to the following requirements:

- 1) each sign must be attached to a wall or facade of a building fronting on a public street;
- 2) no sign shall project beyond the sides of the front of the building or above the top of any parapet or wall;
- 3) a wall sign may extend forward as much as twelve (12) inches from the wall to which it is attached and no part of such sign shall project in front of the building line except that if the face of the wall is coincident with the building setback line, such sign may extend not more than twelve (12) inches beyond such line if placed ten (10) feet, and three (3) inches if placed not less than eight (8) feet [in] height above ground level; and
- 4) the area of wall signs shall not exceed two (2) square feet for each lineal foot of building façade frontage facing a public street or a parking area serving the building.
- 5) in the case of a building containing multiple establishments the area of the signage devoted to any particular establishment shall not exceed the proportion of total building façade devoted to the establishment, except that establishment with no devoted façade area shall be allowed directory signage not exceeding two square feet.
- 6) the total area of all signage shall not exceed forty percent (40%) of the area of the facade of the building fronting on a public street.

(iii) Permanent ground signs are permitted in Commercial and Industrial Districts subject to the following requirements:

- 1) the sign shall be supported by a freestanding, self-supporting structure that is erected on the ground and is not attached to a building;
- 2) no ground sign shall extend or project beyond any property or street line;
- 3) no ground sign shall be located within fifty (50) feet of the boundary of any Residential District;



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- 4) all signs shall be at least fifteen (15) feet from any lot line fronting on a street;
- 5) the area of all ground signs shall not exceed one square foot for each lineal foot of lot frontage;
- 6) there shall not be more than one (1) ground sign for each street frontage; and
- 7) no ground sign shall exceed a height of thirty (30) feet above grade.

(iv) Permanent marquee signs are permitted in Commercial and Industrial Districts subject to the following requirements:

- 1) the sign must be attached to a vertical edge of a marquee that extends forward from a front wall of a building in compliance with the applicable dimensional standards of these Regulations;
- 2) no sign shall extend or project beyond any edge of the marquee;
- 3) no sign or any part thereof shall be located closer than two (2) feet from the curb line; and
- 4) no sign or any part thereof shall be less than ten (10) feet or more than twenty (20) feet above the sidewalk or other surface over which the marquee extends.

(v) Permanent roof signs are not permitted.

9.05.07 Mobile Signs

Mobile signs are permitted in Commercial and Industrial Districts subject to the following requirements.

- (i) All mobile signs shall be located at least fifteen (15) feet from any lot line fronting on a street.
- (ii) No mobile sign shall project or extend beyond any property or street line.
- (iii) The area of any mobile sign shall not exceed thirty-two (32) feet.
- (iv) No mobile sign shall exceed a height of ten (10) feet.
- (v) There shall not be more than one (1) mobile sign for each lot frontage.
- (vi) No mobile sign shall be allowed on a lot having an existing ground sign, except as a temporary sign for not more than thirty (30) days in any calendar year.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

(vii) No mobile sign shall be located within fifty (50) feet of the boundary of any Residential District.

9.05.08 Sign Maintenance

All signs must be kept clean, and in good physical appearance and structural repair. All components of the sign, including but not limited to, supports, braces, guys, anchors, wiring and fasteners shall be maintained in a sound and safe condition. Signs shall meet any applicable requirements of the Connecticut Building Code.

9.05.09 Sign Illumination

Sign illumination shall be in accordance with Section 9.04 and the following requirements.

- (i) A sign may be illuminated, provided all light sources shall be designed, shielded, arranged, and installed to confine or direct all illumination to the surface of the sign and away from adjoining properties.
- (ii) Light sources shall not be visible from the street or adjoining properties, except for signs with exposed neon tubes as specifically allowed in Commercial and Industrial Districts.

9.05.10 Sign Prohibitions

No sign, whether new or existing, that causes a traffic, health or welfare hazard, or results in a nuisance due to illumination, placement, display or manner of construction shall be permitted. Unless allowed for a specific use in a District, the prohibitions listed below apply to all signs in all Districts.

- (i) No sign shall be erected, used, or maintained that, in any way, simulates official directional or warning signs unless erected or maintained by the Federal, State and City Governments for the protection of the public health and safety. Signs containing the words "stop", "go slow", "caution", "danger", "warning", or similar words are prohibited.
- (ii) No sign shall, by reason of its size, location, content, coloring, or manner of illumination, constitute a detriment to traffic safety by: obstructing the vision of drivers, detracting from the visibility of traffic-control devices, or closely resembling any official traffic control device.
- (iii) With the exception of emergency lights on temporary signs, no flashing, blinking, fluttering, oscillating, rotating, pulsating, or other changes in light intensity or color shall be permitted. Electronic or mechanical variations in sign lettering or graphics such that any portion of the sign shall not change more often than once in any five (5) second period may be permitted.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- (iv) No sign shall be erected or maintained in such a manner as to obstruct or interfere with the free and clear vision on any street, sidewalk, driveway, or navigable channel. No sign shall be attached to or be erected or maintained in such a manner as to obstruct any fire escape, windows, door, or other building opening used for egress and ingress, ventilation, or other fire fighting purposes. No sign shall conceal from view any traffic or street sign or signal.
- (v) No sign or any part thereof shall be permitted to be mechanically rotated or moved, except traditional signs of barbershops provided the longest dimension of such signs does not exceed three (3) feet.
- (vi) No sign shall project beyond any lot line including the street right-of-way without written permission of the adjoining property owner or the City of Waterbury, as applicable.
- (vii) No sign shall be erected or maintained with any lighting or control mechanism that may cause radio or television interference.
- (viii) No advertising banner shall be attached to any on-premise light pole, utility pole, tree, or other free-standing vertical site element. Advertising banners shall only be permitted to be attached to building facades, at a minimum height of twelve (12) feet above grade.
- (ix) No sign shall be attached to any tree, fence, or utility pole, or rock or other natural features, except that this subsection shall not prohibit the attachment of commemorative plaques to rocks.
- (x) All painted signs shall be on a background affixed to a surface or support. No sign shall be painted on or otherwise directly integrated with the exterior surface of any wall.
- (xi) No sign in a Commercial or Industrial District shall be located closer than twenty-five (25) feet to any adjoining lot in a Residential District, and no sign shall be located in the rear or side yard of any premises that abuts a lot in a Residential District.



Section 9.06 Stormwater and Erosion Management Standards

9.06.01 Purpose

The purpose of this Section is to protect, maintain, and enhance the public health, safety, environment, and general welfare of the City of Waterbury by establishing minimum stormwater and erosion management requirements and procedures to control the adverse effects of construction site and post-development stormwater runoff, decreased groundwater recharge, and non-point source pollution associated with uncontrolled and untreated stormwater runoff and soil erosion and sedimentation from development and redevelopment projects.

9.06.02 Applicability

- (i) Stormwater and erosion management shall be provided for development or redevelopment projects that disturb greater than or equal to one-half (1/2) acre, regardless of project phasing.
- (ii) Stormwater and erosion management may be required for those projects disturbing less than one half (1/2) acre where the Approval Authority finds that there is the potential for
 - 1) erosion, sedimentation, or water quality problems downstream or down gradient of a proposed construction activity or
 - 2) an adverse impact on the health, safety, and welfare of the community or the surface water, groundwater, and other natural resources.

9.06.03 Stormwater Management Measures

Stormwater management measures shall be designed in accordance with the Connecticut Department of Environmental Protection [Stormwater Quality Manual](#) (“Stormwater Manual”), as may be amended. The minimum design criteria established in these Regulations and the Stormwater Manual are as follows. Additional measures may be required if flooding, erosion, sedimentation, or water quality problems exist downstream or downgradient of a proposed project, or if an adverse impact on the health, safety, and welfare of the community or the surface water, groundwater, and other natural resources is anticipated to result from the construction activity due to the proposed design of the stormwater management measures or existing hydrologic or topographic conditions.

- (i) Stormwater management measures shall be selected to accommodate the natural hydrologic and topographic features of the site.
- (ii) Non-structural stormwater management measures shall be provided wherever feasible.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- (iii) Post-development hydrologic conditions shall replicate pre-development hydrologic conditions to the maximum extent possible.
- (iv) Pollutants shall be controlled at their source to the maximum extent possible.
- (v) Concentrated flows shall be converted to sheet flow to the maximum extent possible prior to discharge from the project area.
- (vi) Post-development impervious areas shall be minimized and use of pervious paving alternatives shall be used where practicable.
- (vii) Post-development stormwater runoff volume shall match pre-development stormwater runoff volume through use of low impact development measures to the extent possible.
- (viii) Post-development stormwater management measures shall be designed to remove suspended solids and floatables from stormwater and at a minimum the first inch of rainfall shall be captured and treated to remove pollutants.
- (ix) Post-development annual groundwater recharge volume shall match pre-development annual groundwater recharge volume to the maximum extent possible and use of infiltration measures are encouraged where site conditions are conducive to infiltration.
- (x) Water quantity management practices, both for peak rate of runoff and volume control, shall be designed according to the following Table.

Table 5: Design Storms

Zoning District	Design Storm Return Interval
RS-12, RS, RL	2- and 10-year
RM, RH, RO	2-, 10-, and 25-year
Commercial and Industrial	2-, 10-, 25-, and 50-year

- (xi) Any alteration of surface water flows off-site, such as from sheet flow to point discharge or vice versa or relocation of point discharge shall be permitted only with the written approval of the affected off-site property owner.
- (xii) Existing natural features necessary to prevent future site erosion and existing vegetation shall be preserved to the maximum extent possible.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- (xiii) Post-development stormwater management measures shall be designed to facilitate and ensure proper long-term operation and maintenance.
- (xiv) Storm drain components shall be designed in accordance with the Stormwater Manual, or as otherwise required by the City Engineer. System components shall be sized to accommodate upstream or upgradient water flows expected to flow through the site. The condition of the upslope areas, for purposes of calculating runoff flows, shall be the conditions in place at the time of the approval of the plan by the City Engineer.
- (xv) Stormwater runoff shall not be conveyed directly into an inland wetland or watercourse without adequate treatment and approval by the Waterbury Inland Wetlands and Watercourses Commission.

9.06.04 Erosion and Sedimentation Management Measures

Stormwater and erosion control measures shall be designed in accordance with the current Connecticut Department of Environmental Protection [Guidelines for Soil Erosion and Sediment Control](#) (“E&S Guidelines”) and the current [Connecticut Stormwater Quality Manual](#), as they may be amended, to prevent erosion and subsequent sedimentation of downstream surface water and groundwater resources. Measures shall be installed to prevent erosion during construction and post-construction operation of the development. A soil erosion and sediment control plan shall be submitted with any application for development when the disturbed area of such development is more than one-half acre. The minimum design criteria established in these Regulations and the E&S Guidelines are as follows.

- (i) Pre-development hydrologic conditions shall be maintained to the extent possible during construction.
- (ii) Post-development hydrologic conditions shall replicate pre-development hydrologic conditions to the extent possible.
- (iii) Sediments shall be controlled at their source to the extent possible.
- (iv) Upslope stormwater runoff shall be diverted around the active construction area whenever possible.
- (v) Concentrated flows shall be converted to sheet flow to the extent possible prior to discharge from the site.
- (vi) Erosion and sedimentation shall be controlled to the extent possible through use of erosion and sediment control measures that provide for:
 - 1) temporary and permanent stabilization of all disturbed areas;
 - 2) effective management and disposal of stormwater runoff; and



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- 3) prevention of discharge of concentrated stormwater discharges and/or sediment to surrounding properties, wetlands, watercourses, and drainage facilities.
- (vii) Land disturbance and clearing shall be phased when possible and limited to areas necessary to construct buildings and other structures, utilities, stormwater management measures, parking, and access ways, and for site grading.
- (viii) Land disturbance and grading that will be suspended for a period of thirty (30) days or more shall be stabilized within seven (7) days of the suspension of grading.
- (ix) Existing natural features necessary to prevent future site erosion and existing vegetation shall not be disturbed and shall be preserved to the extent possible.

9.06.05 Construction and Post-Construction Stormwater and Erosion Standards

The following measures shall be implemented during construction and post-construction.

- (i) No litter, debris, building materials, or similar materials shall discharge to the watercourses of the State.
- (ii) Off-site tracking of sediments by vehicles or equipment and the generation of dust shall be minimized.
- (iii) Erosion and sediment control measures shall be implemented in accordance with the E&S Guidelines.
- (iv) All post-development stormwater management measures shall be maintained and cleaned of construction sediment and fully functioning as outlined in the Operations and Maintenance Plan provided in the Stormwater Management Plan required by subsection 9.06.06 of these Regulations.
- (v) All silt fences shall be removed upon stabilization of upslope areas of the site.
- (vi) All chemical and petroleum product vessels, storage, and filling operations shall be fully contained to capture the entire volume of the liquid to prevent exposure to stormwater in accordance with any Federal, State, and local requirement.
- (vii) The following inspection procedures shall be implemented during construction:
 - 1) a rain gauge shall be maintained on site;



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- 2) a qualified inspector shall inspect disturbed areas of the construction activity that have not been finally stabilized, structural control measures, and locations where vehicles enter or exit the site at least once a week and within 24 hours after a storm that is 0.5 inches or greater in accordance with any Federal, State, or local permitting requirements and in accordance with the E&S Guidelines; and
- 3) a qualified inspector shall inspect temporary and permanently stabilized areas or sites at least once a month during the period of construction activities on the site and for three months following the end of the construction activities in accordance with any Federal, State, or local permitting requirements and in accordance with the E&S Guidelines.

9.06.06 Erosion and Sediment Control Plan Requirements

An Erosion and Sediment Control Plan shall be included as part of any application for a project that does not require stormwater management measures but which requires erosion and sediment control measures as described in this Section. The Erosion and Sediment Control Plan shall be prepared in accordance with sound engineering practices and certified by a Professional Engineer.

A Stormwater Pollution Control Plan prepared pursuant to coverage under the Connecticut DEP General Permit for the Discharge of Storm and Dewatering Waste Waters Associated with Construction Activities, as amended, may be submitted as the Erosion and Sedimentation Control Plan required by this Section of these Regulations.

The Erosion and Sediment Control Plan shall be accompanied by the following items and information.

- (i) Identification of downslope surface water resources, and their location relative to the project site.
- (ii) A description of the objectives of the Erosion and Sediment Control Plan including a narrative of practices and measures to be implemented to minimize erosion and sedimentation of areas and surface water resources downstream or down gradient of the proposed project.
- (iii) Site description that includes:
 - 1) description of existing site, including existing stormwater discharge(s) from the site;
 - 2) nature of the proposed construction activity;
 - 3) estimate of the total area of the site; and



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- 4) estimate of the total area of the site anticipated to be disturbed by construction activities.
- (iv) Site drawings that include:
 - 1) boundaries beyond which no disturbance and construction activity will occur;
 - 2) drainage patterns and approximate slopes anticipated after major grading activities;
 - 3) location of areas with slopes 3:1 and steeper;
 - 4) natural drainage patterns, swales, and other drainage ways;
 - 5) locations where stormwater will be discharged to a surface water during and post- construction;
 - 6) areas of soil disturbance;
 - 7) location of erosion and sediment control measures;
 - 8) location of areas where stabilization practices are expected to occur;
 - 9) areas that will be vegetated post-construction;
 - 10) wetlands, watercourses, and floodplains;
 - 11) riparian buffers; and
 - 12) vegetation identified for preservation and non-disturbance during construction activity.
- (v) Expected sequence and estimated timetable of:
 - 1) major construction activities on the site; and
 - 2) the installation of erosion and sediment control measures.
- (vi) Description and drawings of erosion and sediment control measures to be employed. Include details for proper construction, installation, inspection, maintenance, and removal to ensure effective operation of the measures.
- (vii) Description and drawings of the operational and structural measures that will be used for dewatering, if applicable.
- (viii) Description of potential water quality impacts from the proposed project.
- (ix) Description of the good housekeeping inspection and maintenance procedures that will be employed including practices that will be implemented to control



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

litter, debris, or similar materials with the potential to be discharged to watercourses of the State.

- (x) Additional information requested and/or required to support the review and approval of the Erosion and Sediment Control Plan.

9.06.07 Stormwater Management Plan Requirements

A Stormwater Management Plan shall be prepared and adopted for projects that will disturb more than one acre of area, regardless of the whether or not the project will be developed in phases involving disturbance of less than an acre. The plan shall be included as part of any application for Zoning Permit, Special Permit, Special Exception, or Site Plan approval in accordance with these Regulations. The Stormwater Management Plan shall be prepared in accordance with sound engineering practices and certified by a Professional Engineer.

The Stormwater Management Plan shall be accompanied by the following items and information.

- (i) Objectives of the Stormwater Management Plan including a narrative of practices and measures to be implemented to minimize flooding, erosion, sedimentation, and water quality problems downstream or down gradient of the proposed project and to minimize and mitigate disturbance to pre-development hydrologic conditions.
- (ii) Site description which shall include:
 - 1) description of existing site, including soil characteristics and existing stormwater discharge(s) from the site;
 - 2) nature of the construction activity;
 - 3) estimate of the total area of the site;
 - 4) estimate of the total area of the site anticipated to be disturbed by construction activities;
 - 5) estimate of the average runoff coefficient of the site after construction activities are complete;
 - 6) name of the immediate receiving watercourses or waterbodies and the ultimate receiving watercourses or waterbodies of the proposed stormwater discharge; and
 - 7) extent, characteristics, function, and value of wetlands on the site.
- (iii) Site drawings which shall include:
 - 1) boundaries beyond which no disturbance and construction activity will occur;



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- 2) drainage patterns and approximate slopes anticipated after major grading activities;
- 3) location of areas with slopes 3:1 and steeper;
- 4) natural drainage patterns, swales, and other drainage ways;
- 5) locations where stormwater will be discharged to a surface water during and post- construction activity;
- 6) areas of soil disturbance;
- 7) location of all structural and non-structural stormwater management measures and low impact development measures;
- 8) location of all erosion and sediment control measures;
- 9) location of areas where stabilization practices are expected to occur;
- 10) areas which will be vegetated post-construction activity;
- 11) watercourses, wetlands, and floodplains;
- 12) riparian buffers;
- 13) vegetation identified for preservation and non-disturbance during construction activity;
- 14) location of areas with soils suitable for infiltration of stormwater and areas of the site best suited for infiltration of stormwater for the siting of stormwater management measures and low impact development measures;
- 15) location of areas unsuitable or least suitable for infiltration of stormwater for the siting of areas of development; and
- 16) location of areas inappropriate for the infiltration of stormwater runoff from land uses with a significant potential for pollution.

(iv) Expected sequence and estimated timetable of:

- 1) major construction activities on the site; and
- 2) the installation of erosion and sediment control measures.

(v) Description and drawings of erosion and sediment control measures to be employed, including details for proper construction, installation, inspection, maintenance and removal to ensure effective operation of the measures.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- (vi) Description and drawings of structural stormwater management measures to be employed. Include details for proper construction and installation of the measures.
- (vii) Description and drawings of the operational and structural measures that will be used for dewatering.
- (viii) Description of potential water quality impacts from the proposed project.
- (ix) Description of design methodologies.
- (x) Hydraulic, hydrologic, and water quantity computations, where applicable, including post- and pre- development stormwater runoff volume, post- and pre- development annual groundwater recharge volume, and post- and pre- development peak discharge rate computations.
- (xi) The proper operation and maintenance of stormwater management measures shall be laid out in an Operations and Maintenance Plan included in the Stormwater Management Plan. The plan shall:
 - 1) include a description of the good housekeeping inspection and maintenance procedures that will be employed including practices that will be implemented to ensure no litter, debris, or similar materials are discharged to watercourses of the State;
 - 2) clearly identify required routine and non-routine inspection and maintenance procedures that will be employed for each structural stormwater management measure;
 - 3) include an inspection schedule;
 - 4) include a maintenance schedule;
 - 5) provide inspection techniques, including methods for determining when maintenance is necessary;
 - 6) outline responsible parties, including names, addresses, and telephone numbers; and
 - 7) include additional information requested and/or required to support the review and approval of the Operation and Maintenance Plan.
- (xii) Additional information requested and/or required to support the review and approval of the Stormwater Management Plan.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

9.06.08 Easements and Covenants

On-site and off-site areas that are required for stormwater and erosion management after construction of the project is complete must be protected from alteration through easements or covenants recorded in the Land Records of the Waterbury Town Clerk. Temporary construction easements shall be acquired from off-site property owners if needed for construction of the project.

9.06.09 Review and Approval

The Approval Authority shall refer Stormwater Management Plans and Erosion and Sediment Control Plans to the City Engineer and request a review to determine compliance with this Section prior to approval of a Zoning Permit, Special Permit, or Special Exception. The Approval Authority shall consider the City Engineer's report in its decision on any subject application. The failure of the City Engineer to report on its review shall not be construed as a determination that the Plans are in compliance with this Section.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

ARTICLE 10. SPECIAL USE STANDARDS

Section 10.01 General

In addition to the applicable District Development Standards and General Use Standards of these Regulations, uses specified below shall be subject to the Special Use Standards and, where specified, the supplemental application information filing requirements and the special use approval criteria listed.

Section 10.02 Two and Three Family and Multifamily Residences

10.02.01 Purpose

This Section provides additional standards and conditions for the approval of Two and Three Family and Multifamily Residences to provide diverse housing options for the residents of the City of Waterbury; to ensure compatibility of such uses and associated development with neighborhoods and surrounding properties; to allow more intensive use of residential lots in the RM, RH and RO Districts and to protect public health, safety, and convenience.

10.02.02 Applicability

A Two and Three Family or Multifamily Residence structure may be permitted in RM, RH and RO Districts subject to a Zoning Permit and conformance with applicable District Development and General Use Standards and the Special Use Standards of this Section.

In other designated districts Two and Three Family or Multifamily Residence structure may be permitted subject to a Special Permit or Special Exception and conformance with applicable District Development and General Use Standards and the Special Use Standards of this Section.

Townhouse structures on a single lot in the RM, RH and RO Districts with less than required frontage for the proposed number of units with exterior entrances is permitted in the RM, RH and RO Districts subject to Special Permit approval by the Zoning Commission and conformance with applicable District Development and General Use Standards, the Special Use Standards of this Section and the Special Use Standards for Intensified Two, Three and Multifamily Development in this Section.

10.02.03 Two and Three Family and Multifamily Residence Special Standards

- (i) The architectural designs of Two and Three Family or Multifamily Residences, including the building materials and exterior elevations, shall



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

be of such character as to harmonize with the neighborhood, to accomplish a transition in character between areas of unlike character, to protect and enhance property values in the neighborhood, and to preserve and enhance the appearance and beauty of the community.

- (ii) Access drives to any building with two or more residential units shall not exceed twenty (20) percent of the total lot width at the front lot line.
- (iii) Where a Two or Three Family or Multifamily structure consists of more than one townhouse, each of which is located on a separate lot, side yard building setbacks are not required for side lot lines running down the middle of party walls:
- (iv) The minimum interior width of a townhouse shall be twenty (20) feet;
- (v) For any Multifamily Residential development, the minimum usable open space shall be provided as required by Section 4.09 of these Regulations.

10.02.04 Standards for Intensified Two, Three and Multifamily Development

- (i) The lot must have a minimum frontage of 60 feet.
- (ii) The number of dwelling units in the RM district shall not exceed 12.
- (iii) The number of dwelling units in the RO district shall not exceed 6.
- (iv) At least two dwelling units shall have their front entrances oriented toward the front yard. One additional dwelling unit shall have its front entrance oriented toward the front yard for every additional 25 foot increment of frontage in excess of 50 feet.
- (v) The width of garage doors shall not exceed 40 percent of the width of the façade facing a City Street of any building containing dwelling units.
- (vi) On corner lots, all units with front entrances not oriented toward the front yard shall have their front entrances facing the street along the side yard.
- (vii) No decks, patios or sliding doors shall be located between the structure and any street line. Covered porches or covered stoops are permissible.
- (viii) No parking spaces may be located between the structure and any street line. All parking spaces shall be separated from the every street line by a landscaped buffer at least four feet wide.
- (ix) A landscaping plan shall be submitted.
- (x) The Approval Authority may approve a second principal residential structure on the lot provided the total number of dwelling units does not exceed the limits set by this section and a report from the Fire Marshall concerning emergency access and firefighting feasibility is received.



Section 10.03 Active Adult Housing

10.03.01 Purpose

This Section provides additional standards and conditions for the approval of Active Adult Housing to provide such alternative housing for residents of the City of Waterbury and to ensure compatibility of such uses and associated development with neighborhoods and surrounding properties and to protect public health, safety, and convenience.

10.03.02 Applicability

Active Adult Housing developments are permitted in the RS-12, RS, RL, RM, RH, CO, CA, and CG Districts, subject to Special Exception approval and conformance with the applicable District Development and General Use Standards and the Special Use Standards of this Section.

- (i) Permitted Active Adult Housing Residential units in the RS-12 and RS Districts shall be Single Family Residences.
- (ii) Permitted Active Adult Housing Residential units in the RL District shall be Single Family and Two-Family Residences.
- (iii) Permitted Active Adult Housing Residential units in the RM District shall be Single Family and Two or Three Family Residences.
- (iv) Permitted Active Adult Housing Residential units in the RH, CO, CA, and CG Districts shall be any residential structures.

10.03.03 Active Adult Housing Development Special Use Standards

(Amend. 9-28-11; 1-23-13)

Active Adult Housing developments shall comply with the following Special Use Standards.

- (i) Such developments shall comply with:
 - 1) the applicable provisions of the United States Fair Housing Act, as may be amended, and CGS [Sections 46a - 64b and 46a-64c](#), as may be amended, and any respective implementing regulations; and
 - 2) the statutory requirements for establishment of a "Common Interest Community" as provided in CGS [Chapter 828](#), if units are to be individually owned.
- (ii) The following occupancy restrictions shall apply to any Active Adult Housing development and shall not be waived or altered by the Approval Authority:



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- 1) each of the units shall be occupied by at least one (1) person who is 55 years of age or older ("qualified occupant"), so as to comply with the Housing for Older Persons Act of 1995, as may be amended:
- 2) units may be occupied by a spouse, companion, or relative ("companion occupant") of a qualified occupant which such companion occupant may remain following the death of a qualified occupant or if the qualified occupant has entered into a long-term care facility;
- 3) employees of the dwelling unit owner or qualified occupant who perform substantial duties related to the care of the qualified occupant may reside in such unit;
- 4) all occupants must be at least 18 years of age; and
- 5) the total number of occupants and care providers per unit shall be limited to the approved number of bedrooms in the unit plus one.

(iii) The following design and development standards shall apply to any Active Adult Housing development:

- 1) any Active Adult Housing development that includes more than one principal building shall comply with the standards for a Residential Campus Development;
- 2) the maximum building height shall be two and one-half (2.5) stories or thirty-five feet, whichever is less;
- 3) private streets shall be no less than twenty four (24) feet in width.
- 4) a walking trail system and/or sidewalks shall be provided within the development in the RS-12, RS, and RL Districts and in the RM District a walking trail system and/or sidewalks shall be provided if the project area is one acre or more or if more than one principal building is provided;
- 5) a hard surface walkway shall be provided between parking space(s) serving a dwelling unit and the primary entrance to the unit;
- 6) the primary entrance to every dwelling unit shall be on the ground level or a floor level serviced by an elevator;
- 7) the master bedroom shall be on the same level as the primary entrance in at least 80 percent of the units;
- 8) each dwelling unit shall contain an attic and/or a basement;



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- 9) only structure types and uses permitted in the underlying district shall be permitted.
- 10) Residential structures shall be separated by a minimum distance of 10 feet and setbacks shall be applied to the entire lot.
- 11) any arrangement of structures is permitted, subject to the provisions of this Section and other applicable provisions of these Regulations.
- 12) the maximum number of dwelling units may be ten (10) percent above the maximum that would be permitted under the District Development Standards for the respective District, rounded up to the next whole number;
- 13) street, parking area, and pedestrian area lighting shall be provided in accordance with Section 9.04 of these Regulations;
- 14) recreational facilities, open spaces, and facilities suitable for active and/or passive recreation shall be provided to serve the development;
- 15) the minimum cumulative lot area of the entire development shall be at least 5 acres in the RS-12, RS, and RL Districts and at least 40,000 square feet in the RM District;
- 16) no more than 35% of the lot area shall be covered by impervious surfaces;
- 17) a minimum of 35% of the lot area shall be open space;
- 18) development near the perimeter of the property shall be designed to be harmonious with neighboring land uses; in the RS and RL Districts, a continuous buffer strip of at least fifty (50) feet in width, planted with a mixture of evergreen and deciduous shrubs and trees shall be provided and maintained along the side and rear lot lines to protect the visual appearance from the adjacent properties and public ways; existing natural trees and shrubs, if attractive in appearance, may be accepted as all or part of the required buffering; and any such buffering shall be classified as usable open space for the purposes of this Section;
- 19) the minimum distance between structures shall be twenty (20) feet; and.
- 20) parking shall be provided as required by Section 9.03.



Section 10.04 Residential Campus Development

10.04.01 Purpose

This Section provides additional standards, conditions, and criteria for the approval of Residential Campus Developments to ensure compatibility of such uses and associated development with neighborhoods and surrounding properties and to protect public health, safety, and convenience.

10.04.02 Applicability

Residential Campus Developments are permitted in the RS-12, RS, RL, RM, and RH Districts, subject to Special Exception approval and conformance with the applicable District Development and General Use Standards and the Special Use Standards of this Section.

10.04.03 Residential Campus Development Special Use Standards (Amend. 9-28-11)

Residential Campus Developments shall comply with the following Special Use Standards.

- (i) Only structure types and uses permitted in the underlying district shall be permitted.
- (ii) Residential structures shall be separated by a minimum distance of 10 feet.
- (iii) The dwelling unit density on the site shall not exceed the allowable density of the underlying district, as demonstrated by the effective density calculation documentation required as supplemental application information by this Section.
- (iv) The minimum lot area required for a Residential Campus Development shall be forty thousand (40,000) square feet in the RS-12, RS, RL, and RM Districts and twenty thousand (20,000) square feet in the RH District. If the Approval Authority finds that unique site conditions, topographic conditions or environmental site conditions exist which render this standard unnecessary, this standard may be reduced by a supermajority vote of the Approval Authority provided that the standard is not reduced below the minimum lot area required by underlying district.
- (v) The minimum continuous lot frontage shall be 50 feet.
- (vi) Site layout and architectural design shall take advantage of natural site topography and provide visual and acoustic privacy between residential buildings.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- (vii) only structure types and uses permitted in the underlying district shall be permitted.
- (viii) Residential structures shall be separated by a minimum distance of 10 feet and setbacks shall be applied to the entire lot.
- (ix) any arrangement of structures is permitted, subject to the provisions of this Section and other applicable provisions of these Regulations.
- (x) Unless the a finding is made by a supermajority vote of the Approval Authority that unique site conditions, topographic conditions or environmental site conditions exist which render this standard unnecessary, no building or other structure within a Residential Campus Development shall be located within twenty-five (25) feet of the boundary of:
 - 1) any electrical or gas transmission line easement; or
 - 2) the lot on which the Residential Campus Development is situated.
- (xi) Unless the a finding is made by a supermajority vote of the Approval Authority that unique site conditions, topographic conditions or environmental site conditions exist which render this standard unnecessary, no building or other structure within a Residential Campus Development shall be located within one hundred (100) feet of any Single-Family Residence located outside such Residential Campus Development site.
- (xii) Suitable screening with fencing and landscaping shall be provided at the perimeter of the Development to provide visual buffer for adjacent properties on a year-round basis.
- (xiii) Recreational facilities suitable for active and/or passive recreation shall be provided to serve Residential Campus Developments that contain more than twelve (12) dwelling units.
- (xiv) Interior streets and driveways shall be designed to prevent through traffic, reduce traffic speeds, and provide for adequate circulation within the Development. Walkways, courts, and paths shall be provided to encourage and facilitate pedestrian access to and between residential buildings and amenities, and shall be separated from vehicular traffic whenever practicable.
- (xv) Interior streets shall be privately owned and shall be at least twenty four (24) feet in width.
- (xvi) For the purpose of ensuring privacy for dwellings adjoining a Residential Campus Development, the Approval Authority may require increased



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

building setback distances not exceeding twenty-five percent (25%) of the minimum setback required in the underlying Zoning District.

(xvii) A minimum of 800 square feet per dwelling unit of usable open space shall be provided. If the Approval Authority finds that unique site conditions, topographic conditions or environmental site conditions exist which render this standard unnecessary, this standard may be reduced by a supermajority vote of the Approval Authority.

10.04.04 Supplemental Special Exception Application Information

In addition to the Special Exception and Site Plan application filing requirements in Article 11, the Approval authority may require an application for a Residential Campus Development to include the following.

- (i) A description and supporting documentation demonstrating a suitable legal organization and management system, including provisions for financing and maintenance, for a common interest community, established in accordance with [CGS Chapter 828](#), for ownership of common properties and facilities, open space, and utility systems.
- (ii) A parcel map depicting wetlands, floodplain, and slopes over 20% and a calculation of the open space area to be provided in accordance with this Section prepared by a professional engineer
- (iii) An effective density calculation which applies the maximum residential density of the underlying Zoning District to eight five percent (85%) of the site area not shown as being wetlands, floodplain, and having slopes over 20%.



Section 10.05 Planned Residential Conservation Subdivisions

10.05.01 Purpose

This Section provides additional standards for the approval of Planned Residential Conservation Developments (“PRCD”) to ensure compatibility of such uses and associated development with neighborhoods and surrounding properties and to protect public health, safety, and convenience.

10.05.02 Applicability

PRCDs are permitted in the RS-12, RS, RL, RM, and RH Districts subject to Subdivision and Special Exception approval and conformance with applicable District Development and General Use Standards and the Special Use Standards of this Section.

10.05.03 PRCD Special Use Standards

PRCD developments shall comply with the following Special Use Standards.

- (i) The property proposed for development of a PRCD shall have a minimum of five acres. If the Approval Authority finds that unique site conditions, topographic conditions or environmental site conditions exist which render this standard unnecessary, this standard may be reduced by a supermajority vote of the Approval Authority provided that the standard is not reduced below the minimum lot area required by underlying district.
- (ii) In lieu of the applicable District Development Standards, lots within a PRCD development may be permitted with:
 - 1) a minimum lot width of 35 feet;
 - 2) one zero foot side yard line and a minimum total side yard setback of 10 feet;
 - 3) a minimum front yard setback of 20 feet and a minimum rear yard setback of 25 feet;
 - 4) maximum total coverage of 67% and maximum building coverage of 40%;
 - 5) maximum building height of 35 feet or 2 ½ stories, whichever is lesser;
 - 6) a minimum lot area of 4500 square feet; and
 - 7) minimum usable open space as required by Section 4.09 of these Regulations.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- (iii) No more than two attached dwelling units shall be permitted per building and each dwelling unit shall be located on a separate building lot.
- (iv) Unless the a finding is made by a supermajority vote of the Approval Authority that unique site conditions, topographic conditions or environmental site conditions exist which render this standard unnecessary, no building within a PRCD Parcel shall be located within twenty five (25) feet of the boundary of an electrical or gas transmission line easement or the boundary of the PRCD Subdivision and no such building shall be located within one hundred (100) feet of any single-family dwelling located outside the PRCD subdivision.
- (v) The minimum distance between Single Family or Two Family dwelling structures, shall not be less than twenty (20) feet.
- (vi) At least 35% of the lot area shall be permanently protected as set aside open space, as defined in these Regulations, by fee simple donation to the City of Waterbury or the State of Connecticut or to a qualified 501(c)(3) organization established for the purpose of land conservation or, when determined appropriate by the Approval Authority, by provision of an easement providing appropriate conservation and use restrictions and approved in form and content by the Approval Authority and Corporation Counsel, by a duly established common interest community in favor of the City of Waterbury or a qualified 501(c)(3) organization established for the purpose of land conservation. Any land provided in excess of the minimum required need not meet the definition of setaside open space. This setaside open space provision is not subject to waiver by provision of a fee-in-lieu of open space.
- (vii) Private streets may be permitted in a PRCD, which such streets may provide any lot frontage required by these Regulations, provided that any such street shall be:
 - 1) at least twenty four (24)feet in width;
 - 2) designed and constructed to meet the requirements for public streets in the City of Waterbury Public Improvement Standards and Policies; and
 - 3) owned by a common interest community duly established in accordance with CGS [Chapter 828](#).
- (viii) Maximum residential unit density shall not exceed that permitted on the subject parcel under the standards applying to the underlying Zoning District.



10.05.04 PRCD Supplemental Application Information

In addition to the basic filing requirements for a Special Exception and Site Plan approval, an application for approval of a PRCD shall provide the following.

- (i) If proposed, a description and supporting documentation demonstrating a suitable legal organization and management system, including provisions for financing and maintenance, for a common interest community, established in accordance with [CGS Chapter 828](#), for ownership and maintenance of common properties and facilities, open space, and utility systems.
- (ii) A calculation of the number of residential units permitted for a conventional subdivision on the subject parcel under the applicable District Development Standards of the underlying District, prepared by a professional engineer.
- (iii) A parcel map depicted wetlands, floodplain, and slopes over 20% and a calculation of the open space area to be provided in accordance with this Section prepared by a professional engineer.

10.05.05 PRCD Approval Criteria

In approving a PRCD Subdivision and Special Exception, the Approval Authority shall consider the following objectives.

- (i) Preservation of natural areas as common open space for conservation, recreation, aesthetic, and environmental benefits.
- (ii) Location of dwelling units in a manner that is in harmony with natural site features, so as to promote the preservation of agricultural, forest, water, and other natural resources and avoid an adverse impact on water resources and other features of the natural environment.
- (iii) Employment of site layout that contributes to the convenience of residential living and relates to adjoining properties and neighborhoods in a manner that is harmonious with their character and will protect property values.
- (iv) Promotion of land development that reduces lot areas, lot widths, setbacks (front, side, and rear), and building coverage standards without increasing the number of units that could be legally constructed on a particular tract of land under the District Development Standards applying to the underlying Zoning District.



Section 10.06 Group Living

10.06.01 Purpose

This Section provides standards for the use of property for Group Living establishments and to ensure compatibility of such uses and associated development with neighborhoods and surrounding properties and to protect public health, safety, and convenience.

10.06.02 Applicability

Group Living establishments are permitted in the RM, RH, and RO Districts subject to Special Permit approval and in the CO, CG, and CBD Districts subject to Zoning Permit approval. In all cases, Group Living establishments are subject to applicable District Development and General Use Standards and the Special Use Standards of this Section.

10.06.03 Group Living Establishment Special Use Standards

A Group Living establishment as a principal use is permitted only as a substitute for dwelling units permitted by applicable District regulations and shall conform to the following.

- (i) The number of sleeping rooms, boarders, roomers, or lodgers shall not exceed two (2) for each permitted dwelling unit on the subject lot.
- (ii) The total number of sleeping rooms, boarders, roomers or lodgers shall not exceed six (6) on any lot in any district except if the facility is used as a residence hall associated with a single educational institution, an assisted living facility, a convalescent or nursing home, or a hospice.
- (iii) Off-street parking shall be provided in accordance with the provisions of Section 9.3 of these Regulations, shall be located a minimum distance of ten (10) feet from any adjacent residential property, and shall be screened by landscaping or suitable fencing providing year-round screening.
- (iv) Only one Group Living establishment shall be allowed on a single blockface.

Section 10.07 Halfway Residences

10.07.01 Purpose

This Section of these Regulations provides standards for the use of property for a Halfway Residence to ensure compatibility of such use with neighborhoods and surrounding properties and to protect public health, safety, and convenience.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

10.07.02 Applicability (Amend. 10-23-13)

Halfway Residences are permitted in the IG District subject to Special Permit approval and conformance with the applicable District Development and General Use Standards and the Special Use Standards of this Section.

10.07.03 Halfway Residence Special Use Standards (Amend. 10-23-13)

- (i) The total number of sleeping rooms or Halfway Residence occupants shall not exceed six (6) on any lot..
- (ii) The total number of Halfway Residence occupants shall not exceed two (2) per bedroom.
- (iii) Off-street parking shall be provided in accordance with the provisions of Section 9.03 of these Regulations, shall be located a minimum distance of ten (10) feet from any adjacent residential property, and shall be screened by landscaping or suitable fencing providing year-round screening.
- (iv) The front entrance to any Halfway Residence shall be at least seven hundred fifty (750) feet, measured in a direct line from the nearest property line of any parcel used for the following.
 - 1) a public library;
 - 2) a public park, recreation area, playground or similar area owned and managed by the City;
 - 3) a School;
 - 4) a Religious Institution; or
 - 5) a legal dwelling unit.
- (v) The front entrance to any Halfway Residence building shall be at least 1,500 feet from the front entrance to another Halfway Residence building.
- (vi) A security plan must be submitted with an application for a special permit for a halfway residence. The Applicant shall furnish a copy of the security plan for halfway residences to the Superintendent of Police for his/her review and comment at least 15 days prior to the opening of the public hearing on the application. Provisions addressing security must be included in any special permit for a halfway residence.



Section 10.08 Mixed-Use Planned Developments

10.08.01 Purpose

This Section provides flexible standards, conditions, and criteria for the approval of Mixed-Use Planned Developments to promote efficient use of land; location of housing convenient to employment, recreation, shopping, services and related activities; commercial area vitality; to ensure compatibility of such uses and associated development with neighborhoods and surrounding properties; and protect public health, safety, and convenience.

10.08.02 Applicability

Mixed-Use Developments shall be permitted in the RM, RH, RO, CO, CG, and CBD Districts subject to Special Permit approval and conformance with applicable District Development and General Use Standards and the Special Use Standards of this Section.

10.08.03 Mixed-Use Planned Development Special Use Standards

Mixed-Use Planned Developments shall comply with the following Special Use Standards.

- (i) Mixed-Use Developments shall consist of residential dwellings and other compatible uses that are not noxious or offensive due to emissions of noise, pollutants, or waste.
- (ii) Notwithstanding the provisions of any applicable District Development Standards, lot and building requirements for Mixed-Use Planned Development shall apply as follows:
 - 1) maximum building or other structure height shall be as permitted in the underlying district;
 - 2) minimum lot area shall be the greater of 1,650 square feet per dwelling unit or twelve thousand five hundred (12,500) square feet;
 - 3) minimum lot width shall be fifty (50) feet;
 - 4) front, side, and rear yards shall be as permitted in the underlying district;
 - 5) maximum Coverage shall be forty percent (40%) for buildings and eighty percent (80%) for total impervious coverage; and
 - 6) one hundred fifty (150) square feet per dwelling unit shall be required for recreation areas which may include balconies, courtyards, indoor recreational facilities, landscaped roofs, and/or outdoor recreation areas and may be placed within any usable open space required by the applicable District Development Standards.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- (iii) Interior streets shall be privately owned, shall be at least twenty four (24) feet in width, and shall be constructed to the same standards required for public streets by the City of Waterbury Public Improvement Standards.
- (iv) Sidewalks and walkways shall be designed to provide convenient connections to other walkways and adjacent public rights of way, between primarily residential areas and primarily commercial areas, and to all open spaces.
- (v) Emergency access routes shall have an unobstructed width of not less than twenty (20) feet with a vertical clearance of fourteen (14) feet.
- (vi) Non-residential uses shall not exceed fifty (50) percent of the gross floor area of any building used as part of a Mixed-Use Planned Development.
- (vii) Residential uses shall not exceed eighty-five (85) percent of the gross floor area of any building used as part of a Mixed-Use Planned Development.
- (viii) Non-residential uses, other than Offices and Medical Offices, shall be located only in ground level floors. Offices and Medical Offices shall be located only in ground level or second level floors.
- (ix) The parking standards of Section 9.03 of these Regulations shall apply to any Mixed Use Development, with the following specific standards and adjustments.
 - 1) any portion of a parking structure that is more than three (3) feet above the center-line elevation of the street shall be screened from view from public streets by Principal Use buildings, landscaping, or fencing providing year round screening;
 - 2) each distinct use in a Mixed-Use Development shall provide the number of parking and loading spaces required by Section 9.03 although the parking required for any single use may be reduced by up to fifty (50) percent by the provision of collective parking as provided in subsection 9.03.06 of these Regulations when the Approval Authority determines that proposed use has different peak parking demand hours from one or more other uses in the same Mixed-Use Development;
 - 3) a use that occurs predominantly during the weekday and daytime hours shall not be changed to a use that does not occur predominantly during the weekday and daytime hours without review and, if necessary, an adjustment of parking requirements; and



- 4) parking facilities for Mixed-Use Developments shall not limit the use of or place any restrictions on the collective parking spaces, and shall not reserve or restrict the use of any parking spaces for specific office or retail tenants or residential units.

Section 10.09 Alcohol Sales

10.09.01 Purpose

This Section provides additional standards applying to Package Stores and Retail Establishments with Accessory Packaged Alcohol Sales to ensure compatibility of such uses and associated development with neighborhoods and surrounding properties and to protect public health, safety, and convenience.

10.09.02 Applicability

Package Stores or Retail Establishments with Accessory Packaged Alcohol Sales operating under a permit from the Connecticut Department of Consumer Protection (“DCP”) may be permitted in Districts as specified in Article 4 of these Regulations subject to Special Permit approval, as required, and the applicable District Development and General Use Standards and the Special Use standards of this Section. The provisions of Section 10.11 of these Regulations shall apply to alcohol sales within a Shopping Center. Accessory Packaged Alcohol Sales shall be subject to approval as part of a Retail Sales establishment.

10.09.03 Alcohol Sales Establishment Special Use Standards

Where approved as a principal use, Package Stores and Retail Establishments with Accessory Packaged Alcohol Sales shall comply with the following Special Use Standards, as applicable.

- (i) The public entrance to any building to be used in whole or in part for a Package Store shall be no less than one thousand five hundred (1,500) feet in a direct line from the entrance to any other building used in whole or in part for a Package Store. If the Approval Authority finds that unique site conditions, topographic conditions or environmental site conditions exist which render this standard unnecessary, this standard may be reduced by a supermajority vote of the Approval Authority.
- (ii) Any vehicular entrance to or exit from the property shall be no less than twenty (20) feet from any adjacent parcel used or zoned for Residential use. If the Approval Authority finds that unique site or traffic conditions preexist which render this standard unfeasible to achieve on a site otherwise suitable



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

for this use, this standard may be reduced by a supermajority vote of the Approval Authority.

- (iii) Any off-street parking shall be located a minimum distance of twenty (20) feet from any adjacent parcel zoned for Residential Use and shall be screened by landscaping or suitable fencing providing year round screening from a Residential District or use. If the Approval Authority finds that unique site or traffic conditions preexist which render this standard unfeasible to achieve on a site otherwise suitable for this use, this standard may be reduced by a supermajority vote of the Approval Authority.
- (iv) Every facility shall be operated in such a manner so as to prohibit loitering.

Section 10.10 Large Venue Event Facilities

10.10.01 Purpose

This Section provides standards and conditions applicable to the approval of Large Venue Event Facilities to ensure compatibility of such uses and associated development with neighborhoods and surrounding properties and to protect public health, safety, and convenience.

10.10.02 Applicability

Large Venue Event Facilities are permitted in the CO, CA, CG, CBD, IG, IL, and IP Districts subject to Special Permit approval and conformance with applicable District Development and General Use Standards and the Special Use Standards of this Section. This section is not applicable to facilities which are approved as part of Special Exception for a Non Residential Campus Development under section 10.14 of these Regulations.

10.10.03 Large Venue Event Facility Special Use Standards

Large Venue Event facilities shall comply with the following Special Use Standards.

- (i) There shall be a minimum lot area of ten (10) acres. If the Approval Authority finds that unique site conditions, topographic conditions or environmental site conditions exist which render this standard unnecessary, this standard may be reduced by a supermajority vote of the Approval Authority provided that the standard is not reduced below the minimum lot area required by underlying district.
- (ii) All entrances and exits, except emergency exits restricted as such, shall be located a minimum of one hundred (100) feet from a Residential District. If the Approval Authority finds that unique site or traffic conditions preexist



which render this standard unfeasible to achieve on a site otherwise suitable for the use, this standard may be reduced by a supermajority vote of the Approval Authority.

- (iii) Any stadium, arena, or exhibition hall facility, including but not limited to the principal structure, parking areas, accessory buildings, and entrance and exit roads, used to provide the sale of alcoholic liquor, shall be fully enclosed by fencing at least ten (10) feet high and adequate to prohibit pedestrian or vehicular traffic except through designated entrances or exits.
- (iv) No portion of a stadium or exhibition hall principal structure shall be located within four hundred (400) feet of a Residential District lot with an existing Residential dwelling. If the Approval Authority finds that unique site conditions exist which render this standard unfeasible to achieve on a site otherwise suitable for the use, this standard may be reduced by a supermajority vote of the Approval Authority.
- (v) No accessory building or use, including parking areas, shall be permitted within one hundred fifty (150) feet of a Residential District.
- (vi) Suitable landscaping to provide year-round screening of structures and parking areas shall be provided, at least fifteen (15) feet in height, within ten (10) feet of the lot line where such lot line borders or is within two hundred (200) feet of a Residential District.
- (vii) Minimum yard, open space, building, loading, parking, signage, and landscaping standards shall be established, where applicable, by the Approval Authority as part of the Site Plan review for Special Permit approval.

Section 10.11 Shopping Centers

10.11.01 Purpose

This Section provides additional standards applying to Shopping Centers to ensure compatibility of such uses and associated development with neighborhoods and surrounding properties and to protect public health, safety, and convenience.

10.11.02 Applicability

Shopping Centers are permitted in the CN, CO, CA, CG, and CBD Districts subject to Zoning Permit approval and in the RO and IL Districts subject to Special Permit approval. In all cases,



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

such use shall be subject to applicable District Development and General Use Standards and the Special Use Standards of this Section.

10.11.03 Shopping Center Special Use Standards

Shopping Centers shall comply with the following Special Use Standards, as applicable.

- (i) Shopping Centers in excess of 400,000 square feet of gross floor area shall:
 - 1) have parking access located within one-half (½) mile of a State limited access highway; and
 - 2) have a minimum lot area or combined lot area of fifty (50) acres.
- (ii) Loading space requirements shall be as required by Section 9.03 except that the number of loading spaces required shall be based on gross leasable area rather than gross floor area.
- (iii) The sign standards specified in Section 9.05 shall apply except as follows:
 - 1) total wall sign area on any building face shall not exceed ten (10) percent of the building face where the sign is located;
 - 2) each individual business in a Shopping Center may have a wall sign up to one (1) square foot in area for each lineal foot of store frontage, whether on a street or parking or pedestrian access area;
 - 3) one (1) ground sign shall be permitted at each point of ingress from public street;
 - 4) directional signs shall not exceed one hundred (100) square feet at each point of ingress from a public street; and
 - 5) directional signs within the property shall not exceed fifty (50) square feet at each point of intersection.
- (iv) Notwithstanding the provisions of Section 10.09, a Shopping Center may have one (1) business premises with a liquor permit, wherever located, for each fifty thousand (50,000) square feet of gross leasable area.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

Section 10.12 Adult Establishments

10.12.01 Purpose

This Section provides additional standards and conditions for the approval of Adult Establishments in specified locations to regulate uses that have been proven to adversely affect neighborhood children, community improvement efforts, retail trade, and commercial and residential property values, particularly when several of such uses are concentrated in a small area of the community. The primary purposes of these regulations are to prevent a concentration of these uses in any one area, to minimize any adverse impacts; to protect and preserve the quality of Waterbury's neighborhoods, commercial districts, property values and the quality of urban life through effective land use planning; and to protect public health, safety, and convenience.

10.12.02 Applicability

Adult Establishments, as such use is defined in this Section, may be permitted in the IG District subject to Zoning Permit approval and conformance with the applicable District Development and General Use Standards and the Special Use Standards of this Section.

10.12.03 Adult Establishment Special Use Standards (Amend. 7-27-11)

Adult Establishments shall comply with the following Special Use Standards.

- (i) The boundary of any lot which contains an Adult Establishment shall not be located within seven hundred fifty (750) feet in any direction, measured in a straight line, of the nearest property line of any parcel in a Residential District or any parcel used for, or upon which is located any building used for:
 - 1) any School or any other facility regularly attended by persons under the age of eighteen (18), including, but not limited to, after school programs, children's museums, camps, and athletic leagues;
 - 2) any Religious Institution; or
 - 3) any public park or recreation area.
- (ii) The boundary of any lot which contains an Adult Establishment shall not be located within seven hundred fifty (750) feet in any direction, measured in a straight line, of the boundary of any lot which contains an Adult Establishment.
- (iii) No more than one Adult establishment may be located on any lot.



Section 10.13 Commercial Outdoor Recreation and Recreation Uses

10.13.01 Purpose

This Section provides standards and conditions applicable to the use of property for Commercial Outdoor Recreation to ensure compatibility of such uses and associated development with neighborhoods and surrounding properties and to protect public health, safety, and convenience.

10.13.02 Applicability (Amend. 9-28-11)

Commercial Outdoor Recreation may be permitted in all Residential Districts by Special Permit approval and by Zoning Permit Approval in the CN, CO, CA, and CG Districts. In all cases, such use shall be subject to conformance with the applicable District Development and General Use Standards and the Special Use Standards of this Section.

Recreational Uses may be permitted by Special permit in the RH and RO Districts and by Zoning Permit approval Zoning Permit Approval in all Commercial and Industrial Districts. In all cases, such use shall be subject to conformance with the applicable District Development and General Use Standards and the Special Use Standards of this Section.

10.13.03 Commercial Outdoor Recreation and Recreation Uses Special Use Standards (Amend. 9-28-11)

Commercial Outdoor Recreation facilities shall comply with the following Special Use Standards, as applicable.

- (i) Paintball and speedball game fields shall comply with the following standards:
 - 1) the site shall be at least ten acres in area;
 - 2) the total lot coverage of all structures and recreation areas or playing fields shall not exceed forty (40) percent of the total area of the lot;
 - 3) outdoor paintball playing fields shall be located two hundred (200) feet from any adjacent property and/or street line;
 - 4) outdoor speedball playing fields shall be located fifty (50) feet from any adjacent property and/or street line;
 - 5) any outdoor paintball or speedball playing field shall be enclosed with protective screening surrounding the playing field twenty (20) feet in height to prevent capsules from leaving the site;
 - 6) warning signage shall be placed every 100 feet along the property lines and be visible from a distance of 50 feet.
 - 7) parking shall not be provided in any required yards; and



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- 8) no paintball or speedball games shall be played before sunrise or after sunset.
- (ii) Golf driving ranges shall comply with the following standards:
 - 1) the site shall be at least 15 acres in area with frontage of at least 400 feet;
 - 2) the range shall be enclosed on three sides by 6 foot high fencing to protect against accidental access to the range. The range shall further be enclosed with protective screening to prevent golf balls from leaving the site. Such protective screening shall comply with yard setbacks for structures within the district;
 - 3) off-street parking shall be provided in accordance with the provisions of Section 9.3 of these Regulations and shall be located a minimum distance of 15 feet from any adjacent property and parking areas shall be screened by landscaping with evergreens at no more than six (6) foot intervals and having a minimum height of 4 feet at the time of planting;
 - 4) any lighting used to illuminate buildings, structures, range stalls, etc., shall be shielded and so arranged as to direct the light away from adjoining properties and public rights-of-way, in addition to the general lighting standards of Section 9.04 of these Regulations;
 - 5) all buildings and structures shall be set back a minimum distance of twenty-five (25) feet from any adjoining property or fifty (50) feet from any residential property, whichever is greater.
 - 6) No building or structure shall be located within fifty (50) feet of any street;
 - 7) the total building coverage shall not exceed ten (10) percent of the area of the lot;
 - 8) one ground sign shall be permitted not exceeding six (6) feet in height and twenty-five (25) square feet in area; and
 - 9) accessory uses shall be limited to such golf-related activities as the sale of golf equipment, apparel and accessories, golf instruction, and the sale of refreshments.
- (iii) Firing Ranges shall comply with the following standards:



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- 1) A Firing Range Site Plan. prepared by a Professional Engineer for the entire range facility which shows the following applicable information shall be submitted:
 - a. Property lines for any parcel upon which the range facility is to be located, north arrow, plan scale, date, and ownership information for the site;
 - b. Complete layout of each range, including, firing stations or firing lines, target areas, shot-fall zones or safety fans, backstops, berms, and baffles;
 - c. Location of all Surface Danger Zones associated with the range facility.
 - d. Any other appropriate information related to the specific type of range(s) being proposed.
- 2) Firing range facilities shall be designed to contain all of the bullets, shot, arrows or other projectiles or any other debris on the range facility.
- 3) Where not otherwise specified, firing range facilities shall be designed constructed, operated and maintained in a manner that meet or exceed the guidelines as specified by the "National Rifle Association's (NRA) Range Source Book: A Guide to Planning and Construction", current edition.
- 4) Only the types of firearms, types of ammunition, the length of the range, the width of the firing point or points and physical mitigation measures specified in the determination of the surface danger zone shall be authorized for use on the firing range.
- 5) Access to the firing range facility and firing range shall be secured and controlled, with ingress and egress permitted only during operating hours

(iv) Indoor Firing Ranges shall comply with the following standards:

- 1) All requirements of Section 10.13.03 (iii)
- 2) The Firing Range Site Plan required by subsection 10.13.03 (iii) shall also include the following:
 - a. Proposed location within the structure of any indoor firing range.
 - b. Type of building construction in the all areas adjacent to any proposed indoor range location.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- c. A professional engineer's certification the indoor shotfall area is sufficient to contain all of the bullets, shot, arrows or other projectiles authorized for use in the facility.
- (v) Outdoor Firing Ranges shall comply with the following standards:
 - 1) All requirements of Section 10.13.03 (iii)
 - 2) The Firing Range Site Plan required by subsection 10.13.03 (iii) shall also include the following:
 - a. Projected noise level at the property line where the facility is maintained or, in the case of leased land, at the property line of any leased parcel, used for an outdoor firing range.
 - b. Existing and proposed structures; occupied dwellings within one-half (½) mile (two thousand six hundred forty (2,640) feet); roads, streets, or other access areas; buffer areas; surface Danger zones and parking areas for the outdoor firing range facility.
 - c. A plan outlining its Best Management Practices (BMPs) relating to lead management shall be provided for any proposed outdoor firing range. Said plan shall meet or exceed the guidelines as specified by the "Best Management Practices for Lead at Outdoor Shooting Ranges EPA -902-B-01-001", current edition.
 - 3) Outdoor firing ranges shall be permitted in the IG, IP and IL Districts subject to a Zoning permit and the standards in this Section 10.13.03 and shall be prohibited in all Residential Districts and Commercial districts.
 - 4) The Surface danger Zone shall be determined by a Professional Engineer using "Department of the Army Pamphlet 385-63 Range Safety" standards, as they may be amended, the types of firearms, types of ammunition, the length of the range, the width of the firing point or points and physical mitigation measures used in the determination of the surface danger zone shall be specified.
 - 5) The surface danger zone shall be contained within the leased boundary line of the range facility on leased land or the property boundary line for non-leased land.
 - 6) Noise levels measured at the property line where an outdoor firing range facility is maintained or, in the case of leased land, at the property line of any leased parcel shall not exceed sixty-five (65) dBA when located adjacent to residential or commercial property or seventy-five (75) dBA when adjacent to industrial property.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- 7) Warning signs meeting National Rifle Association (NRA) guidelines for firing ranges shall be posted at one hundred-foot intervals along the entire perimeter of an outdoor firing range facility.
- 8) Outdoor firing ranges shall not be allowed to operate between sunset and sunrise.

Section 10.14 Non-Residential Campus Developments

10.14.01 Purpose

This Section provides standards and conditions for the approval of Colleges or Universities, Schools, and General Purpose Hospitals (collectively or individually, “Non-Residential Campus Development”) to provide such necessary health and education opportunities to the City of Waterbury; to ensure compatibility of such uses and associated development with neighborhoods and surrounding properties; and to protect public health, safety, and convenience.

10.14.02 Applicability

Non-Residential Campus Developments shall be permitted in specified Districts subject to Special Exception approval and conformance with applicable District Development and General Use Standards and the Special Use Standards of this Section.

10.14.03 Non-Residential Campus Development Special Use Standards (Amend. 4-25-12)

Non-Residential Campus Developments shall comply with the following Special Use Standards, as applicable.

- (i) The following Special Use Standards shall apply to the development of any Non-Residential Campus Development as specified in this subsection:
 - 1) the architectural designs of buildings and other structures within the Non-Residential Campus Development, including the building materials and exterior elevations, shall be aesthetically compatible with other buildings and structures in the immediate neighborhood; and
 - 2) the Approval Authority may require increased building setbacks up to twenty-five (25) percent of the applicable District Development Standards or increased landscaping screening of building and other structures where the Approval Authority determines that such



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

buildings or other structures may negatively affect adjoining residential dwellings.

- (ii) Interior streets shall be privately owned, shall be at least twenty four (24) feet in width, shall meet the design and construction requirements for public streets in the City of Waterbury Public Improvement Standards and Policies, and shall provide the following:
 - 1) sidewalks or other walkways shall be provided within a Non-Residential Campus Development to provide for pedestrian safety and encourage pedestrian access within the Development.
 - 2) a walkway, sufficiently surfaced to meet the requirements of the Americans with Disabilities Act, shall be provided between parking spaces and the primary entrance to each building; and
 - 3) utilities, outdoor lighting, off-street parking, and stormwater management shall be provided in accordance with the applicable standards of these Regulations.
- (iii) The following Special Use Standards shall apply to the development of a College or University:
 - 1) minimum campus area in the RS-12, RS, RL, RM, RH and RO Districts shall be ten 10 acres. If the Approval Authority finds that unique site conditions, topographic conditions or environmental site conditions exist which render this standard unnecessary, this standard may be reduced by a supermajority vote of the Approval Authority provided that the standard is not reduced below the minimum lot area required by underlying district.
 - 2) a campus may be located parcels not which are contiguous provided the Approval Authority finds
 - a. the applicant has provided documentation that the property is owned by the College or University or that the College or University has leased the property for a period not less than five years from the date of the opening of the public hearing, and
 - b. such an arrangement is not a public safety hazard, and
 - c. such an arrangement does not disrupt the character of or peaceful enjoyment of the abutting and/or intervening properties;



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- 3) in the RS-12, RS and RL districts, the total lot coverage of all structures shall not exceed thirty (30) per cent of the lot area.
- 4) in the RS-12, RS and RL districts, all buildings shall be set back from every adjacent property a minimum distance of twenty-five (25) feet and shall be no closer than fifty (50) feet from any adjacent residential property,
- 5) in the RS-12, RS and RL districts, any building used for musical instruction shall be located a minimum of one hundred (100) feet from any adjacent residential property;
- 6) any power house or heating plant shall be located not less than one hundred (100) feet from any adjacent residential property;
- 7) all playfields or stadiums shall be located a minimum of forty (40) feet from any adjacent residential property;
- 8) accessory commercial uses may include, but are not necessarily limited to, book store, restaurant or dining room and any such accessory use shall be within the interior of a building only, and, in residential districts, there shall be no exterior show windows or exterior signs advertising such use visible from any public street or right of way; and
- 9) off-street parking shall be provided in accordance with the provisions of Section 9.03, shall be located a minimum distance of ten (10) feet from any adjacent residential property, and shall be screened by landscaping or suitable fencing providing year-round screening.

(iv) The following Special Use Standards shall apply to development of new Schools:

- 1) in the RS-12, RS, RL, RM, and RH Districts there shall be a minimum lot area of
 - five (5) acres for elementary and special education schools;
 - ten (10) acres for middle or intermediate schools;
 - fifteen (15) acres for high schools;
- 2) all buildings shall be located at least fifty (50) feet from all property lines or at least one hundred (100) feet from any adjacent residential property located in a RS-12, RS, RL or RM district;



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- 3) in the RS-12, RS and RL districts the total lot coverage of all structures shall not exceed twenty-five (25) per cent of the area of the lot;
- 4) playgrounds shall be separated from any adjacent RS-12, RS, RL or RM District by a landscaped strip not less than twenty (20) feet in width;
- 5) all off-street parking shall be located at least ten (10) feet from any adjacent residential property and shall be screened by landscaping or suitable fencing providing year-round screening; and
- 6) if the school is located adjacent to or within a public park, the area of such park may be counted toward a maximum of fifty (50) per cent of the minimum lot area requirement set forth above.

(v) The following Special Use Standards shall apply to the development of a General Purpose Hospital Campus:

- 1) In the CBD, CA, CO, CN, CG, IG, IL & IP Districts a general hospital campus shall comply with the standards of the underlying district in accordance with Section 4.09 of these regulations.
- 2) In the RS-12, RS, RL, RM, RH, and RO Districts the following standards shall apply;
 - a. there shall be a minimum lot area of fifteen (15) acres;
 - b. the total coverage by buildings and other structures shall not exceed thirty (30) per cent of the area of the lot;
 - c. all buildings shall be located at least twenty-five (25) feet from any adjacent property or at least fifty (50) feet from any adjacent residential property, whichever is greater;
 - d. off-street parking shall be provided in accordance with the provisions of Section 9.3 of this ordinance, shall be located at least ten (10) feet from any adjacent residential property, and shall be screened by landscaping or suitable fencing providing year-round screening;
 - e. the emergency entrance shall be accessed from an arterial or collector street as delineated on the State of Connecticut Town Aid Road Map on file in the City Engineer's Office;



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- f. any Accessory Energy Generation Facility shall be located at least one hundred (100) feet from any adjacent residential property;
- g. the hospital laundry, if located in a separate building, shall be located at least one hundred (100) feet from any adjacent residential property; and
- h. in addition to customary accessory uses, Retail and Eating and Drinking Establishments may be permitted within the hospital complex when determined by the Approval Authority to be directly associated with the primary use.

Section 10.15 Religious Institutions

10.15.01 Purpose

This Section provides additional standards applying to Religious Institutions to meet the needs of the residents of the City of Waterbury; to ensure compatibility of such uses and associated development with neighborhoods and surrounding properties; and to protect public health, safety, and convenience.

10.15.02 Applicability

Religious Institutions, including but not necessarily limited to churches, synagogues, temples and other places of worship, may be permitted in the RS-12, RS, RL, RM, and RH Districts subject to Special Permit approval and in the RO, CN, CO, CA, CG, CBD, and IL Districts subject to Zoning Permit approval. In all cases such uses are subject to applicable District Development and General Use Standards and the Special Use Standards of this Section.

10.15.03 Religious Institution Special Use Standards (Amend. 9-28-11)

Religious Institutions shall comply with the following Special Use Standards.

- (i) Notwithstanding the building height limitations of the applicable Zoning District, a building or other structure used for services or worship shall not exceed a height of fifty (50) feet except for a bell tower or steeple which may reach a height of one hundred (100) feet.
- (ii) Entrances and exits to parking areas shall be located, where possible, on arterial or collector streets as delineated on the State of Connecticut Town Aid Road Map on file in the City Engineer's office.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- (iii) Off-street parking shall be provided in accordance with the provisions of Section 9.03 and shall be located a minimum distance of ten (10) feet from any adjacent residential property and shall be screened by landscaping or suitable fencing providing year-round screening.
- (iv) Vehicle entranceways shall be no closer than twenty (20) feet to any adjacent property line, except where such adjacent properties are separated by a public street. If the Approval Authority finds that unique site or traffic conditions preexist which render this standard unfeasible to achieve on a site otherwise suitable for the use, this standard may be reduced by a supermajority vote of the Approval Authority.
- (v) Residential structures and accessory uses such as meeting rooms and classrooms shall comply with all other applicable provisions of these Regulations.

Section 10.16 Vehicle Service Facilities and Limited Vehicle Service Facilities

10.16.01 Purpose

This Section provides standards, conditions, and criteria for the approval of Vehicle Service and Limited Vehicle Service Facilities to ensure that such services are available in the City of Waterbury at appropriate locations; to ensure compatibility of such uses and associated development with neighborhoods and surrounding properties; and to protect public health, safety, and convenience.

10.16.02 Applicability (Amend. 1-23-14)

Vehicle Service Facilities may be permitted in the CA, CG, IG, IL, and IP Districts subject to Zoning Permit approval or Special Permit Approval, as applicable, and conformance with the applicable District Development and General Use Standards and the Special Use Standards of this Section.

Limited Vehicle Service Facilities may be permitted in the CA, CG, CO, IG, IL, and IP Districts subject to Zoning Permit approval or Special Permit Approval, as applicable, and conformance with the applicable District Development and General Use Standards and the Special Use Standards of this Section.

10.16.03 Vehicle Service Facility Standards (Amend. 1-23-14; 4-23-14)

Vehicle Service Facilities shall comply with the following Special Use Standards, as applicable.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

Any Vehicle Service or Limited Vehicle Service Facility shall comply with the following standards, in addition to or in lieu of applicable District Development and General Use Standards:

- 1) all buildings shall be set back from every adjacent property a minimum distance of ten (10) feet and a minimum of twenty (20) feet from any adjacent residential property;
- 2) vehicle entranceways shall be no closer than twenty (20) feet to any adjacent property line, except where such adjacent properties are separated by a public street. If the Approval Authority finds that unique site or traffic conditions preexist which render this standard unfeasible to achieve on a site otherwise suitable for the use, this standard may be reduced by a supermajority vote of the Approval Authority;
- 3) lot area shall be at least fifteen thousand (15,000) square feet and a minimum lot width of one hundred twenty (120) feet. If the Approval Authority finds that unique site conditions, topographic conditions or environmental site conditions exist which render this standard unnecessary, this standard may be reduced by a supermajority vote of the Approval Authority provided that the standard is not reduced below the minimum standards required by underlying district;
- 4) total building coverage shall not be more than twenty-five (25) percent of the lot area. If the Approval Authority finds that unique site or traffic conditions preexist which render this standard unfeasible to achieve on a site otherwise suitable for the use, this standard may be reduced by a supermajority vote of the Approval Authority;
- 5) building heights shall not exceed one and one-half (1½) stories or twenty-five (25) feet for any building or structure which is not fully enclosed and houses motor vehicle fueling activities;
- 6) all buildings shall be set back from any public street a minimum distance of thirty-five (35) feet, If the Approval Authority finds that unique site or traffic conditions preexist which render this standard unfeasible to achieve on a site otherwise suitable for the use, this standard may be reduced by a supermajority vote of the Approval Authority;



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- 7) vehicle access to the premises shall be from and to an arterial or collector street as delineated on the State of Connecticut Town Aid Road Map on file in the City Engineer's office , or any other street segment which
 - a) has frontages located wholly within Industrial and/or Commercial Districts, unless residential uses; and
 - b) has less than fifty percent of its frontages attributed to lots used for residential purposes;
- 8) there shall be a minimum distance of forty (40) feet between any two (2) curb cuts and a minimum distance of twenty-five (25) feet between any curb cut and the corner of any lot which is adjacent to two streets;
- 9) such facilities shall be screened from any adjacent residential property by a suitable opaque fence (which shall bear no advertising) or landscaping, not less than six (6) feet in height and providing year-around screening;
- 10) except for tires, all trash shall be stored in tight containers;
- 11) a trash or garbage area shall be provided for the temporary storage of trash, garbage, and unusable automotive parts and such area shall be enclosed by suitable opaque fence not less than six (6) feet in height and shall be designed so that the trash shall not be seen from adjoining properties or a public street;
- 12) except for the display of operable vehicles for sale, there shall be no products displayed in between the street line and the front wall of the principal building;
- 13) there shall be no outside storage of inoperable motor vehicles; and
- 14) all parking, loading, and storage of motor vehicles must be entirely upon private property.

10.16.04 Limited Vehicle Service Facility Standards (Amend. 1-23-14)

In addition to the standards for Vehicle Service Facilities in Section 10.16.03, Limited Vehicle Service Facilities shall comply with the following special use standards:

- (i) Any site used as a Limited Vehicle Service Facility for dispensing of fuel, a landscaped area at least three (3) feet in width shall be provided between the



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

pump area(s) and the front lot line and side street lot line (if any) for the full length of the frontage(s) excluding the area required for curb cuts.

(ii) Any car wash operation associated with a Limited Vehicle Service Facility shall comply with the following:

- 1) floor drains or similar receptacles shall be provided on site to collect and remove water and detergents used in washing automobiles;
- 2) parking spaces shall be provided in accordance with Section 9.03.
- 3) queuing spaces shall be located in such a way as not to interfere with on-site traffic circulation or other activities such as the pumping of gasoline;
- 4) every automobile car wash shall be screened from any adjacent residential property by landscaping screen or suitable fencing not less than six (6) feet in height and providing year-round screening; and
- 5) vehicle entrance to the car wash structure shall be from the rear of the structure so that vehicles will exit from the structure toward the street.

(iii) In the CO District the following requirements shall apply:

- 1) Limited Vehicle Service Facilities may be permitted as accessory to a retail use, subject to Special Permit Approval and the requirements of this Section 10.16.
- 2) Limited Vehicle Service Facilities shall be limited to vehicle fueling and the retail sale of gasoline and petroleum products.
- 3) Vehicle Service Facilities and such uses as car washes, vehicle emission test sites, minor auto repair and tire sales, quick lubrication services, and detailing shops shall not be permitted.



Section 10.17 Commercial Earth Excavation

10.17.01 Purpose

This Section provides standards, conditions, and criteria for the approval of Commercial Earth Excavation in specified and appropriate locations; to ensure compatibility of such uses and associated development with neighborhoods and surrounding properties; and to protect public health, safety, and convenience.

10.17.02 Applicability

Commercial Earth Excavation may be permitted in the IG District, subject to Special Permit approval and conformance with the applicable District Development and General Use Standards and the Special Use Standards of this Section

10.17.03 Earth Excavation Special Use Standards

- (i) Commercial Earth Excavation shall comply with the following Special Use Standards:
 - 1) no fixed machinery shall be erected or maintained and no earth materials processing shall take place within 100 feet of any lot line or street right-of-way unless the adjoining property is owned by the owner of the property subject to an approval issued in accordance with this Section. If the Approval Authority finds that unique site conditions, topographic conditions or environmental site conditions exist which render this standard unnecessary, this standard may be reduced by a supermajority vote of the Approval Authority;
 - 2) all processing equipment shall at all times utilize noise reduction materials such as rubber linings, mufflers, and other appropriate noise abatement and mitigation materials or procedures;
 - 3) final grade of all slopes except solid rock faces and retaining walls shall not be steeper than two (2) feet horizontal to one (1) foot vertical. Rock faces and retaining walls shall be at a final grade determined by geotechnical engineering analysis to be stable and safe;
 - 4) reverse slope benches, at least 8 feet wide, shall be provided whenever the height of a 2:1 to 5:1 slope exceeds 15 feet, shall be located so as to divide the slope faces as equally as possible and shall convey water runoff to a stable outlet, and shall have a minimum depth of one (1) foot and gradient between one percent (1 %) and



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

two percent (2%). This standard may be waived by a supermajority vote of the Approval Authority if the Approval Authority finds that:

- a. generally recognized business practices related to the proposed use which render this standard unfeasible to achieve on a site otherwise suitable for the use, and
- b. alternative measures which will reasonably prevent adverse offsite impacts will be implemented.
- c. geotechnical engineering analysis has determined the resulting slopes will be stable and safe

5) diversions shall be provided at the top of all cut and fill slopes as per the Connecticut Guidelines for Soil Erosion and Sediment Control;

6) dust controls such as, but not necessarily limited to, mulches, spray adhesive, water, and calcium chloride shall be utilized at all times as necessary to prevent off-site dispersion of dust;

7) upon completion of excavation of any contiguous area exceeding one-half ($\frac{1}{2}$) acre, four (4) inches of topsoil and appropriate seed mix shall be provided as final cover as per the Connecticut Guidelines for Soil Erosion and Sediment Control, This standard may be waived by a supermajority vote of the Approval Authority provided the Approval Authority finds that:

- a. generally recognized business practices related to the proposed use exist which render this standard unfeasible to achieve on a site otherwise suitable for the use, and
- b. alternative measures which will reasonably prevent adverse offsite impacts will be implemented;

8) no more than 2,500 cubic yards of earth material shall be stockpiled on a site at a given time; and

9) except as may otherwise be provided by the Special Permit approval, hours of operation shall be between 8:00 AM to 5:00 PM, Monday through Saturday and no work shall be conducted on municipal legal holidays.

(ii) Commercial Earth Excavation shall also comply with the following Special Use Standards:



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- 1) no earth excavation activities, including tree cutting, shall take place within 100 feet of a Residential District, 50 feet of a Commercial District, or 20 feet of an Industrial District;
- 2) no excavation shall be permitted within 50 feet of any street line if below the established grade of the street;
- 3) a fence shall be erected between the property line and any required setback distance for activities approved in accordance with this Section prior to commencement of proposed operations whenever grading or excavation is proposed adjacent to a property occupied by Residential Use or a Residential District;
- 4) no more than one (1) acre shall be actively excavated at one time, unless a greater amount is specifically approved by a favorable vote of two-thirds (2/3) of all the members of the Approval Authority; and
- 5) the maximum duration of a Special Permit approval for Commercial Earth Excavation shall be two (2) years. Extensions may be approved by the Approval Authority subject to submittal of updated information required by this Section to the satisfaction of the Approval Authority.

10.17.04 Supplemental Special Permit Application Information

In addition to the information, plans, and maps required by Article 11 of these Regulations, any application for approval of Commercial Earth Excavation shall be accompanied by an excavation plan, signed and sealed by a professional engineer, providing the following.

- (i) A statement of the purpose of the excavation activity and description of the proposed activity.
- (ii) A map showing the boundaries of the entire property; the zoning classification of the property; the zoning classification of all adjacent properties; the location and extent of the operation involving earth material excavation, processing, or stockpiling; and the location of wetlands, watercourses, rock outcrops, wooded areas, and intersecting streets on and within 200 feet of the property.
- (iii) Grading plans, showing existing and proposed grades at 1" = 40' with two (2) foot contours, including the surrounding area within 40 feet. Existing contours shall be based upon a field survey prepared by a professional surveyor.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- (iv) The amount and type of earth material (in cubic yards) proposed to be imported to the site, exported from the site, processed for reuse on site, and re-graded on site and the total amount involved
- (v) Existing and proposed drainage and stormwater management facilities.
- (vi) Location of any test pits or borings.
- (vii) Depth of the water table.
- (viii) Proposed truck access route(s) to the property, the number and types of trucks to be used on the site and the location of a 50-foot anti-tracking pad on the site, as well as the number and types of trucks for hauling earth material to or from the site (including a "not-to-exceed" number of trucks entering and exiting the property on a daily basis).
- (ix) The number and types of machinery to be used on the site.
- (x) Stormwater and Erosion Management Plans as specified in Section 9.06 of these Regulations, including plans for dust control and temporary erosion stabilization.
- (xi) A site restoration and reclamation plan.
- (xii) A generalized schedule for all proposed excavation and related activity, including blasting, over the approved period of Commercial Earth Excavation.

10.17.05 Commercial Earth Excavation Approval Criteria

- (i) In addition to the general criteria for approval of a Special Permit, as specified in Section 11.04, the Approval authority shall determine conformance with the following criteria:
 - 1) the proposed activities shall not degrade ground or surface water quality, or increase the risk of flooding to any adjoining property;
 - 2) the proposed activities shall result in a landform that can, in the future, be put to a use or uses permitted in the zone in which the parcel or parcels lie;
 - 3) potential erosion and sedimentation problems inherent with the proposed operation, including dust, shall be appropriately controlled;



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- 4) the scope of the excavation and related activities shall not exceed that which is reasonably required to achieve the stated purpose of the permitted activity; and
- 5) the Approval Authority may require additional conditions and safeguards beyond the requirements of this Section and the General Use Standards as determined necessary to protect public health, safety, and convenience and to ensure continued compliance with these Regulations.

- (ii) Failure to comply with any of the terms and conditions of a Special Permit approval and/or applicable administrative procedures shall be grounds for revocation of a Special Permit.
- (iii) The Approval Authority may require the following as conditions of any approval issued in accordance with this Section:
 - 1) evidence by way of an insurance binder that the applicant has sufficient liability insurance for potential liability resulting from the permitted operations as determined by the City Engineer and which names the City of Waterbury as an additional insured which such evidence shall be reviewed and approved by Corporation Counsel prior to the issuance of a Special Permit and Site Plan approval;
 - 2) filing of a performance bond in accordance with the provisions of the City of Waterbury Development Project Bonding Policies and Procedures sufficient to cover final site stabilization and restoration and interim erosion and sedimentation controls which bond shall be posted prior to commencement of the operation;
 - 3) submittal annually on the anniversary of the Earth Excavation approval to the ZEO and the City Engineer of a topographic survey of the current conditions of the permitted site, prepared to A-2 accuracy and signed and sealed by a professional surveyor;
 - 4) payment of an inspection fee as established by the City of Waterbury Board of Aldermen; and
 - 5) such other conditions as determined necessary and consistent with these Regulations to protect public health, safety, and convenience.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

Section 10.18 Accessory Earth Excavation

10.18.01 Purpose

This Section provides standards, conditions, and criteria for the approval of Accessory Earth Excavation activities necessary for site development or remediation and to ensure compatibility of such uses and associated development with neighborhoods and surrounding properties and to protect public health, safety, and convenience.

10.18.02 Applicability (Amend. 7-27-11)

Accessory Earth Excavation may be permitted in all Zoning Districts subject to the following approvals:

- (i) Excavation, filling and grading, and processing for use on-site and importation, stockpiling, or removal from any single parcel involving not more than fifty (50) cubic yards of earth material in a single calendar year is permitted as-of-right in all Districts.
- (ii) Accessory Earth Excavation required for construction of an approved Single Family Residence shall be limited to the removal of the amount of earth material necessary for foundation, driveway, and other construction necessary for development of a single-family residence subject to a Certificate of Zoning Compliance as approved by the ZEO.
- (iii) Accessory Earth Excavation for a principal use, except as defined in Subsections 10.18.02 (i), (ii) and (v), which is limited to the removal of not more than 500 cubic yards of earth material per acre of area on the subject parcel over a period of not more than two years from shall be subject to the approval of a Zoning Permit for a principal use.
- (iv) Accessory Earth Excavation for the purpose of site development, which is limited to the removal of not more than 500 cubic yards of earth material per acre of area on the subject parcel over a period of not more than two years shall be subject to the approval of a Zoning Permit.
- (v) Accessory Earth Excavation for the purpose of environmental remediation as approved by the Connecticut Department of Environmental Protection or under the supervision of a licensed environmental professional shall be subject to the approval of a Zoning Permit.
- (vi) Any Accessory Earth Excavation for a principal use requiring Special Permit approval or Special Exception may be approved by the appropriate Approval Authority in conjunction with the approval of said Special Permit or Special Exception.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- (vii) Notwithstanding other provisions of this regulation accessory storage earth material associated with Industrial Service Uses such as contractor's yards or bulk storage and sales of landscape material shall be permitted with a Certificate of Zoning Compliance provided the total amount of said material does not exceed 170 cubic yards, the height of such stored material does not exceed 15 feet, said material is stored in bins enclosed on three sides and provisions are made for control of the erosion of said material.
- (viii) Accessory Earth Excavation not described in Subsections 10.18.02 (i), (ii), (iii), (iv), (v) or (vii) shall require a Special Permit.

10.18.03 Accessory Earth Excavation Standards

Accessory Earth Excavation activities shall comply with the following Special Use Standards.

- (i) The excavation activity shall occur at a diligent and constant rate which is not related to market conditions for the excavated material.
- (ii) The importation of earth material, asphalt tailings or construction debris not for reuse on site is prohibited.
- (iii) Storage of construction equipment not being actively used for the excavation or its related construction activity is prohibited.
- (iv) The excavation area shall be made inaccessible to pedestrian and vehicular traffic not related to the excavation or its related construction activity. The Approval Authority may require the excavation area be fenced.
- (v) Accessory Earth Excavation with a duration exceeding six months and/or a disturbed area exceeding one acre shall require filing a performance bond in accordance with the provisions of the City of Waterbury Development Project Bonding Policies and Procedures sufficient to cover final site stabilization and restoration and interim erosion and sedimentation controls which bond shall be posted prior to commencement of the operation.

10.18.04 Supplemental Application Information

In addition to the filing requirements for a Zoning Permit or Special Permit, as appropriate, in Article 11, an application for Accessory Earth Excavation approval shall provide the following.

- (i) An Accessory Earth Excavation Plan providing:
 - 1) a plot plan prepared by a professional engineer showing property boundaries and existing and proposed contours;



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 10
SPECIAL USE
STANDARDS**

- 2) a statement of the purpose of the Accessory Earth Excavation including a description of and permits required for the proposed development, if any;
- 3) a calculation of the amount of earth Materials to be removed from the site in cubic yards and a schedule for such removal;
- 4) the expected number of truck trips daily and the proposed route to and from the site;
- 5) evidence that adequate location(s) have been secured to receive earth material proposed to be exported from the site.
- 6) a Soil Erosion and Sedimentation Control Plan in accordance with Section 9.06; and
- 7) such other information as may be required by the Approval Authority.

(ii) Where any application for Accessory Earth Excavation is submitted in connection with site preparation prior to any Subdivision, Special Permit, or Special Exception application for a permitted use, the application shall include a conceptual development plan depicting a feasible development comporting with the Use and Development Standards of the subject Zoning District.

10.18.05

Accessory Earth Excavation Approval Criteria

- (i) Accessory Earth Excavation shall only be permitted for the following purposes:
 - 1) normal foundation excavation, trench excavation, or grading and landscaping in connection with work on the premises for which a building permit is obtained;
 - 2) normal agricultural operations;
 - 3) normal paving or landscaping operations for an existing structure or parking lot otherwise allowed by these regulations;
 - 4) site preparation for development conforming to the Use and District Development Standards of the underlying Zoning District;
 - 5) construction related to an approved Subdivision, Special Permit or Special Exception provided that the information required by subsection 10.18.04 of these Regulations shall have been submitted



**CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS**

**ARTICLE 10
SPECIAL USE
STANDARDS**

prior to the close of any public hearing concerning such Subdivision, Special Permit, or Special Exception; or

6) environmental remediation activities endorsed or ordered by the Connecticut Department of Environmental Protection or under the supervision of a licensed environmental professional.

(ii) No Zoning Permit for Accessory Earth Excavation shall be valid for a period exceeding two (2) years from the date of approval and may not be renewed. Extension of the Accessory Earth Excavation activity shall require a special Permit as required by Subsection 10.18.02 (vi).

(iii) A Special Permit for Accessory Earth Excavation and its related site plan shall be valid for a period of five (5) years unless a shorter period is approved by the Commission. The Special permit may be renewed for one additional period of up to five years.

(iv) In addition to the general criteria for approval of a Zoning Permit, as specified in Section 11.03, the Approval Authority shall determine conformance with the following criteria:

1) in the case of any Accessory Earth Excavation for site preparation, the proposed excavation is necessary to permit future development of the site and will result in a site that may be developed within the applicable Use and District Development Standards; and

2) the scope of the excavation and related activities shall not exceed that which is reasonably required to achieve the stated purpose of the permitted activity.

Section 10.19 Parking Structures and Lots

10.19.01 Purpose

This Section provides additional standards and conditions for the approval of Commercial Parking Structures and Surface Parking Lots to support commercial activity and protect public health, safety, and convenience.

10.19.02 Applicability

Commercial Parking Structures are permitted in RH, RO, and all Industrial Districts subject to Special Permit approval and in all Commercial Districts subject to Zoning Permit approval. Surface Parking Lots are permitted in RM, RH, SP, CN, CO, CA, CG, and all Industrial Districts



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

subject to Special Permit approval. In all cases, such facilities are subject to the District Development and General Use Standards and the Special Use Standards of this Section.

10.19.03 Parking Structures and Lots Special Use Standards

- (i) All exits and entrances shall be on predominantly non-residential streets or on the street or streets having the higher residential density.
- (ii) Each entrance and exit shall be at least twenty (20) feet from any adjacent lot used or zoned for Residential use.
- (iii) Every exit and entrance shall be located a minimum distance of fifty (50) feet from any street intersection.
- (iv) No exit or entrance shall be located within a designated bus stop.
- (v) Parking garages or lots shall be used solely for the parking of passenger vehicles.
- (vi) There shall be no commercial repair work or service of any kind and no display of vehicles for purposes of sale or rent on such premises.

Section 10.20 Wireless Communications Facilities

10.20.01 Purpose

This Section provides additional standards and conditions for the Zoning Permit or Special Permit approval of Wireless Communications Facilities and Accessory Wireless Communications Facilities to allow necessary communications systems in the City of Waterbury; to ensure compatibility of such uses and associated development with neighborhoods and surrounding properties; to protect public health, safety, and convenience; and to provide guidance for the approval of any such facilities by any State or Federal approval authority.

10.20.02 Applicability

Wireless Communications Facilities and Accessory Wireless Communications Facilities (collectively or individually, "WCF") are permitted in the Districts as shown in the Master Use Table contained in Section 4.08 and being subject to either Zoning Permit or Special Permit approval. Such uses are subject to the applicable District Development and General Use Standards and the Special Use Standards of this Section.

10.20.03 WCF Special Use Standards

Wireless and Accessory Wireless Communications Facilities shall comply with the following Special Use Standards, as applicable.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- (i) Each building or other structure used for WCF shall not contain more than seven hundred and fifty (750) feet of gross floor area nor be more than twelve (12) feet in height, and shall be set back at least fifty (50) feet from any adjacent property used or zoned for residential use.
- (ii) Communication towers shall not exceed a height of one hundred and sixty (160) feet, shall be a monopole, and shall be located a minimum of one hundred and sixty (160) feet or the height of the tower from the property line of the nearest residential property, measured from the base of tower to the property line. This tower setback provision may be altered based upon engineering documentation prepared by a professional engineer demonstrating to the Approval Authority's satisfaction that the proposed design shall prevent collapse of the tower off of the site.
- (iii) If roof mounted, telecommunications antennas shall not exceed a height of fifteen (15) feet above the highest part of the structure or building.
- (iv) If façade mounted, telecommunications antennas shall project no more than five (5) feet above the cornice line and not more than two (2) feet beyond the wall or façade of the structure.
- (v) In the CBD, WCF antennas may only be mounted on existing structures and screened from view using stealth materials, painted to match the structures upon which they are located, and mounted such that the antenna or antennas do not extend above the roofline of the existing structure.
- (vi) Electronic and mechanical equipment shall be located inside a building or other structure and utility service lines shall be placed underground.
- (vii) A WCF facility not used for a continuous period of six (6) months or more shall be removed by the owner. This removal shall occur within ninety (90) days of the end of such six (6) month period. Upon removal, the site shall be restored to its previous appearance and where appropriate, re-vegetated.

10.20.04 WCF Supplemental Information

In addition to the basic information required for a Zoning Permit or Special Permit, an application for a WCF shall provide the following, unless waived by the Approval Authority.

- (i) A map showing the planned coverage within the City of Waterbury, the location and service area of the proposed WCF and the search radius for the proposed WCF site.
- (ii) A plan detailing where and how any proposed antennas will be affixed to a particular building or structure, elevation drawings of all proposed exterior



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

equipment, buildings, and other structures, and an illustration of all proposed landscaping.

- (iii) A plan showing the nature of adjacent uses, proximity to residential structures or Residential Districts, design of the communication tower (including cross section and elevation of proposed tower), and proposed driveway(s).
- (iv) A site justification statement detailing why the proposed site was selected, with consideration of the following order of preference for location of such facilities:
 - 1) on existing or approved towers;
 - 2) on existing structures such as buildings, water towers, and utility poles;
 - 3) on new towers less than 80 feet in height located in an Industrial District;
 - 4) on new towers 80 feet or greater in height located in an Industrial District;
 - 5) on new towers less than 80 feet in height located in Commercial Districts or Residential Districts; or
 - 6) on new towers 80 feet or greater in height located in Commercial Districts or Residential Districts.

Section 10.21 Home Occupation

10.21.01 Purpose

This Section provides standards for the approval of Home Occupation as a Conditional Accessory Use to encourage such economic activity; to ensure compatibility of such uses and associated development with neighborhoods and surrounding properties; and to protect public health, safety, and convenience.

10.21.02 Applicability

Home Occupation use may be permitted in the RS-12, RS, RL, RM, RH, RO, CO, CG, and CBD Districts as accessory to Residential Use subject to Zoning Permit approval and conformance with the applicable District Development and General Use Standards and the Special Use Standards of this Section.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

10.21.03 Home Occupation Special Use Standards (Amend. 9-28-11)

Home Occupations shall comply with the following Special Use Standards, as applicable.

- (i) Home Occupation use shall not occupy an area larger than twenty-five (25) per cent of the gross floor area of the dwelling unit. If housed in an accessory structure, the exterior of the accessory structure shall be finished in a similar manor and with similar materials as the principal dwelling unit.
- (ii) The Home Occupation shall not change the exterior residential character of the dwelling or the property in any visible manner.
- (iii) A Home Occupation shall be clearly incidental to the residential use of the dwelling and may involve only a member of the immediate family residing in the dwelling unit and no more than two (2) nonresident persons.
- (iv) A Home Occupation shall not include any dispatching or parking functions involving any more than the resident and two (2) permitted non-resident employees.
- (v) A Home Occupation shall not display or advertise any commodity or service for sale on the premises, other than the Permanent Sign permitted by subsection 9.05.06 of these Regulations, nor shall it store any materials or products outside of a building.
- (vi) A Home Occupation shall not create any noise, traffic, odor, dust, vibrations, smoke, gas, fumes, radiation, electromagnetic interference or unsightly conditions noticeable off the lot.
- (vii) A Home Occupation shall not include any activity that would be classified as an Industrial Use under Section 4.08 or any activity that involves retail sales from the premises, or that provides service to vehicles for compensation, or that involves patrons on the property other than by appointment.

Section 10.22 Livestock and Poultry

10.22.01 Purpose

This Section provides standards for the keeping of livestock and poultry to ensure compatibility of such use with the surrounding neighborhood and to protect public health, safety, and convenience.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

10.22.02 Applicability

The keeping of Livestock and Poultry is permitted in any Residential District, subject to Zoning Permit approval and conformance with the applicable District Development and General Use Standards and the Special Use Standards of this Section.

10.22.03 Livestock and Poultry Keeping Standards (Amend. 4-25-12)

Livestock and Poultry keeping shall comply with the following Special Use Standards, as applicable.

- (i) There shall be a minimum lot area of one (1) acre for keeping of livestock and poultry.
- (ii) No more than twenty-five (25) fowl per acre may be kept on any parcel. No rooster may be kept on any parcel.
- (iii) No more than one (1) horse, cow, goat, sheep, pig, mink, or other similar animal per acre of lot area may be kept on any parcel.
- (iv) Open areas for animals shall be maintained to promote sanitary and odor free conditions at all times.
- (v) Drainage facilities connected to a sanitary sewer shall be provided for proper washing and maintenance in areas which contain livestock and/or poultry to promote sanitary and odor free conditions at all times.
- (vi) All buildings or structures used for livestock or poultry shall be set back from every adjacent lot line a minimum distance of fifty (50) feet.
- (vii) Manure shall be kept in a covered watertight pit or chamber at least fifty (50) feet from every adjacent lot line and shall be removed at intervals sufficiently frequent to maintain a sanitary condition.
- (viii) All areas where livestock or poultry is kept shall be enclosed with appropriate fencing or other barrier so as to prevent the livestock or poultry from leaving the designated area.

Section 10.23 Kennels

10.23.01 Purpose

This Section provides Special Use Standards for certain Kennels.



10.23.02 Applicability

Kennels shall only be permitted in the CA District subject to Zoning Permit approval and in the IL District subject to Special Permit approval.

10.23.03 Kennel Standards

Kennels shall be subject to the following Special Use Standards.

- (i) All activities must be confined to enclosed buildings which are sufficiently soundproof in design to comply with the City of Waterbury Noise Ordinance.
- (ii) Open exercise areas are permitted only in the IL District. Such areas must be enclosed by a wall, at least five (5) feet in height. In addition, such areas must be maintained in a sanitary and odor free condition at all times.
- (iii) All exercise areas shall have a floor made of concrete or other impervious material which shall contain adequate drainage facilities connected to a sanitary sewer for proper washing and maintenance.

Section 10.24 Hazardous Industrial Operations

10.24.01 Purpose

This Section provides Special Use Standards for Hazardous Industrial Operations.

10.24.02 Applicability

Hazardous Industrial Operations are permitted in the IG District, subject to the required Permit, the applicable District Development and General Use Standards and the Special Use Standards provided in this Section.

10.24.03 Hazardous Industrial Operations Standards

- (i) Hazardous Industrial operation facilities, except for Junk and salvage yards, shall subject to the following Special use Standards:
 - 1) There shall be a minimum lot area of 2 acres.
 - 2) All processing activities shall be conducted inside of a completely enclosed structure.
 - 3) There shall be no outside storage of materials awaiting processing.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- 4) All vehicles transporting materials to and from the Hazardous Industrial operation facility shall carry such materials in enclosed beds.
- 5) All buildings shall be set back from any public street a minimum distance of thirty-five (35) feet.
- 6) All buildings Hazardous Industrial operation processing activities shall be set back from every adjacent property a minimum distance of twenty (20) feet and not closer than fifty (50) feet from any adjacent residential property.
- 7) The site shall be maintained free of litter and any other undesirable materials
- 8) The site shall be secured from unauthorized entry and removal of materials.
- 9) The facility shall be screened from the public right-of-way and adjacent properties zoned, planned or occupied for residential use.

(ii) Junk and salvage yards, including motor vehicle junk yards and motor vehicle junk businesses shall subject to the following Special use Standards:

- 1) There shall be a minimum lot area of forty thousand (40,000) square feet.
- 2) The property shall be completely surrounded by an opaque fence not less than eight (8) feet in height which shall bear no advertising other than the name of the owner and the use of the premises, with a suitable gate which shall be closed and locked except during the working hours of such junk yard. All unregistered motor vehicles, used parts, iron, scrap metal, glass, paper, cordage, and any other material shall be enclosed within this location. Any dismantling of material or cutting up of parts must be carried on within this enclosure.
- 3) All materials shall be stored or piled in such a manner that the materials shall not be seen from adjoining properties or a public street.
- 4) All display and retail sales of salvaged materials shall be conducted entirely within a structure, which structure shall be of such a nature to screen such operations from public view.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- 5) There shall be no burning of any materials on the property unless carried out in a properly designed incinerator as approved by the Director of Health and the Fire Marshal of the City of Waterbury.
- 6) Heavy machinery, including but not necessarily limited to compacting and shearing machinery, shall be located on a solid foundation to avoid vibration.
- 7) All parking, loading, and storage of motor vehicles or any salvage material shall be entirely upon private property.

Section 10.25 Wind Energy Conversion Systems

10.25.01 Purpose

This Section provides Special Use Standards for Wind Energy Conversion Systems (“WECS”).

10.25.02 Applicability

WECS are permitted in the IG, IL, and IP Districts.

10.25.03 Wind Energy Conversion Systems Standards

- (i) Wind Energy Conversion Systems (“WECS”) are subject to the following Special Use Standards. Where any standards provided in this Section conflict with District Development Standards or General Use Standards, the provisions of this Section shall apply:

- 1) the maximum allowable tower height shall not exceed one hundred (100). Tower heights of greater than one hundred (100) feet may be allowed in commercial and industrial zones when determined necessary by a supermajority vote of the Approval Authority to obtain adequate wind access;
- 2) the minimum distance between the ground and any protruding blades on a WECS tower shall be fifteen (15) feet as measured at the lowest point of the arc of the blades;
- 3) climbing access to a WECS tower shall be limited either by means of a fence six (6) feet high around the tower base with a locking portal or by limiting the tower climbing apparatus to no lower than twelve (12) feet from the ground.;



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- 4) the minimum setback from property lines and utility easements shall equal the height of the unit (tower plus rotor). Additional setbacks may be required, if it is determined based on information submitted that the rotor diameter could increase the maximum distance travelled by a thrown blade;
- 5) landscaping to buffer ground level equipment and structures from adjoining properties shall be provided wherever a WECS is installed within one hundred (100) feet of an adjoining property line;
- 6) any WECS used for the generation of electricity shall have a generator with a minimum rated capacity of 2,000 watts per hour.
- 7) Any WECS designed to return or sell excess electricity to an electric distribution company shall install a synchronous inverter or similar device. Where battery storage systems are used, the WECS shall be designed for their safe protection and storage in an enclosed accessory building on the lot;
- 8) a tower or other structure associated with a WECS shall not be used for displaying any advertising, except a single sign conforming to Section 9.05 of these Regulations identifying the owner and manufacturer and providing emergency contact information;
- 9) the Approval Authority may impose such additional standards and requirements with respect to setbacks, height limitations and tower location as it deems necessary to carry out the purpose of these Regulations; and
- 10) the Approval Authority may establish conditions for a determination of abandonment and may require removal of an abandoned WECS within 150 days of such determination.

(ii) The Approval Authority may require the filing of a bond, in accordance with the City of Waterbury Development Project Bonding Policies and Procedures sufficient to cover the cost of removal of any approved WECS in the event the owner fails to do so as required following abandonment.

(iii) Applications for WECS approval shall include the following supplemental application information:

- 1) designs and plans signed and sealed by a professional engineer:
 - a. engineering designs;



- b. wind power density estimates for the proposed location; and
- c. technical justification for any proposed tower height in excess of 100 feet;
- 2) viewshed impact analysis, including illustrations of any proposed tower viewed from at least four locations, including the nearest building, the nearest arterial street at least one-half (½) mile away, the nearest public park, and at least one other location; and
- 3) certification of height approval from the Federal Aviation Administration or documentation that such approval is not required.

Section 10.26 Crematories

10.26.01 Purpose

This Section provides Special Use Standards for Crematories

10.26.02 Applicability

Crematories are permitted in all districts, subject to the required Permit, the applicable District Development and General Use Standards and the Special Use Standards provided in this Section.

10.26.03 Crematory Standards

Crematories shall subject to the following Special use Standards:

- (i) As required by CGS Section 8-2n, no Crematory shall be located within five hundred feet of any residential structure or land zoned for residential purposes not owned by the owner of the crematory.
- (ii) Any crematory located in a residential district must be located on the grounds of a cemetery.

Section 10.27 Construction on and Completion of a Paper Street

10.27.01 Purpose

This Section provides Special Use Standards for construction on lots adjacent to a paper street and construction of such paper street to City street standards.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

10.27.02 Applicability

This section applies when an applicant proposes to construct a building on a lot that fronts on a paper street and to construct such paper street to City street standards in order to provide frontage for such lot. Construction on such lots are subject to Special Exception approval by the City Plan Commission and conformance with applicable District Development and General Use Standards and the Special Use Standards of this Section.

10.27.03 Required Documentation

Construction on lots with paper street frontage shall be subject to the submission of the following items:

- (i) Construction plans and specifications for the proposed City maintained street and municipal utilities which have been approved by the Bureau of Engineering;
- (ii) A report from the Inland Wetlands and Watercourses Commission concerning the construction of the street and utilities as proposed;
- (iii) Site plans for the development on the lot or lots, in accordance with Article 11 of these Regulations;
- (iv) Documentation from the Office of the Corporation Counsel that the applicant has executed a “Hold Harmless Agreement Bond” sufficient to hold the City harmless from claims, demands, or causes of action arising out of the City’s acceptance of a constructed paper street or to fund a condemnation of the right of way for such street, if necessary; and
- (v) Documentation the City Clerk that the Board or Aldermen has authorized the construction of the paper street and municipal infrastructure.

10.27.04 Bonding and Surety for the Construction of Public Improvements

Construction of a paper street shall be subject to the filing of a bond in accordance with the City of Waterbury Development Project Bonding Policies and Procedures for all public improvements shown on the Site plan to be owned by the City, including but not necessarily limited to construction of streets; installation of storm drains and sanitary sewer; construction of sidewalks and curbs; installation of landscaping; signs; and lighting. Such bond may also be required for the costs of setting of monuments, compliance with erosion and sedimentation control plans; and any other stipulations required as conditions of approval.

10.27.05 Occupancy

Prior to the issuance of a Certificate of Zoning Compliance associated with the occupancy of any structure on the street under construction the following requirements must be met:



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- (i) All utilities are in place and operational;
- (ii) The binder course has been installed;
- (iii) The developer has submitted documentation from the City Engineer attesting to the adequacy of the surety amount for the completion of all public improvements;
- (iv) The developer has submitted documentation from the Fire Marshal attesting to the adequacy of emergency access and fire flow to serve the structure; and
- (v) The developer shall post a sign at each intersection of any new street with an existing street, or as otherwise approved by the Zoning Enforcement Officer, providing public notice that the streets, sewer and water system, and any other required public improvements have not been accepted by the City of Waterbury and until such acceptance, in accordance with the City of Waterbury Development Project Bonding Policies and Procedures:
 - 1) All maintenance of such improvements are the responsibility of the property owners.
 - 2) Certain city services may not be provided.

Section 10.28 Construction in a Floodplain

10.28.06 Purpose

This Section provides Special Use Standards for regulate development within a floodplain.

10.28.07 Applicability

Any construction within a floodplain shall be subject to a Special Permit for construction in a floodplain, the standards of the underlying zoning district and all other applicable provisions of these regulations

10.28.08 Standards

- (i) Within a designated floodplain, encroachments resulting from fill, new construction or substantial improvements, as defined in 44 Code of Federal Regulations Part 59.1, involving an increase in footprint to the structure shall be prohibited unless the applicant provides to the Zoning Commission certification by a state licensed engineer that such encroachment shall not result in any increase in base flood elevation;



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

(ii) The water holding capacity of the floodplain shall not be reduced by any form of development unless such reduction

- 1) is compensated for by deepening or widening the floodplain,
- 2) is on-site, or if adjacent property owners grant easements and the City Engineer authorizes such off-site compensation,
- 3) is within the same hydraulic reach and a volume not previously used for flood storage,
- 4) is hydraulically comparable and incrementally equal to the theoretical volume of flood water at each elevation, up to and including the hundred-year flood elevation, which would be displaced by the proposed project, and
- 5) has an unrestricted hydraulic connection to the same waterway or water body; and

Work within adjacent land subject to flooding, including work to provide compensatory storage, shall not result in any increase in flood stage or velocity.

10.28.09 Notification to other governmental organizations

Any applicant for development within a floodplain shall submit documentation regarding the Building Official's notification to adjacent municipalities and the Water Resources Unit of the Connecticut Department of Environmental Protection prior to any alteration or relocation of a watercourse, and the submission of evidence of the notification to the Federal Insurance Administration in accordance with section 153.37 (D) of the Waterbury Code of Ordinances.

Section 10.29 Mixed Use Building (Amend. 4-25-12)

10.29.01 Purpose

This Section provides Special Use Standards for Mixed Use Buildings.

10.29.02 Applicability

Mixed Use Buildings are permitted in the CBD, CN, CG, CO, and CA-IL Overlay Districts, subject to the required Permit, the applicable District Development and General Use Standards and the Special Use Standards provided in this Section.

10.29.03 Mixed Use Building Standards

- (i) No use which is not otherwise permitted in the underlying Zoning District shall be permitted in a mixed Use Building located in that District.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

- (ii) A Package Store may be permitted in a Mixed Use Building subject to a special permit in accordance with section 10.09 and the requirements in this section .
- (iii) A Group Living establishment may be permitted in a Mixed Use Building subject to a special permit in accordance with section 10.06 and the requirements in this section.
- (iv) In the CBD District, a Social Gathering Place or a Food Processing and Sales Establishment in a Mixed Use Building shall be subject to a special permit and the requirements if this section.
- (v) In the CN District Entertainment Uses, Schools and Business and Trade Schools in a Mixed Use Building shall be subject to a special permit and the requirements if this section.
- (vi) No single use may exceed 80 percent of GFA of the structure.
- (vii) In the CN District residential uses shall be limited to no more than 67 percent of the total GFA.
- (viii) No Residential Uses or Accessory Uses related Residential Uses may be located on the ground floors of the Mixed Use Building, except that up to 10% of the ground floor area may be devoted to access ways for residential uses located on other floors.
- (ix) Except as limited by the other provisions of this Section 10.29.03, uses permitted in a mixed use building subject to a Zoning Permit and the requirements if this section are limited to Single Family Residence; Two/Three Family Residence; Multi-Family Residence; Group Living; Short Term Lodging; Retail Sales; Eating and Drinking Establishments; Personal; Business and Repair Services; Entertainment Uses; Food Processing and Sales; Recreation Uses; Office Uses; Medical Office; Community Facilities; Day Care Center; Schools; Business and Trade Schools; Colleges or Universities; Religious Institutions; Veterinary Services; Package Store; Social Gathering Places.
- (x) A Mixed Use Building Must comply with the parking and development standards of the underlying district

Section 10.30 Cannabis Establishment (Amend. 5-31-23)

10.30.01 Purpose

Pursuant to licensing requirements set forth by the State of Connecticut Department of Consumer Protection, this Section is intended to regulate the location of Cannabis Establishments in the City of Waterbury. These regulations are designed to minimize any potential adverse impacts; to



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

protect and preserve the quality of Waterbury's neighborhoods, commercial and industrial districts, property values and the quality of urban life through effective land use planning; and to protect public health, safety, and convenience.

10.30.02 Applicability

For the purpose of these regulations, a Cannabis Establishment includes any business operating as a Cannabis Dispensary Facility, Cannabis Hybrid Retailer, Cannabis Retailer or Cannabis Product Packaging use as defined in these regulations. Such establishments may be permitted in the "IP" Industrial Park zoning district by Special Permit approval and by Zoning Permit approval. Not more than three (3) cannabis establishments, irrespective of allowable use group classification, shall be permitted in the City of Waterbury. Any pre-existing nonconforming use approved for the conveyance of medicinal cannabis products, shall be included when calculating the total number of allowable cannabis establishments.

10.30.03 Cannabis Establishment Special Use Standards

Cannabis establishments shall operate in strict compliance with all applicable District Development Standards, General Use Standards and Special Use Standards of these regulations. An approved cannabis establishment shall not be allowed to operate under any combined use group classification nor be allowed to retail or convey any noncannabis-related products, goods or services.

A Cannabis Establishment shall comply with the following requirements:

- (i) The front entrance to any Cannabis Establishment shall be at least five hundred (500) feet, measured in a direct line from the nearest property line of any parcel used for the following:
 - 1) School;
 - 2) Religious Institution;
 - 3) Group Living;
 - 4) Day Care Center.
- (ii) The driveway entrance to any Cannabis Establishment shall be located at least 500 feet from the nearest property line of any legal dwelling unit that maintains common street frontage.
- (iii) No operation shall be established on any lot that adjoins a publicly-owned lot(s) used and actively maintained by the City for either indoor or outdoor recreational purposes.
- (iv) The applicant shall provide a security plan detailing the means of averting product theft; including but not limited to proposed site fencing, building alarm systems, video surveillance systems, the means of securing production



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

and storage areas and utilization of on-site security staff to prevent the theft of cannabis.

- (v) The applicant shall submit a written study of the estimated amount and types of vehicle traffic expected to be generated on a daily basis and at peak hours. Such study shall be prepared, signed and sealed by a State of Connecticut Registered Professional Engineer with expertise in traffic analysis.
- (vi) The hours of operation shall be between the hours of 10:00 AM and 8:00 PM, Monday through Saturday.
- (vii) The gross floor area of a Cannabis Dispensary Facility, Cannabis Hybrid Retailer or Cannabis Retailer shall not exceed 5,000 square feet and the gross floor area of the retail area associated with a Cannabis Product Packaging use shall be restricted to a gross floor area of not more than 5,000 square feet.
- (viii) Exterior building signage associated with any authorized cannabis establishment shall be restricted to a single sign not to exceed ten (10) square feet in area. Such sign shall not contain any statement, design, representation, picture, emblem, illustration or representation that encourages the underage use of either medicinal or recreational cannabis nor depict any image of cannabis or any other cannabis product derived therefrom.
- (ix) Evidence of a valid State license, applicable to the use group and site under consideration, shall be provided with the Special Permit submittal application.
- (x) The conveyance of cannabis product by means of a drive-up window is prohibited.
- (xi) The applicant shall provide an odor abatement plan and implement necessary measures to prevent cannabis odors from emanating beyond the interior space of the business.
- (xii) No Cannabis Establishment shall be permitted on a site that is less than two thousand (2,000) feet from any other Cannabis Establishment.
- (xiii) The inability to comply with the provisions of Section 10.30 of these regulations shall not constitute a hardship nor serve as justification for the granting of a variance from such requirements.



Section 10.31 Student Housing Unit (Amend. 6-30-16)

10.31.01 Purpose

This Section provides standards for the use of a dwelling unit as a Student Housing Unit and to ensure compatibility of such uses and associated development with neighborhoods and surrounding properties and to protect public health, safety, and convenience.

10.31.02 Applicability

Student Housing Units are permitted in the CBD District subject to Zoning Permit approval. Student Housing Units are subject to applicable District Development and General Use Standards and the Special Use Standards of Section 10.31.03.

10.31.03 Student Housing Unit Special Use Standards

Every Student Housing Unit shall comply with the following standards.

- (i) Occupancy shall be limited to post-secondary students.
- (ii) No more than 2 occupants shall be housed in any bedroom.
- (iii) No more than 8 occupants shall be housed in any Student Housing Unit.
- (iv) The person who manages the Student Housing Unit shall maintain documentation of the current enrollment status of every occupant.
- (v) Each Student Housing Unit shall be registered using a form provided by the ZEO upon issuance of the Zoning permit and such registration shall be updated and renewed annually during the month of October.
- (vi) Initial, and thereafter renewal, registration shall include evidence, satisfactory to the ZEO, of the post-secondary student enrollment status of each current occupant and the name and 24-hour contact information of a local person with authority to resolve complaints.
- (vii) The Zoning Permit will automatically renew each year upon submission of registration and certification provided that the ZEO has not made a finding of non-compliance with the provisions of this section.
- (viii) The person managing the Student Housing Unit shall assure that the ZEO has the ability to inspect any Student Housing Unit provided the local contact person is provided notice 3 business days prior to the date of inspection.
- (ix) The person managing the Student Housing Unit shall provide evidence, satisfactory to the ZEO, of the post-secondary student enrollment status of any Student Housing Unit occupant within 10 days of such request being made to the local contact person.



Section 10.32 eCommerce Fulfillment and Distribution (Amend. 11-15-20)

10.32.01 Purpose

This Section provides additional standards and conditions for the approval of eCommerce Fulfillment and Distribution Centers to ensure the compatibility of such uses and associated development with neighborhoods and surrounding properties and to protect health, safety and convenience.

10.32.02 Applicability

eCommerce Fulfillment and Distribution Centers shall only be permitted in the CA, IG, IL, IP and CA-IL Overlay Districts.

10.32.03 eCommerce Fulfillment and Distribution Center Standards

eCommerce Fulfillment and Distribution Centers shall be subject to the following additional Standards:

- (i) There shall be a minimum lot area of ten (10) acres for all such facilities.
- (ii) The maximum allowable lot area for such facilities shall not exceed 35 acres.
- (iii) Such facilities shall be screened from public rights-of-way and adjacent properties zoned, planned, or occupied for residential use by a suitable opaque fence (which shall bear no advertising) or landscaping, not less than six (6) feet in height and providing year-round screening; provided, however, the Standards set forth in this subsection 10.32.03 (iii) shall not apply to any eCommerce Fulfillment and Distribution Center located in the CA-IL Overlay District, except that any outdoor parking of service or fleet vehicles or outdoor storage of equipment shall be separated from public parking areas located on the Site, and such outdoor storage of equipment shall be screened from adjacent public rights-of-way and adjacent properties by a suitable opaque fence (which shall bear no advertising) or landscaping, of sufficient height, but in no event less than six (6) feet in height and providing year-round screening.
- (iv) All vehicle exits and entrances shall be from and to either: (a) arterial streets classified as state routes as each are delineated on the City of Waterbury, CT Functional Classifications Map (Local Road Network) on file in the City Engineer's office; or (b) any other street which has frontages located within



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 10
SPECIAL USE
STANDARDS

Industrial and/or Commercial Districts, and has less than fifty (50) percent of its frontage attributed to lots used for residential purposes.

- (v) Each entrance and exit shall be at least twenty (20) feet from any adjacent lot used or zoned for Residential use.
- (vi) There shall be no fuel storage or dispensing facilities, commercial repair work, or vehicle service of any kind on such premises.
- (vii) All eCommerce delivery fleet vehicles stored at such facilities shall be registered with the Connecticut State Department of Motor Vehicles.
- (viii) All such facilities when located in a CA district shall be within 4000 feet of two (2) or more interstate interchanges, as measured along lines of public access to the property; provided, however, the Standards set forth in this subsection 10.32.03 (viii) shall not apply to any eCommerce Fulfillment and Distribution Center located in the CA-IL Overlay District.

10.32.04 eCommerce Fulfillment and Distribution Center Standards for any Site Greater than 75 Acres Located in the Industrial Park Zone:

Any site greater than 75 acres containing an eCommerce Fulfillment and Distribution Center located in the Industrial Park Zoning District shall not be subject to the additional Standards of Section 10.32.03 but shall be subject to the following additional Standards:

- (i) Such site shall provide a rear yard or side yard setback (as applicable) of one hundred fifty (150) feet from the lot line of any residential lot that abuts the site.
- (ii) All vehicle exits and entrances shall be from and to a street segment which have frontages located within Industrial and/or Commercial Districts.



ARTICLE 11. ADMINISTRATION AND PROCEDURES

Section 11.01 Zoning Staff

11.01.01 City Planner

- (i) These Regulations shall be administered and enforced by the City Planner who shall be a Zoning Enforcement Officer (“ZEO”).
- (ii) The City Planner may designate one or more individual(s) to serve as Zoning Enforcement Officer.
- (iii) The City Planner, or his/her designee, shall maintain records of the administration and enforcement of these Regulations.
- (iv) The City Planner, or his/her designee, shall keep a record of all written and signed complaints received by the City Planning Department regarding violations of these Regulations.

11.01.02 Zoning Enforcement Officer

- (i) A ZEO shall have such powers and duties as provided in these Regulations and in the Connecticut General Statutes.
- (ii) A ZEO may issue Zoning Permits and Certificates of Zoning Compliance and perform such enforcement and administrative duties as assigned by the City Planner and in accordance with these Regulations.
- (iii) A ZEO may approve a request for a reasonable accommodation for persons with disabilities as required to comply with the Federal Fair Housing Amendments Act, the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973 and/or Article XXI of the Constitution of the State of Connecticut.

Section 11.02 Approval Authority

Applications for Zoning Permit, Special Permit, and Special Exception approvals shall be acted upon by the Zoning Enforcement Officer, the Zoning Commission (“ZC”), City Plan Commission (“CPC”), and/or the Zoning Board of Appeals (“ZBA”), (collectively and individually, “Approval Authority”) as provided, respectively, in these Regulations.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 11
ADMINISTRATION
and PROCEDURES

Section 11.03 Zoning Permits

11.03.01 Zoning Permit Required

No use of land or use, occupancy, or construction of any building or other structure permitted by Zoning Permit approval, as provided in Section 4.08 of these Regulations, shall commence and no Certificate of Zoning Compliance shall be issued for a Building Permit until a Zoning Permit has been issued in accordance with this Section. A Zoning Permit shall be required for any new principal structures, any addition of residential units, any expansion of 50% GLA or more of any principal structure or any change of use. A Zoning Permit shall affirm that the use or building or other structure shall conform to all applicable provisions of these Regulations.

11.03.02 Zoning Permit Application for Use or Development (Amend. 9-28-11)

Where a use may be permitted by Zoning Permit approval, an application shall provide the following information. The ZEO may waive the requirement for a Class A-2 survey or any of the information items listed in this subsection when determined unnecessary to confirm conformance with these Regulations.

- (i) One (1) original and three (3) paper copies and one (1) electronic copy in a format compatible with Microsoft Word of the completed application form provided by the City Planning Department.
- (ii) One (1) original and three (3) paper copies and one electronic copy in a format compatible with Microsoft Word of all Development Plan filing requirements specified below.
- (iii) One copy of all required documents, maps, and plans in electronic portable document format.
- (iv) A location map at 1" = 1000' scale, showing the subject property and all property lines, zoning district boundaries, and streets within five hundred (500) feet.
- (v) An existing conditions Class A-2 survey of the property at a scale of not more than 1" = 100' showing
 - 1) all lot dimensions;
 - 2) Waterbury Tax Assessor's map, block, and lot numbers;
 - 3) current zoning of the subject property and all adjoining properties;
 - 4) street and property lines;
 - 5) curbs, pavements, sidewalks, easements, and rights-of-way;



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 11
ADMINISTRATION
and PROCEDURES

- 6) location of structures, walls, fences, and utility facilities;
- 7) watercourses, wetlands, flood prone areas as shown on Federal Emergency Management Agency Flood Insurance Rate Maps, areas of tree cover, rock outcrops, and other significant physical features;
- 8) existing land contours at no more than two-foot intervals;
- 9) the names of adjacent property owners; and
- 10) the names of all abutting streets.

- (vi) The required filing fee established by the Board of Aldermen.
- (vii) Such additional information as may be required by the ZEO.
- (viii) When an application for Zoning Permit approval for any use involves any construction or land disturbance, the application shall include the following Development Plan information on maps and supporting documents, which may be consolidated with other maps and plans required by this Section as appropriate, unless determined unnecessary by the ZEO:
 - 1) a Development Plan, signed and sealed by a professional engineer, depicting the following:
 - date, north arrow, and numerical and graphical scale;
 - Waterbury Tax Assessor's map, block, and lot numbers;
 - the names and addresses of the applicant, owner of record as listed on the City's most recent grand list, and the developer and the title of the development;
 - proposed and required zoning data for all proposed structures, including height, number of stories, yards, floor area, and building and total coverage;
 - indication of one or more benchmarks that can be used in the field to verify conditions; and
 - a signature block for endorsement by the ZEO;
 - 2) a statement and map prepared by a qualified soils scientist, verifying boundaries or indicating absence of inland wetland soils and/or watercourses;



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 11
ADMINISTRATION
and PROCEDURES

- 3) a stormwater management plan in accordance with Section 9.06 of these Regulations;
- 4) an erosion and sediment control plan in accordance with Section 9.06 of these Regulations;
- 5) a parking and access plan in accordance with Section 9.03 of these Regulations; and
- 6) a plan describing and showing the location of any proposed earth excavation, filling and/or grading, processing of earth material for reuse on site, deposition of imported earth material, stockpiling of earth material, and/or removal of earth material.

(ix) Where an application for a Zoning Permit involves a use subject to Special Use standards provided in Article 10 of these Regulations, the application shall provide any additional information required by that Article to demonstrate conformance with such standards.

11.03.03 **Issuance of Zoning Permit**

- (i) The ZEO shall determine whether the proposed use, building, or structure conforms to these Regulations, including the applicable District Development Standards, General Use Standards, and Special Use Standards, and shall approve or deny a Zoning Permit, subject to such conditions as required by these Regulations and such other conditions as the ZEO deems necessary. If the Zoning Permit is denied, the reasons for the denial shall be stated in the determination. The written determination shall advise that the decision may be appealed to the Zoning Board of Appeals.
- (ii) A Zoning Permit shall constitute a Certificate of Zoning Compliance (“CZC”) for the purposes of certification of conformity to these Regulations for any Building Permit or Certificate of Occupancy.
- (iii) A Zoning Permit shall not be issued until the required application fee established by the Board of Aldermen has been provided.



11.03.04 Revocation of Zoning Permit

The ZEO may revoke a Zoning Permit upon a) a finding that the information provided upon which the Zoning Permit was issued contained material misrepresentations of fact or b) a finding that any requirements of the Zoning Permit are being violated. Failure to comply with any applicable standards or conditions of these Regulations shall also be deemed cause to revoke a Zoning Permit. The Zoning Permit shall not be reinstated until the use shall be brought into compliance with the requirements of the Zoning Permit and these Regulations.

11.03.05 Zoning Permit Records

- (i) The City Planner shall keep accurate records of all Zoning Permits issued indicating Tax Assessor's map, block, and lot numbers, type of structure, and use. In addition, records shall be kept of all site visits, actions taken, and the time and issue date of all permits, certificates, and any enforcement correspondence made for the project.
- (ii) The Zoning Permit, or copy, shall be kept on site by the property owner or agent and available for public inspection during the course of any approved construction.

Section 11.04 Special Permits and Special Exceptions

11.04.01 Approval Authority

- (i) The Zoning Commission ("ZC") shall review and act upon applications for Special Permit approval in accordance with this Section.
- (ii) The City Plan Commission ("CPC") shall review and act upon applications for Special Exception approval in accordance with this Section.
- (iii) The Zoning Board of Appeals ("ZBA") shall review and act upon applications for Special Exception approval in accordance with Section 11.11 of these Regulations.

11.04.02 General Provisions (Amend. 7-25-11)

- (i) When required for uses as provided in Section 4.08 of these Regulations, a Special Permit or Special Exception shall be approved by the appropriate Approval Authority in accordance with this Section.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 11
ADMINISTRATION
and PROCEDURES

- (ii) The Approval Authority shall hold a public hearing on any application for a Special Permit or Special Exception in accordance with the provisions of CGS Section 8-7d and these Regulations.
- (iii) Where any application for a Special Permit or Special Exception involves construction of a new building or other structure, the increase of the height or footprint of any existing building or other structure, or the modification or addition of vehicular entrances or paths, a Special Permit or Special Exception approval shall include approval of a Site Plan in accordance with Section 11.05 of these Regulations. The Approval Authority shall determine the need for a Site Plan approval where any uncertainty exists.
- (iv) Where any application for a Special Permit or Special Exception not requiring a site plan under Section 11.04.02 (iii) involves the installation of new parking, or any other construction or disturbance of land the Approval Authority shall require the submission of a plot plan. The Approval Authority shall determine the need for a plot plan submission where any uncertainty exists. The Approval Authority may require the submission of a plot plan in other situations if it finds the plot plan is necessary to review the Special Permit or Special Exception.
- (v) Notwithstanding any filing, review, or decision requirements of this Section, an application for a Special Permit for alternative parking requirements shall be reviewed and acted upon by the Zoning Commission, in accordance with the filing, review, and decision requirements specified in subsection 9.03.06 of these Regulations.
- (vi) Where any proposed use or development requires more than one Special Permit or Special Exception approval by any one Approval Authority pursuant to these Regulations, including requests for alternative parking standards, the respective applications may be consolidated into a single application for the purposes of all notices, hearings, and decisions required by these Regulations and Connecticut General Statutes.
- (vii) If an application for a Special Permit or Special Exception approval involves an activity regulated pursuant to the City of Waterbury Inland Wetlands and Watercourses Regulations, the applicant shall submit an application to the Inland Wetlands and Watercourse Commission no later than the day the application is filed for a special permit or special exception.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 11
ADMINISTRATION
and PROCEDURES

- (viii) No Special Permit or Special Exception shall become effective until a copy of the approval, stating the name of the owner of record and description of the property and endorsed by the ZEO, is recorded in the Waterbury Town Clerk's Land Records. A Special Permit or Special Exception shall expire one year after the approval date if such approval is not filed on the Waterbury Town Clerk's Land Records as required above.
- (ix) No Special Permit or Special Exception that includes the provision of any easements to the City of Waterbury or any third party shall become effective until such easements are properly filed on the City of Waterbury Town Clerk's Land Records.
- (x) When any Special Permit or Special Exception approval involves construction of buildings or other structures requiring Building Permit approval in accordance with the State of Connecticut Building Code, no such construction shall commence until a Certificate of Zoning Compliance has been issued in accordance with Section 11.10 of these Regulations.

11.04.03 Application Requirements

An application for Special Permit or Special Exception approval shall include the following.

- (i) One (1) original and ten (10) paper copies and one (1) electronic copy in a format compatible with Microsoft Word of a completed application form provided by the City Planning Department.
- (ii) One (1) original and ten (10) paper copies, one (1) electronic copy in a format compatible with Microsoft Word of all Site Plan filing requirements specified in Section 11.05 of these Regulations.
- (iii) Information required by any applicable Special Use standards, as provided in Article 10.
- (iv) One copy of all required documents, maps, and plans in electronic portable document format.
- (v) The appropriate filing fee.

11.04.04 Special Permit and Special Exception Application Review

- (i) Special Permit and Special Exception review, including the required public hearing, shall be conducted in accordance with the requirements of CGS Sections [8-3c](#) and [8-7d](#) and the procedures of this Section and Section 11.06 of these Regulations.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 11
ADMINISTRATION
and PROCEDURES

- (ii) The Approval Authority may by majority vote waive submission of any filing requirements of subsection 11.04.03 upon submittal of a written request and justification by the applicant.
- (iii) The presentation of a complete application is the obligation of the applicant, and failure to provide the required information shall be grounds for denial without prejudice to future complete applications.
- (iv) The application shall provide all information required by these Regulations, be prepared by persons possessing the necessary expertise, and be presented with adequate clarity to permit the Approval Authority to determine compliance with all applicable standards and criteria.
- (v) The Approval Authority shall refer any Site Plan that proposes off-site improvements, expansions, connections to, or extensions of municipal infrastructure to the City Engineer for a report on the conformance of such improvements, expansions, connections, or extensions to the City of Waterbury Public Improvement Standards and Policies. The failure of the City Engineer to issue such a report prior to or at the public hearing required by these Regulations shall not be considered approval or rejection of any such improvement, expansion, connection, or extension.

11.04.05 Waivers of Special Permit and Special Exception Requirements.

- (i) The Approval authority for any Special Permit, Special Exception or Site Plan subject to a public hearing may waive any requirement for the content of a site plan in Section 11.05.02 of these Regulations by a vote of two thirds of its authorized membership provided it makes the following findings based on the record of the public hearing:
 - 1) The Applicant has made a written request for the waiver.
 - 2) The waiver does not constitute a hazard to the public health, safety and/or welfare.
 - 3) The proposal will be compatible with the underlying district if the waiver is granted.
 - 4) The waiver is justified by one or more of the following conditions:
 - a. Adverse topographic or environmental site conditions;
 - b. Generally recognized business practices related to the proposed use; or



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 11
ADMINISTRATION
and PROCEDURES

- c. Unique site conditions which render the requirement subject to the waiver unnecessary.
- (ii) A request for a waiver shall be made in writing and shall provide the information necessary to support the required Approval Authority findings. A separate request shall be required for each requirement for which a waiver is sought. The Approval Authority shall consider each waiver request separately and prior to its consideration of the application as a whole.

11.04.06 Special Permit and Special Exception Decisions

- (i) In approving a Special Permit or Special Exception, the Approval Authority shall:
 - 1) give due consideration to the report of the Waterbury Inland Wetlands and Watercourse Commission, if required;
 - 2) confirm conformance with the District Development Standards, General Use Standards, and any Special Use Standards required by these Regulations;
 - 3) approve, when required, a Site Plan submitted with the Special Permit or Special Exception application in accordance with Section 11.05 of these Regulations;
 - 4) state upon its record the reasons for its decision, including a finding of consistency with the Special Permit and Special Exception approval criteria provided in this Section;
 - 5) confirm submittal of all fees required by the City of Waterbury in connection with the application for a Special Permit or Special Exception; and
 - 6) publish notice of its decision as provided by CGS [Section 8-3c](#).
- (ii) The Approval Authority may impose such additional conditions on the proposed development as it deems necessary to conform to the requirements and purpose of these Regulations.
- (iii) The Approval Authority may require the filing of a performance bond as a condition of any Special Permit or Special Exception approval as provided in the City of Waterbury Development Project Bonding Policies and Procedures, a copy of which is available in the City Planning Department. Such performance bond shall secure compliance with terms,



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 11
ADMINISTRATION
and PROCEDURES

conditions, and limitations necessary for ensuring public health, safety, and convenience. No Certificate of Zoning Compliance for any construction associated with an approved Site Plan shall be issued for any approved Site Plan development until any required bond has been filed.

11.04.07 Special Permit and Special Exception Approval Criteria

In approving any Special Permit or Special Exception, the Approval Authority shall consider the public health, safety and welfare, and convenience of the public in general and of the residents of the immediate neighborhood in particular, and may prescribe appropriate conditions and safeguards as may be required. In addition to applicable General Use Standards in Article 9 and Special Use Standards in Article 10 of these Regulations for any use or development requiring Special Permit or Special Exception approval, the Approval Authority shall determine compliance with the following criteria.

- (i) The proposed development and use shall be of such location, size, and character that, in general, it will be in harmony with the appropriate and orderly development of the District in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties.
- (ii) All proposed traffic access ways shall be adequate but not excessive in number; be adequate in width, grade, alignment and visibility; provide sufficient separation from street corners or other places of public assembly; and otherwise ensure public safety and convenience.
- (iii) The location, height, design, and materials of walls, fences, hedges, plantings, and other landscaping shall be appropriate to the vicinity and shall suitably screen parking, loading, garbage collection facilities, outdoor storage areas, access drives, utility installations, playgrounds, and other such features. All open space areas, exclusive of undisturbed natural areas, shall be suitably landscaped and removal of significant trees shall be limited to the minimum necessary to accommodate the development.
- (iv) Parking and access, including pedestrian access, shall be provided in accordance with Section 9.03 of these Regulations.
- (v) Exterior lighting, if required, shall be provided in accordance with Section 9.04 of these Regulations.
- (vi) Stormwater and erosion management, if required, shall be provided in accordance with Section 9.06 of these Regulations and shall provide the maximum protection possible for the environment, the subject property, and off-site properties.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 11
ADMINISTRATION
and PROCEDURES

- (vii) Building setbacks and the configuration of open space shall conform to all applicable requirements of these Regulations and shall be appropriate to existing structures on adjoining properties and established patterns of use of the property and adjoining properties, and to the existing physical conditions of the site. In multifamily dwelling developments, open space shall be designed to provide functional outdoor living and play areas meeting the needs of intended residents.
- (viii) All buildings, structures, uses, equipment, and stored materials shall be readily accessible for fire and police protection.
- (ix) All utility systems shall be suitably located, adequately designed, and properly installed to serve the proposed uses, to protect the property from adverse air, water, or land pollution, and to preserve and enhance the environmental quality of the surrounding neighborhood and that of the City. All utility systems, including systems intended for City of Waterbury ownership and any private water, sewer, stormwater, or other utilities, shall be designed and constructed to meet the City of Waterbury Public Improvement Standards and Policies, including requirements for fire hydrants.
- (x) Public and private streets shall be designed and constructed to meet the City of Waterbury Public Improvement Standards and Policies.
- (xi) The character and appearance of the proposed use and buildings or other structures shall be in general harmony with the character and appearance of the surrounding neighborhood and will not adversely affect the general welfare of the inhabitants of the City.
- (xii) If an application proposes phased development, the Site Plan shall demonstrate to the Approval Authority's satisfaction that all proposed work will be completed within an appropriate and feasible time frame.
- (xiii) The proposed development and use shall be in general conformance with the intent of Waterbury's Plan of Conservation and Development, as may be amended.



Section 11.05 Site Plans

11.05.01 Site Plan Approval Required

Site Plan approval shall be required for uses permitted by Special Permit or Special Exception by these Regulations by the Zoning Commission or the City Plan Commission in accordance with this Section and CGS [Section 8-7d](#). Special Exception approval by the Zoning Board of Appeals is subject to the application and review requirements of Section 11.11 of these Regulations.

11.05.02 Application for Site Plan Approval

- (i) An application for Site Plan approval shall be provided with any application to the Zoning Commission or City Plan Commission for Special Permit or Special Exception approval and shall include one (1) original and ten (10) paper copies, one electronic copy in a format compatible with Microsoft Word, and one copy in electronic portable document format of the maps, plans, and accompanying documents listed below, unless waived by the Approval Authority by majority vote based on a written request for and justification of such waiver by the applicant. The original of all such maps, plans, and documents shall be dated, signed, sealed, or otherwise certified by an architect, landscape architect, engineer, or surveyor registered, licensed, or otherwise certified to conduct business in the State of Connecticut.
- (ii) A Site Plan shall include the following documents and information:
 - 1) a statement as to whether the subject property is recorded in the Waterbury Town Clerk's Land Records as a lot in a subdivision approved prior to August 12, 1943, indicating map book, page, and date, or is an improved lot, as defined by CGS [Section 8-26a](#);
 - 2) letters from all public utilities and/or the City Engineer, as applicable, certifying that sewer, water, and any other necessary services are available and necessary connections can be made;
 - 3) a copy of an approval by the City of Waterbury Health Department for on-site sewage disposal or an approval for connection to the Waterbury Water Pollution Control Department Agency (WPCA) sanitary sewer system, as applicable;



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 11
ADMINISTRATION
and PROCEDURES

- 4) a written description of proposed use and the estimated amount and type of vehicular traffic to be generated on a daily basis and at peak hours;
- 5) where any Commercial or Accessory Earth Excavation is proposed, a description of truck routes, times and duration of truck activity, and estimated number of truck trips;
- 6) for any application involving fifty (50) dwelling units, seventy-five (75) parking spaces, and/or 15,000 square feet of gross floor area, a traffic study prepared by a State of Connecticut Registered Professional Engineer qualified to prepare such studies, evaluating the impact of the proposal on the streets serving and/or affected by the development;
- 7) an estimate of quantities of earth material involved in each of the following activities: earth excavation, filling and/or grading, processing of earth material for reuse on site, importation of earth material, stockpiling of earth material, and/or removal of earth material;
- 8) when development is proposed to be undertaken in stages, a phasing plan indicating the extent and schedule of development proposed for each phase; and
- 9) certification whether:
 - a. any portion of the property on which the regulated activity is proposed is located within 500 feet of the boundary of an adjoining municipality;
 - b. traffic attributable to the completed project on the site will use streets within the adjoining municipality to enter or exit the site;
 - c. sewer or water drainage from the project site will flow through and impact the sewage or drainage system within the adjoining municipality; or
 - d. water run-off from the improved site will impact streets or other municipal or private property within the adjoining municipality.

(iii) A Site Plan shall include the following maps and plans, which shall not be larger than thirty-six (36) inches long by twenty-four inches wide,



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 11
ADMINISTRATION
and PROCEDURES

which may be consolidated as appropriate unless the Approval Authority requires separate maps and plans:

- 1) a location map at 1" = 1000' scale, showing the subject property and all property, zoning, and streets in the City of Waterbury within five hundred (500) feet of the subject property;
- 2) an existing conditions Class A-2 survey of the property at a scale of not more than 1" = 100' showing
 - a. all lot dimensions;
 - b. Waterbury Tax Assessor's map, block, and lot numbers;
 - c. current zoning of the subject property and all adjoining properties;
 - d. street and property lines,
 - e. curbs, pavements, sidewalks, easements and rights-of-way;
 - f. location of structures, walls, fences, and utility facilities;
 - g. watercourses, wetlands, flood prone areas as shown on Federal Emergency Management Agency Flood Insurance Rate Maps, areas of tree cover, rock outcrops, and other significant physical features;
 - h. existing land contours at a maximum two-foot interval;
 - i. the names of adjacent property owners; and
 - j. the names of all abutting streets;
- 3) a Development Plan, signed and sealed by a professional engineer depicting the following:
 - a. date, north arrow, and numerical and graphical scale;
 - b. Waterbury Tax Assessor's map, block, and lot numbers;
 - c. the names and addresses of the applicant, owner of record as listed on the City's most recent grand list, and the developer and the title of the development;
 - d. location and dimensions of all existing and proposed buildings and other structures (including their height) on the subject property and within one hundred (100) feet of the subject property, if required;
 - e. proposed and required zoning data for all proposed structures, including height, number of stories, yards, floor area, and building and total coverage;



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 11
ADMINISTRATION
and PROCEDURES

- f. the location and dimensions of all existing and proposed uses and facilities, including utilities and stormwater management, not requiring a building or other structure;
- g. location, dimensions, and cross-section details of proposed public and private streets, sidewalks, walkways, driveways, parking, and loading areas;
- h. profiles of all proposed public and private streets;
- i. indication of one or more benchmarks that can be used in the field to verify conditions; and
- j. a signature block for endorsement by the Approval Authority;

- 4) a statement and map prepared by a qualified soils scientist, verifying boundaries or indicating absence of inland wetland soils and/or watercourses;
- 5) a Stormwater Management Plan in accordance with Section 9.06 of these Regulations;
- 6) an Erosion and Sediment Control Plan in accordance with Section 9.06 of these Regulations;
- 7) a lighting plan in accordance with Section 9.04 of these Regulations;
- 8) a signage plan in accordance with Section 9.05 of these Regulations;
- 9) a parking and access plan in accordance with Section 9.03 of these Regulations;
- 10) a landscaping plan showing location and extent of required tree clearing, including proposed removal of trees exceeding eight (8) inch diameter at four (4) feet above grade; location, general layout, type, and size of plant material, fencing, screening devices, or other materials proposed; and size, arrangement, uses, and dimensions of proposed open spaces on the site;
- 11) an emergency access plan which shall incorporate the location of emergency access ways and location of areas reserved for emergency vehicles, and shall demonstrate that the width and turning radii of streets or aisles and the access points to all buildings are sufficient for necessary access by emergency vehicles;



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 11
ADMINISTRATION
and PROCEDURES

- 12) a plan describing and showing the location of any proposed earth excavation, filling and/or grading, processing of earth material for reuse on site, deposition of imported earth material, stockpiling of earth material, and/or removal of earth material; and
- 13) preliminary architectural plans, sections, and/or elevation drawings at 1/4" or 1/8"=1' showing exterior wall elevations, roof lines, facade materials or other features of proposed buildings or structures.

11.05.03 Site Plan Amendments

All site improvements shall be carried out in strict compliance with the contents of the approved Site Plan. Any amendments or modifications to the approved Site Plan shall require review by the ZEO who may approve minor changes necessary to address field conditions provided that the change does not affect compliance with the applicable standards and does not significantly alter any specification of the approved Site Plan. Such a change must be endorsed in writing on the approved plan. The ZEO shall refer review and approval of significant alterations to an approved Site Plan to the appropriate Approval Authority and may refer any other requests for review and approval of changes to the appropriate Approval Authority. The Approval Authority shall determine if a new Special Permit or Special Exception is necessary or authorize the ZEO to approve the Site Plan amendment.

11.05.04 Expiration and Extension

- (i) All work in connection with a Site Plan shall be completed within five (5) years after the date of approval. Failure to complete all work within such five (5) year period shall result in automatic expiration of the approval of such Site Plan unless an extension shall be granted by the Approval Authority.
- (ii) The Approval Authority may grant one (1) or more extensions of the time to complete all or part of the approved Site Plan provided the total of all such extensions shall not exceed the limits prescribed by CGS [Section 8-3](#).
- (iii) The Approval Authority may condition the approval of any extension on the adequacy of any bond required by the Special Permit or Special Exception approval or may require a separate performance bond in accordance with the City of Waterbury Development Project Bonding Policies and Procedures.



Section 11.06 Public Hearings

11.06.01 Hearing Procedure

Where required by these Regulations or any applicable statute, all public hearings shall be conducted by the Approval Authority in accordance with CGS [Section 8-7d](#), and the provisions of this Section. The City Planner shall publish notice of all public hearings in a newspaper of general circulation within the City, the first such notice not more than fifteen days and not fewer than ten days and the last not less than two days before the date set for the hearing.

11.06.02 Additional Mailed Notice by Applicant

- (i) Additional notice of all public hearings shall be given in the following manner.
 - 1) The applicant shall notify all owners of land in the City of Waterbury which, in whole or in part, is adjacent to land subject to a public hearing by mailed notice at least fifteen (15) days prior to the scheduled opening of the public hearing. "Owner" refers to the owners of the land, as indicated on the City of Waterbury or abutting town last-completed grand list as of the date the notice is mailed, not owners of the improvements thereon. The term "adjacent land" shall include any land separated from the land subject to the public hearing by a public or private street.
 - 2) The applicant shall submit proof of mailing in the form of a certificate of mailing which specifies the names and mailing addresses to which the notice was sent. The requirements of the mailed notice provisions are satisfied upon mailing of the specified notice and submission of said certificate. Failure to submit a certificate at the opening of the public hearing may render the application incomplete.
 - 3) The mailed notice requirement shall be satisfied even if it is later determined that an error in mailing was caused by an error on the grand list.
- (ii) This section shall not apply to any amendment or repeal of these Regulations or the Map initiated by the Zoning Commission.

11.06.03 Additional Notification by Posting of Signage

This section shall not apply to any amendment or repeal of these Regulations or the Map initiated by the Zoning Commission nor to any regulation text amendment. Notification of



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 11
ADMINISTRATION
and PROCEDURES

the public hearing by posting on the subject property shall be provided in the following manner:

- (i) Sign(s) provided by the City Planning Office shall be posted by the applicant in clear view of the passing public on every paved street frontage of any property which is the subject of a public hearing. At least two (2) such signs shall be provided on any frontage longer than 750 feet. Signs shall be provided by the City Planning Department upon receipt of a deposit as determined by the Department, which deposit shall be refunded upon the return of any such signs. If a property has no paved street frontage, signs shall be posted in a location(s) determined by the City Planner.
- (ii) The applicant shall place said sign(s) fifteen full days prior to the day that the public hearing commences and make all reasonable efforts to maintain such signs in place until the day following the close of the public hearing. The applicant shall remove required signs after the required posting period and shall return such signs to the City Planning Department within seven (7) days of the close of the public hearing. Failure to remove such signs shall be subject to the enforcement procedures of Section 11.09 of these Regulations.
- (iii) The applicant shall submit an affidavit indicating compliance with the foregoing requirements regarding sign placement. If the applicant was unable to comply with the posting requirement due to theft, vandalism or destruction of the signs, the affidavit shall detail all such problems and the good faith efforts of the applicant to remedy such problems. The Commission may accept the good faith efforts as compliance with the posted notice provisions by majority vote. Failure to submit said affidavit at the opening of the public hearing may render the application incomplete.

11.06.04 Notice to Adjoining Municipality

- (i) The City Planner shall, in accordance with CGS Section 8-7d, notify the clerk of any adjoining municipality of the pendency of an application concerning any project on any site in which:
 - 1) any portion of the property affected by a decision of the ZEO or other Approval Authority is within five hundred (500) feet of the boundary of an adjoining municipality;



- 2) a significant portion of the traffic to the completed project on the site will use streets within an adjoining municipality to enter or exit the site;
- 3) a significant portion of the sewer or water drainage from the project on the site will flow through and significantly impact the drainage or sewerage system within an adjoining municipality; or
- 4) water run-off from the improved site will impact streets or other municipal or private property within an adjoining municipality.

(ii) Such notice shall be made by certified mail, return receipt requested, and shall be mailed within seven (7) days of the date of receipt of the application. Such adjoining municipality may, through a representative, appear and be heard at a hearing on such application.

Section 11.07 Fees

The following fees provisions apply to all administrative and application procedures required by these Regulations.

- (i) Administrative fees for Certificates of Zoning Compliance and other administrative requirements and fees for all applications before the Zoning Commission, City Plan Commission, and Zoning Board of Appeals are required as established by the Board of Aldermen. Failure to provide the required fee(s) shall result in a determination of incompleteness and denial of any administrative request or application.
- (ii) On any application for Special Permit, Special Exception, or Variance, the Approval Authority may retain outside consultants for specialized technical review when it finds the size, complexity or potential impact of the proposed use or activity requires specialized assistance and expertise in accordance with the following procedure:
 - 1) the fees charged by such outside consultants shall be paid for by the applicant;
 - 2) the applicant shall deposit with the City Planning Department an amount equal to one hundred fifty (150) percent of the estimated consultant fees (or lesser amount if authorized by the City



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 11
ADMINISTRATION
and PROCEDURES

Planner) from written estimates prepared by the consultants on the basis of the anticipated cost of the review and, following review of the application and payment of consultant fees, the applicant shall be reimbursed any unused funds without payment of interest; and

- 3) payment of any outstanding balance in the consultant fees shall be a condition of approval of any application and no final approval shall be recorded on the City Of Waterbury Town Clerk's Land Records until such amount is paid in full.

Section 11.08 Pre-application Review Process

Any person intending to apply for Special Permit, Special Exception, or Variance approval may request a pre-application review of conceptual or preliminary application materials. Such review may be conducted by the Zoning Commission, City Plan Commission, and/or Zoning Board of Appeals, as applicable, or may be delegated by the respective authority to the City Planner. Such review may be conducted jointly with any other City agency or commission as may be applicable. As provided by Connecticut General Statutes [Section 7-159b](#), such pre-application review and any results or information obtained from it may not be appealed under any provision of the General Statutes and shall not be binding on the applicant or any authority, commission, board, department, agency, or other official having jurisdiction to review the proposed project.

Section 11.09 Enforcement

11.09.01 Inspections

- (i) The ZEO may cause any building, structure, place, or premises to be inspected and examined with the consent of the property owner or authorized agent and to order, in writing, the remedying of a condition found to be in violation of any provision of these Regulations.
- (ii) The ZEO may make regular inspections at reasonable hours of all regulated activities for which permits have been issued with the consent of the property owner or authorized agent.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 11
ADMINISTRATION
and PROCEDURES

11.09.02 Enforcement Procedure

- (i) Upon confirmation of a violation of these Regulations, the ZEO shall issue a notification of the facts of the violation to the property owner, tenant, or other person responsible for the violation; describe the required remedy; and provide an appropriate time period for the violation to be remedied, which may be immediate in the case of any violation that involves grading of land, the removal of earth, soil erosion and sediment control, or a threat to public health, safety, or welfare. The ZEO shall maintain a record of such notification.
- (ii) In the event that a violation persists beyond the remediation period provided, the ZEO shall issue a Cease and Desist order to the property owner, tenant, or other person responsible for the violation. Such Cease and Desist order may be appealed to the Zoning Board of Appeals.

11.09.03 Penalties

- (i) The ZEO, in accordance with CGS [Section 8-12](#), as may be amended, may institute an action or proceeding in Superior Court to prevent, restrain, correct, or abate a violation of these Regulations or to prevent the occupancy of any building, structure, or land found to be in violation of these Regulations.

Section 11.10 Certificate of Zoning Compliance (Amend. 9-28-11)

Any property owner or its authorized agent may request issuance of a Certificate of Zoning Compliance (“CZC”) for any existing or proposed permitted use, structure, or lot or for an existing non-conforming use, structure, or lot in accordance with this Section. A CZC shall affirm that the use, structure, or lot is in conformance with all applicable provisions of these Regulations or is legally non-conforming as defined in Section 1.06 of these Regulations. A CZC endorsement on a Building Permit or Certificate of Occupancy may be issued for minor improvements such as decks, pools fences, additions less than 50% of GLA and other activities requiring a building permit, but not subject to a zoning permit. A Building Permit (“BP”) or Certificate of Occupancy (“CO”) application endorsed by the ZEO, or a separate form prepared and signed by the ZEO, shall constitute a CZC.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 11
ADMINISTRATION
and PROCEDURES

11.10.01 Information Required for Certificate of Zoning Compliance

- (i) Information required by this Section shall be submitted to the ZEO by a person having a legal interest in the property, or by the authorized agent of such person, on forms provided by the City Planning Department, together with the administrative fee and supporting materials as required below.
- (ii) The ZEO may require submittal of a Class A-2 survey map and/or a plot plan providing the following information as determined necessary by the ZEO to determine compliance with these Regulations:
 - 1) tax Assessor's map, block, and lot numbers;
 - 2) name(s) and address(es) of all owners of record of the subject property as listed on the City Assessor's records and maps;
 - 3) proposed and required zoning data for all existing and proposed structures, including height, number of stories, yards, floor area, and building and total coverage;
 - 4) lot boundaries and minimum setback lines as required by Section 4.09 of these regulations;
 - 5) the location of existing and proposed structures including distance from lot lines and distance between structures, if applicable;
 - 6) the location of all utilities, if applicable;
 - 7) the location and amount of any proposed excavation or stockpiling of earth materials;
 - 8) the location of all easements, if applicable;
 - 9) the location of off-street parking and landscaping buffers, if applicable;
 - 10) north arrow and bar scale; and
 - 11) signature block for endorsement by the ZEO.
- (iii) In the case of a request for a CZC to certify a legal non-conforming lot, use, or structure, the property owner shall provide documentation and evidence of the existence of the lot, use, or structure prior to the effective date of these Regulations or any applicable amendment(s).



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 11
ADMINISTRATION
and PROCEDURES

- (iv) In the case of a request for a CZC for a use or building or other structure approved by Special Permit or Special Exception, the property owner shall provide certification of filing of such Special Permit or Special Exception on the City of Waterbury Town Clerk's Land Records and documentation of conformance with any conditions of such Special Permit or Special Exception, including filing of a performance bond, required prior to commencement of any approved use or development. The ZEO may require additional information, as listed in Section 11.05 of these Regulations, as may be necessary to determine conformance with these Regulations.
- (v) The ZEO may waive the requirement for a Class A-2 survey or any of the information items listed in this Section where determined unnecessary to confirm conformance with these Regulations.

11.10.02 Sign Approval

When required by Section 9.05 of these Regulations, in lieu of the information required by subsection 11.10.02 for a CZC, information required for a CZC for a permanent sign shall include a completed form provided by the City Planning Department, a layout plan showing the entire property and the location of the proposed sign(s), and photographs or artist's renderings of the proposed sign(s) front, back, and sides with all dimensions shown. The ZEO may require additional information, including an A2 survey, when determined necessary to confirm compliance of any proposed sign(s) with the applicable standards.

11.10.03 Issuance of Certificate of Zoning Compliance

- (i) The ZEO shall determine whether the existing or proposed use, structure, or lot conforms to these Regulations, or is a legal non-conforming use, structure, or lot, and shall approve or deny a CZC. If the CZC is denied, the reasons for the denial shall be stated in the determination. The written determination shall advise that the decision may be appealed to the Zoning Board of Appeals.
- (ii) A CZC shall not be issued until the administrative fee, if established by the Board of Aldermen, has been provided.
- (iii) The recipient of any CZC may publish notice of such in accordance with CGS [Section 8-3\(f\)](#).



Section 11.11 Zoning Board of Appeals

11.11.01 Powers and Duties

The Zoning Board of Appeals (“ZBA” or “Board”) shall have all the powers and duties prescribed by CGS [Section 8-6](#) and by these Regulations, which powers and duties are summarized and more particularly specified below.

- (i) The ZBA shall have the authority to hear and decide upon any appeal where it is alleged that there is an error in the order, requirement, or decision of the ZEO, in accordance with the provisions of CGS [Section 8-7](#). The concurring vote of four (4) members of the ZBA shall be necessary to reverse any order, requirement, or decision of the ZEO. The ZBA may reverse or affirm wholly or partly or may modify any such order, requirement, or decision.
- (ii) The ZBA shall have the authority to vary the application of the Zoning Regulations in harmony with their general purpose and intent and with due consideration for conserving the public health, safety, convenience, welfare, and property values solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the District in which it is situated, a literal enforcement of these Regulations would result in exceptional difficulty or unusual hardship so that substantial justice will be done and the public safety and welfare secured. This provision shall not authorize the ZBA to issue a Variance for any use of land that is not authorized by these Regulations for a specific Zoning District. The ZBA shall consider the general principle that hardship based on financial considerations alone or hardship created by willful act of the property owner are not considered grounds for exceptional difficulty or unusual hardship. Any Variance may only be approved by concurring vote of at least four (4) members of the ZBA.
- (iii) Upon the filing and processing of an application in accordance with Section 11.04 of these Regulations, the ZBA shall have the authority to issue a Special Exception for the change of a non-conforming use to another non-conforming use or for expansion of a non-conforming use as provided in subsection 1.06.04 of these Regulations, by a concurring vote of four members of the ZBA. In approving any such application, the ZBA shall find that the proposed change or expansion:
 - 1) comports with Section 1.06.04 of these Regulations;



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 11
ADMINISTRATION
and PROCEDURES

- 2) is not materially different from the established use, or likely to have more significant impacts on the surrounding neighborhood, and will result in the subject property being maintained as well or better; and
- 3) will not adversely affect the surrounding property or uses by reason of change in
 - a. the character of any structure,
 - b. the location and character of proposed activities, equipment, products, services, and operations, as applicable,
 - c. the proposed signage, lighting, noise, dust, refuse, odor, and hours of operation, and
 - d. traffic.

(iv) The ZBA shall have the authority to hear and decide appeals and requests for variances from the requirements Section 153.38 of the Waterbury Code of Ordinances pertaining to flood control.

11.11.02 ZBA Procedures (Amend. 4-25-12)

The following requirements and procedures and the applicable provisions of CGS [Chapter 124](#) shall apply to any applications filed with the ZBA under these Regulations.

- (i) All applications made to the ZBA shall be in writing, on forms provided by the City Planning Department, and each application shall fully set forth the circumstances of the appeal, Variance request, or Special Exception application, as applicable.
- (ii) Each application for a Variance or appealing a decision of a ZEO shall refer to the specific provision of these Regulations involved, and shall exactly set forth, as the case may be, the interpretation that is claimed or the details of the Variance that is applied for and the grounds for such Variance or appeal. In the case of an appeal of a ZEO decision, copies of all relevant documents pertaining to such decision shall be provided by the ZEO for the ZBA's record.
- (iii) Each application for a Variance or Special Exception shall provide
 - 1) historic use information and documentation;
 - 2) plans and drawings depicting current and proposed use at scale and in sufficient detail to describe the proposed development, alteration, or change or expansion of a non-conforming use;



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 11
ADMINISTRATION
and PROCEDURES

- 3) documentation of intent to continue a non-conforming use, if any exists, as per Section 1.06;
- 4) the fee required by Section 11.07; and
- 5) such other information as the ZBA may determine necessary.

(iv) The ZBA may require the filing of an A-2 survey map and/or such information and maps listed in Section 11.05 as may be necessary for the ZBA's review of an appeal, request for Variance, or application for a Special Exception under this Section.

(v) All appeals to the ZBA from an order, requirement, decision or determination of the ZEO shall be taken within 30 days of such action by the ZEO.

(vi) The ZBA shall hold a public hearing on any appeal, request for Variance, or Special Exception application, in accordance with CGS [Section 8-7d](#) and the procedures of Section 11.06 of these Regulations.

(vii) In granting any Variance, the Zoning Board of Appeals may prescribe appropriate conditions and safeguards to promote the purposes and protect the integrity of these Regulations. Violations of such conditions and safeguards, when made part of the terms under which the Variance is granted, shall be deemed a violation of these Regulations.

(viii) No Variance or Special Exception shall take effect until a copy of such approval, endorsed by the ZBA or ZEO, is filed on the Waterbury Town Clerk's Land Records.



Section 11.12 Zoning Regulations and Zoning Map Changes

11.12.01 General

These Regulations may be amended, changed, or repealed and zoning use Districts may be established, changed, or eliminated in the manner provided by CGS [Section 8-3](#) either on the initiative of the Zoning Commission (“ZC”) or after receipt of a petition made by any person having a legal property interest, including but not limited to owners, lessees, and holders of development rights of property located within the City.

11.12.02 Petition Requirements

An original, ten copies, one electronic copy (compatible with Microsoft Word), and one copy in electronic portable document format of the following shall be required for any petition filed under this Section. Such filings shall not be required for changes initiated by the ZC.

- (i) All petitions shall be submitted in writing and signed by the property owner(s) requesting such change on a form provided by the City Planning Department.
- (ii) Any petition for the establishment or change of a use District shall be accompanied by a legal description with metes and bounds and an A-2 survey map showing in reasonable detail the topographic and land characteristics of the area referred to in such petition, including street addresses, Tax Assessor’s map, block, and lot numbers, and the names of all owners of property in the City of Waterbury within such area and within 500 feet thereof and including the location of any Town boundary within 500 feet of the proposed District boundary.
- (iii) Any petition for a change of these Regulations shall make specific reference to the portion of these Regulations to be changed and shall contain the text of the proposed amendment or change.
- (iv) All petitions shall be accompanied by a comprehensive analysis of the impacts of the proposed change that includes but is not necessarily limited to information concerning traffic flow and generation, storm-water runoff, environmental impact, and consistency with the Plan of Conservation and Development. The ZC may, at its sole discretion, require that the impact analysis be performed on the full potential build-out condition subsequent to the change being implemented.
- (v) The fee required by Section 11.07.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 11
ADMINISTRATION
and PROCEDURES

11.12.03 Procedures for Regulations or Map Changes

- (i) The City Planner shall file a copy of any change proposed by the ZC or by petition with the Town Clerk and City Clerk at least ten (10) days before the hearing required by this Section.
- (ii) Any proposed changes to zoning District boundaries or the Waterbury Zoning Regulations shall be considered by the ZC in accordance with the procedures provided in CGS Sections 8-3 and 8-7d.
- (iii) When any District boundary or regulation changes are proposed by the ZC, the ZC shall provide notice as required by CGS 8-7d and shall provide notice to registrants on the public notice registry established by the City in accordance with CGS [Section 8-7d](#).
- (iv) When any District boundary or regulations changes are proposed by petition, the petitioner shall provide notice in accordance with Section 11.06 of these Regulations.
- (v) At least 35 days prior to the date established for a public hearing, any map or regulation change proposed by the ZC or any petition for change shall be referred to the Waterbury City Plan Commission (“CPC”) for a report in accordance with CGS [Section 8-3a](#). Failure of the CPC to report prior to or at the public hearing shall be taken as approval of the proposal. The CPC report concerning consistency with the City POCD and a statement of the vote of the CPC shall be publically read at the public hearing required by this Section.
- (vi) At least 30 days prior to the date established for a public hearing any proposed map or regulation change shall be referred by the City Planner to the Council of Governments of the Central Naugatuck Valley or any successor agency, for a report in accordance with CGS [Section 8-3b](#). The report of said planning agency shall be advisory only.
- (vii) At least 35 days prior to the date established for a public hearing, any map or regulation change proposed by the ZC or any petition for such change shall be referred to the Waterbury Corporation Counsel by the City Planner. Any comments submitted by the Corporation Counsel prior to the commencement of the public hearing shall be considered by the Commission. Failure of the Corporation Counsel to provide comments shall not preclude action by the ZC on any such change; however, failure to comment shall not be construed as approval by Corporation Counsel as to form, legality, or substance.



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 11
ADMINISTRATION
and PROCEDURES

(viii) The Zoning Commission shall hold a public hearing on any proposed change to the Zoning Regulations or Map in accordance with CGS Section 8-7d.

11.12.04 Decision

(i) In considering any proposed amendment, the ZC shall evaluate the following.

- 1) for changes to the Regulations:
 - a. whether such change is consistent with these Regulations as to the particular Districts concerned;
 - b. which areas, land uses, buildings and establishments in the City will be directly affected by such change and in what way they will be affected;
 - c. the indirect implications of such change in its effect on other regulations; and
 - d. whether such proposed amendment is consistent with the City POCD.
- 2) for changes to the Zoning Map:
 - a. whether the uses permitted by the proposed change would be appropriate in the area concerned;
 - b. whether the size of the area to be rezoned is consistent with existing and potential land use patterns and zoning in the immediate vicinity and city-wide, as envisioned by the City POCD;
 - c. whether adequate public school facilities and other public services exist or can be created to serve the needs of any additional residences likely to be constructed as a result of such change;
 - d. whether the proposed change is in accord with any existing or proposed development plans within or adjacent to the proposed revised District boundary;
 - e. whether existing streets can safely accommodate any potential increase in traffic;
 - f. whether the proposed amendment is likely to result in an increase or decrease in the total zoned residential capacity of the City and the probable effect thereof; and



CITY OF WATERBURY, CONNECTICUT
ZONING REGULATIONS

ARTICLE 11
ADMINISTRATION
and PROCEDURES

g. whether such proposed amendment is consistent with the City POCD.

(ii) Whenever the ZC approves any change of these Regulations or the Zoning Map, it shall state in its decision the reasons why such action was taken and a finding of consistency with the City of Waterbury POCD. If the adoption is not consistent with the POCD, the ZC shall state its reasons for adoption despite such inconsistency. In the case of a proposed change to the Zoning Map involving an area of less than a city block, the ZC shall not approve such change without a finding of consistency with the City POCD and a finding of compatibility with surrounding properties and zoning Districts.

(iii) The ZC may adopt a change to the Regulations or the Zoning Map by majority vote. A proposal disapproved by the CPC may be adopted by the ZC by affirmative vote by not less than two-thirds (2/3) of the members of the ZC. If a protest against a proposed change is filed at or before the public hearing, signed by the owners of twenty per cent or more of the area of the lots included in such proposed change or of the lots within five hundred feet in all directions of the property included in the proposed change, such change shall not be adopted except by affirmative vote by not less than two-thirds (2/3) of the members of the ZC.

(iv) The ZC shall not be required to hear any petition relating to the same, or substantially the same, change within one year from the date after a decision by the ZC or after a court decision on such earlier petition.

(v) No petition that has been scheduled for public hearing, but has been subsequently withdrawn either before or after said public hearing or that has been rejected or denied by the ZC shall be heard again until the petition has been referred to the CPC for a new report in accordance with CGS [Section 8-3a](#).

(vi) A Mylar copy of any approved Zoning Map change shall be endorsed by the ZC or the ZEO and filed by the ZC or the petitioner with the City Engineer.



Section 11.13 Moratoriums

11.13.01 Cannabis Establishments

For a period of twelve (12) months commencing from the effective date of August 9, 2021, no applications will be accepted, considered or approved and no zoning permits will be issued to permit the establishment of any Cannabis Establishment in any zoning district within the City of Waterbury. For the purposes of this section Cannabis Establishments are defined in Public Act #21-1 of the June 2021 Special Session. Unless otherwise repealed by the Zoning Commission, the expiration date of this Moratorium shall be August 9, 2022.

11.13.02 Cannabis Establishments (Moratorium Extension)

From the effective date of August 9, 2022 through February 9, 2023, no applications will be accepted, considered or approved and no zoning permits will be issued to permit the establishment of any Cannabis Establishment in any zoning district within the City of Waterbury. For the purposes of this section Cannabis Establishments are defined in Public Act #21-1 of the June 2021 Special Session. Unless otherwise repealed by the Zoning Commission, the expiration date of this Moratorium shall be February 9, 2023.

11.13.03 Cannabis Establishments

From the effective date of February 9, 2023 through August 9, 2023, no applications will be accepted, considered or approved and no zoning permits will be issued to permit the establishment of any Cannabis Establishment in any zoning district within the City of Waterbury. For the purposes of this section Cannabis Establishments are defined in Public Act #21-1 of the June 2021 Special Session. Unless otherwise repealed by the Zoning Commission, the expiration date of this Moratorium shall be August 9, 2023.

**CITY OF WATERBURY, CONNECTICUT****ZONING REGULATIONS****APPENDIX A
AMENDMENTS****APPENDIX A - AMENDMENTS**

The Zoning Regulations and Zoning Map were adopted in their entirety by the Zoning Commission of the City of Waterbury on April 27, 2011 and became effective on May 16, 2011 Subsequent amendments to are listed below:

SUMMARY OF MAP AMENDMENTS

ID	Location	Acres	Old District	New District	Date of Adoption	Date Effective
1	South Main Street	7.469	IG	IL	9/28/11	10/7/11
2	South Main Street	14.051	IG	CA	9/28/11	10/7/11
3	Platts Mills Road	2.516	IG	IL	9/28/11	10/7/11
4	East Main Street	12.267	RM	CG	3/28/12	4/10/12
5	Highland Avenue	1.06	RL	RM	9/26/12	10/18/12
6	Buckingham Street	11.613	RM	RO	11/28/12	12/6/12
7	Winyah Avenue	0.62	RL	CA	1/23/13	3/1/13
8	Park Road	1.27	RS-12	CG	2/27/13	4/12/13
9	Sylvan Avenue	1.02	RL	RM	6/26/13	7/26/13
10	Cherry Avenue/Maple Street	8.3	CBD	IL	9-25/13	11/1/13
11	Darling Street	0.189	RL	RM	10/23/13	3/19/14
12	Meriden Road	0.36	CG	RM	10/23/13	3/19/14
13	East Main Street	13.3	RS	CA	2/25/15	6/3/15
14	Piedmont Street	0.23	RL	CG	2/25/15	4/17/15
15	Society Hill, Boyden Street, Yorktown Ridge, Kingsley Drive	14.38	RS	RL	2/25/15	5/1/15
16	Frost Road	0.2	RL	CG	3/2/16	4/5/16

**CITY OF WATERBURY, CONNECTICUT****ZONING REGULATIONS****APPENDIX A**
AMENDMENTS

ID	Location	Acres	Old District	New District	Date of Adoption	Date Effective
17	North Main Street	13.2	RM	IL	3/2/16	4/5/16
18	Linden, Grove & Prospect Streets	1.815	RO	RH	3/23/16	TBD
19	Highland Avenue	1.37	RL	RM	6/22/16	TBD
20	Saddlerock Road	40.3	RS	RS*	12/22/16	5/19/17 *Decision Appealed. Appeal Sustained by Superior Court.
21	South Main Street	92.6	CA	IP	12/22/16	2/7/18
22	Grove Street	7.87	RO	CBD	5/23/18	6/28/18
23	Esperon Street	0.5	RL	CA	2/27/19	5/16/19
24	Park Road	3.91	RS-12	CG	8/27/19	8/27/19
25	North Main Street	6.21	RM	CG	5/22/19	8/27/19
26	Highland Hills	11.28	RL	RM	12/16/21	1/7/22
27	Eastern Avenue	1.5	RS	RM	12/22/22	1/13/23
28	Saddle Rock Road	35.42	RS	CA	1/25/23	2/17/23
29	Thomaston Avenue	58.97	CA	CA-IL Overlay	3/22/23	4/14/23

**CITY OF WATERBURY, CONNECTICUT****ZONING REGULATIONS****APPENDIX A**
AMENDMENTS**SUMMARY OF REGULATION TEXT AMENDMENTS**

<i>ID</i>	<i>§</i>	<i>Description of Amendment</i>	<i>Date of Adoption</i>	<i>Date Effective</i>
1	§ 10.12.03	Measurement of Separation Distances from Adult Establishments	July 27, 2011	August 5, 2011
2	§ 4.08 § 10.18.02	Limited Earth Material Storage Associated With Contractor's Yard; Bulk Landscaping Material Storage And Sales	September 28, 2011	October 7, 2011
3	§ 2.02.02 § 4.08 § 10.13.02 § 10.13.03	Standards For Firing Ranges	September 28, 2011	October 7, 2011
4	§ 2.02.02 § 4.08 § 9.03.05	Eliminate Temporary Events as a Separate Use	September 28, 2011	October 7, 2011
5	§ 4.08 § 9.03.05	Eliminate Long Term Temporary Structures	September 28, 2011	October 7, 2011
6	§ 4.09 § 10.03.03 § 10.04.03	Ease Usable Open Space Requirements	September 28, 2011	October 7, 2011
7	§ 9.03.04	Permit The Use Of Compact Parking Spaces	September 28, 2011	October 7, 2011
8	§ 9.03.06	Correct A Reference To The Approval Authority For Parking Reductions	September 28, 2011	October 7, 2011
9	§ 10.15.03	Allow A Waiver of the Separation Requirement for Driveways to Religious Uses	September 28, 2011	October 7, 2011
10	§ 4.08	Change The Level of Approval for Commercial Uses in the IL District from Commission Approval To Staff Approval	September 28, 2011	October 7, 2011
11	§ 4.08	Clarify the Definition Of Personal, Business And Repair Services	September 28, 2011	October 7, 2011
12	§ 9.01.05	Clarify Regulations Pertaining to Fences	September 28, 2011	October 7, 2011
13	§ 4.02.02	Clarify Regulations Pertaining to Accessory Structures	September 28, 2011	October 7, 2011
14	§ 9.05.06	Clarify that Outdoor Advertising Signs are Prohibited from All Districts	September 28, 2011	October 7, 2011
15	§ 9.05.06	Wall Signs for Establishments Facing Parking Areas	September 28, 2011	October 7, 2011

**CITY OF WATERBURY, CONNECTICUT****ZONING REGULATIONS****APPENDIX A****AMENDMENTS**

ID	§	Description of Amendment	Date of Adoption	Date Effective
16	§ 9.05.06	Eliminate Roof Signs	September 28, 2011	October 7, 2011
17	§ 10.21.03	Prohibit Certain Types Of Uses As Home Occupations; Permit Home Occupations to be Located in Accessory Structures	September 28, 2011	October 7, 2011
18	§ 2.02.02	Definition Of "Floodplain"	September 28, 2011	October 7, 2011
19	§ 11.03.01 § 11.10	Clarify When A Certificate Of Zoning Compliance Is Allowable	September 28, 2011	October 7, 2011
20	§ 10.08.02	Allow Excavation Related to Environmental Remediation With A Zoning Permit.	September 28, 2011	October 7, 2011
21	§ 1.06.04	Clarify the Regulations Pertaining to Nonconforming Uses	September 28, 2011	October 7, 2011
22	§ 2.02.02	Add a definition for "Residential Property"	April 25, 2012	May 5, 2012
23	§ 4.08	Provide for a Special Permit level of review for Group Living Uses in the CO, CG AND CBD Districts	April 25, 2012	May 5, 2012
24	§ 4.08	Establishment of a "Mixed Use Building" as a use category in commercial districts	April 25, 2012	May 5, 2012
25	§10.29	Establishment of special use standards for a "Mixed Use Building"	April 25, 2012	May 5, 2012
26	§ 4.08	Correction of the Table of Permitted Uses re: Kennel	April 25, 2012	May 5, 2012
27	§ 4.08	Correction of the Table of Permitted Uses re: Wireless Communication Facilities	April 25, 2012	May 5, 2012
28	§ 9.01.10	Establishment of a standard for maximum slope of a finished grade	April 25, 2012	May 5, 2012
29	§ 10.22.03	Establishment of a requirement that livestock must be kept in fenced areas	April 25, 2012	May 5, 2012
30	§ 10.14.03	Modification to the Standards for General Hospitals in Business and Industrial Districts	April 25, 2012	May 5, 2012
31	§ 10.06.03	Modification of Group Living Establishment Special Use Standards	April 25, 2012	May 5, 2012

**CITY OF WATERBURY, CONNECTICUT****ZONING REGULATIONS****APPENDIX A
AMENDMENTS**

ID	§	Description of Amendment	Date of Adoption	Date Effective
32	§ 11.11.02	Removal of the requirement that ZBA applications require submission owners of property within 500 feet	April 25, 2012	May 5, 2012
33	§ 11.04.02 (iii) § 11.04.02 (iv)	Special permit submission requirements – Plot Plan Addition of new subparagraph (iv), renumbering of following subparagraphs.	July 25, 2012	August 4, 2012
34	§ 2.02.02	Addition of a definition for “Plot Plan”	July 25, 2012	August 4, 2012
35	§ 10.03.03 (ii) 4)	Reduce the minimum age for non-qualified residents of an Active Adult Development to 18 years	January 23, 2013	January 31, 2013
36	§ 4.08	Restrict Halfway Residences to the IG District & Modify the definition of a Halfway Residence	October 23, 2013	November 2, 2013
37	§ 10.07	Modify Special Use Standards for Halfway Residences	October 23, 2013	November 2, 2013
38	§ 10.16	Modify Special Use Standards for Limited Vehicle Service Facilities	January 22, 2014	February 10, 2014
39	§ 4.08	Allow Limited Vehicle Service Facilities in the CO District with Special permit level of Review	January 22, 2014	February 10, 2014
40	§ 2.02.02	Add definition of Street Segment	April 23, 2014	May 1, 2014
41	§ 10.16.03	Modification of Vehicle Service Facilities Standards	April 23, 2014	May 1, 2014
42	§ 4.08	Add Veterinary Services as an accessory use to a Kennel	October 28, 2015	November 3, 2015
43	§ 4.08 § 10.30 § 9.03.05	Establish Medical Marijuana Dispensary Facility with definition, parking requirement and Special Use Standards	November 19, 2015	November 25, 2015
44	§ 4.08	Allow Multifamily Residences in the CO District by Special Permit	May 25, 2016	June 21, 2016
45	§ 2.02.02 § 4.08 § 10.31	Establish Student Housing Unit with definition and Special Use Standards; Define Post-Secondary Student	June 30, 2016	July, 8, 2016
46	§ 4.08 § 9.03 § 10.32	Establish eCommerce Fulfillment and Distribution Centers with definition, parking requirements and Special Use Standards	October 28, 2020	November 15, 2020

**CITY OF WATERBURY, CONNECTICUT****ZONING REGULATIONS****APPENDIX A****AMENDMENTS**

47	§ 11.13 § 11.13.01	Moratoriums Cannabis Establishments	July 28, 2021	August 9, 2021
48	§ 11.13 § 11.13.02	Moratoriums Cannabis Establishments 1 st Extension	June 22, 2023	August 9, 2022
49	§ 11.13 § 11.13.03	Moratoriums Cannabis Establishments 2 nd Extension	January 25, 2023	February 9, 2023
50	§ 4.08 § 7.04 § 10.20.02 § 10.29.02 § 10.32	Creation of Commercial-Industrial Overlay “CA-IL” District, modification of Wireless Communication Facilities requirements, modification of Mixed Use Building Standards and modification of eCommerce Fulfillment and Distribution Center requirements	March 22, 2023	April 14, 2023
51	§2.02.02 §4.08 §9.03.05 §10.30	Repeal of Medicinal Marijuana Dispensary Facility regulations and replacement with Cannabis Establishment regulations, Parking standards for Cannabis Establishments and Amendments to Agriculture and Food Sales and Processing definitions	May 31, 2023	June 23, 2023