ZONING & SUBDIVISION REGULATIONS

Planning and Zoning Commission

CITY OF BRIDGEPORT CONNECTICUT

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CITY OF BRIDGEPORT

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3-1-1 Base Zones:

For purpose of the Zoning Regulations the City of Bridgeport is hereby divided into the following zones:

Residential - Single Family Zone	R-A
Residential - Single Family Zone	R-AA
Residential - Two Family Zone	R-B
Residential - Two and Three Family Zone	R-BB
Residential - Multifamily Zone	R-C
Mixed Use - Light Industrial Zone	MU-LI
Mixed Use - Educational / Medical Zone	MU-EM
Mixed Use - Waterfront	MU-W
Office / Retail Zone	OR
Office / Retail General Zone	OR-G
Office / Retail Regional Zone	OR-R
Downtown Core Village District	DVD-CORE
Downtown Transit-Oriented Development Village District	DVD-TOD
Downtown Civic Village District	DVD-CIVIC
Downtown Boulevard Village District	DVD-BLVD
Downtown Waterfront Village District	DVD-WF
Neighborhood Center Village District	NCVD
Industrial Heavy Zone	I-H
Industrial Light Zone	I-L
Planned Development District	PDD
Zoological Park Zone	ZP

3-1-2 Overlay Zones:

For the purpose of the Zoning Regulations the City of Bridgeport hereby establishes the following Overlay Zones:

Historic Overlay Zone	O-H
Incentive Housing Overlay Zone	O-IH

ARTICLE 1 GENERAL PROVISIONS

Section 1-1 Short Title

These regulations shall be known and cited as the Zoning and Subdivision Regulations of the City of Bridgeport, effective January 1, 2010.

Section 1-2 Authorization

In accordance with the provisions of the 1992 Charter of the City of Bridgeport, as revised, and Chapter 124 of the 1958 Revisions of the Connecticut General Statutes, as amended (formerly Chapter 29 of the 1930 Revision of the Connecticut General Statutes), the Planning and Zoning Commission of The City of Bridgeport hereby adopts and enacts these regulations as the Zoning and Subdivision Regulations of The City of Bridgeport.

Section 1-3 Purpose

The purpose of the Zoning and Subdivision Regulations is to direct the development of the City in accordance with a comprehensive plan; to lessen congestion in the streets; to secure safety from fire, panic, flood and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision for transportation, water, sewerage, schools, parks and other public requirements, with reasonable consideration of the character of each district and its peculiar suitability for particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city; and to promote the health and general welfare of its people, particularly in the following ways:

1-3-1 **Urban Environment:** To direct the future development of the city in accordance with the adopted municipal plan of conservation and development so that the city may be preserved and revitalized as an attractive, vital, and safe place in which to live, work, recreate, and do business, giving particular attention to: (a) the protection and rehabilitation of those areas of the city where the existing buildings and configuration of open spaces constitute positive elements of the urban landscape; (b) the encouragement of street, sidewalk, public space and ground floor commercial designs that promote and enhance the desirability of pedestrian use; (c) the encouragement of mixed use and planned development wherever it will enhance the vitality and desirability of residential and commercial life; and (d) the rehabilitation of blighted areas by the removal or replacement of unusable structures and the adaptive reuse of existing vacant structures.

1-3-2 **Residential:** To encourage the development of housing for all citizens of the municipality and the preservation and revitalization of residential neighborhoods; to promote the stability of residential neighborhoods by restricting the
encroachment of land uses that are incompatible with residential life; and to promote the orderly mixing of residential with non-residential uses when such uses are mutually enhancing.

1-3-3 **Commercial:** To direct and regulate desirable commercial development in areas suitable for such development with attention to differentiating between commercial development which is compatible with and enhances residential life, and commercial development which is better suited to concentration in areas primarily devoted to commercial use.

1-3-4 **Industrial:** To reserve the best industrial land in the city for industrial use, in order to promote the growth of employment opportunities conveniently located for residents of the city and to enhance the prosperity of the city.

1-3-5 **Coastal and Natural Environment:** To direct development so as to protect the city's natural environment, including the control of soil erosion and sediment, and to maximize the unique potential of the city's coastal areas with particular attention to: (a) the protection and rehabilitation of those areas, including the park areas, which provide waterfront recreation and (b) the protection and development of the harbor area for port and other water-dependent uses.

1-3-6 **Infrastructure:** To promote and regulate the optimum pattern of streets and highways within, and providing access to and from the city, in order to provide adequate, safe and convenient access for traffic to the various uses of buildings and land throughout the city; to avoid congestion in the streets and highways in the city; to direct the development of rail and water transportation in a way that enhances the vitality and desirability of the city socially, culturally, and economically, and to promote best practices in stormwater management.

1-3-7 **Public Transit and Mobility:** To encourage the consideration of all modes of public transportation in the development process and to improve accessibility and quality of life for all city residents by ensuring the coordination of development and redevelopment programs with investment in public transit; to allow for innovative approaches to reducing traffic congestion and surface parking; to promote the use of bus and rail service as well as bicycling and walking; and to encourage densities and uses that support public transportation.

Section 1-4 Validity and Severability

If any section, paragraph or provision of these Regulations is declared to be invalid, such decision shall not affect the validity of the Regulations as a whole or any part, other than that so declared.

Section 1-5 Relationship to Other Laws; Interpretation

Whenever restrictions or standards imposed by provisions of the Zoning and Subdivision Regulations are in conflict with restrictions or standards imposed by provisions of any other governing law, rule, regulation then, to the extent permitted by state and federal law, the more restrictive provisions shall govern. When one section of these Regulations imposes restrictions or standards greater than those of another section, the more restrictive provisions shall govern.

Section 1-6 Prior Regulations Repealed

These Regulations, and any amendment or change hereto, shall be in full force and effect from the date established by the Commission, and stated above in Section 1.1, in accordance with the General Statutes of the State of Connecticut. The Zoning Regulations of the City of Bridgeport, adopted by the Planning and Zoning Commission on August 6, 1996 and all amendments thereto, are repealed coincident with the effective date of these Regulations. Such repealing shall not affect the status of any personnel and shall not affect or impair any act done, offense committed or right accruing, accrued or acquired or any liability, penalty, forfeiture of punishment incurred prior to the time such repeal took effect, but the same may be enjoyed, asserted, enforced, prosecuted or inflicted as fully and to the same extent as if such repeal had not been effected.

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ARTICLE 2 DEFINITIONS

Section 2-1 General Rules of Construction

In the construction of these Regulations, words and phrases shall be construed according to the commonly-approved usage of the language, except that technical words and phrases that have acquired a particular and appropriate meaning in law shall be construed accordingly. All words used in the present tense include the future tense; the singular number includes the plural and the plural number includes the singular; and the masculine gender includes the feminine. The word "shall" is mandatory and not directory. The word "used" shall be deemed also to include "designed, intended or arranged to be used." Unless otherwise specified, all distances shall be measured horizontally.

Section 2-2 Definitions

Except as otherwise defined in these Regulations or as the context may otherwise require, the following words are defined for the purpose of these Regulations as follows:

Abandonment: The relinquishment of property or a cessation of use as per 4-12-3e.

Accessible Parking Space: Parking spaces accessible for persons with disabilities, as set forth in Section 11-1-9.

Accessory Apartment: A separate living space, with provision for eating, sleeping and sanitation but no fully functioning kitchen, created through the interior conversion of an existing dwelling. An accessory apartment must be incidental and accessory to the main dwelling use and must meet the requirements of Section 12-1.

Accessory Structure: A building structure which is devoted or intended to be devoted to an accessory use and is located on the same lot with the principal building, structure or use. A building which is connected to a principal building by a carport or garage, or by a porch, breezeway or passageway with a common wall of less than 8 feet in length.

Accessory Use: A use incidental to, and on the same lot as, a primary use.

Adaptive Reuse: Rehabilitation or renovation of an existing structure for a use(s) other than the present use(s) or former use if the structure is vacant.

Adult Entertainment: See Table 6.

Air Rights: Where there is a difference between the maximum permitted floor area on a zoning lot and the actual floor area, the unused development rights are called air rights.

Alternative to Incarceration Center: A center housing an alternative incarceration program as described by Section 53a-39a of the General Statutes.

Asphalt: The petroleum based product, or concrete based product, or other bituminous products manufactured, produced or refined on site or processed from asphaltic materials.

Automotive and Marine Craft Trade: See Table 6.

Average Household Size: The average number of persons living in a dwelling, according to the most recent U.S. decennial census available.

Base Zone: A mapped area to which the provisions of Articles 4, 5, 6, 7, 8 and 10 of these Regulations apply.

Basement: The portion of a building having one-half or more of its floor to ceiling height above the average finished grade of the adjoining ground and with a floor to ceiling height of seven and one-half (7.5) feet or more. A basement shall be counted as a story. See also Cellar.

Basic Utility: See Table 6.

Build-To Line: A line extending through a lot that is generally parallel to the front property line and marks the location from which the principal front elevation of the building must be erected. Such line is intended to create a regular building facade line along the street. When required, the build-to line shall be established on the final plat or site plan.

Building: Any structure used or intended for supporting or sheltering any use or occupancy.

- **Building Coverage:** The percentage of a lot covered or intended to be occupied by all buildings, structures, or roofed areas, including covered porches, accessory buildings and areas for outdoor storage, but excluding allowed projecting eaves, uncovered balconies, and similar features. Building area divided by lot area equals building coverage. See also Site Coverage.

- **Building, Principal:** A structure in which is conducted the principal use of the site on which it is situated. In any residential zone, any dwelling shall be deemed to be a principal building on the lot on which it is located.

- **Building Setback:** The horizontal distance between the closest point of a building and a lot line.

Building Official: A duly authorized official of the City of Bridgeport Building Department.

Buffer: A land area free of any structure or other improvement used to visually obstruct or spatially separate one use from another or to shield or block noise, light, or other nuisances from adjoining properties. A buffer is typically placed along a property line, between structure or se and a side or rear property line. The buffer is typically landscaped with trees and shrubs of sufficient height and mass to buffer adverse effects upon adjacent properties the year round.

Caliper: The diameter of a tree trunk measured five (5) feet from the ground.

Cellar: A space with less than one-half of its floor to ceiling height above the average finished grade of the adjoining ground or with a floor to ceiling height of less than seven and one-half (7.5) feet. A cellar shall be used solely for mechanical equipment accessory to the principal structure or for non-habitable space. Cellars shall not be counted as a story. See also Basement.

Certificate of Zoning Compliance: Document issued by Zoning Enforcement Officer stating that land or a structure and the use to be made thereof comply with all provisions of these Regulations.

Change of Use: The modification of a use of a building, structure, or land or the replacement of a use of a building, structure, or land with another use or uses, or the addition of a use or uses to a building, structure, or land, or the cessation of a use or uses of a building, structure, or land.

City: The City of Bridgeport, Connecticut.

Civic Use: For purposes of these regulations, a civic use is defined as a school, library, not-for-profit museum, or government use on publicly-owned land.

Coastal Boundary: Defined by Section 22a-94 of the Connecticut General Statutes and delineated on the Official Zoning Map of the City of Bridgeport.

Coastal Resources: As defined by Section 22a-93 of the General Statutes.

Coastal Site Plan: A plan including the location and spatial relationship of Coastal Resources on and contiguous to a site; a description of the entire project with appropriate plans, indicating project location, design, timing, and methods of construction; an assessment of the capability of the resources to accommodate the proposed use; an assessment of the suitability of the project for the proposed site; an evaluation of the potential beneficial and adverse impacts of the project; and a description of proposed methods to mitigate adverse effects on coastal resources.

Coastal Site Plan Approval: Approval by Planning and Zoning Commission or Zoning Board of Appeals, depending on proposed activity, required for uses within the Coastal Boundary, to ensure that any adverse impacts are acceptable.

College or University: See Table 6.

Commercial Fishing: A facility, place, or location that is primarily engaged in (a) providing scenic and sightseeing transportation on water; the services provided are usually local and involve same-day return to place of origin; typically known as charter boats, or (b) the commercial catching or taking of finfish, shellfish, or miscellaneous marine products from a natural habitat. In either instance, accessory uses may include docks, storage, offices, and vehicle parking.

Commercial Outdoor Recreation: See Table 6.

Commercial Parking: See Table 6.

Communication Facility or Use: A use or facility for telecommunications, including telecommunications towers and antennae, which is the transmission and reception of audio, video, data, and other information by wire, radio frequency, light, microwave, and other electronic or electromagnetic systems.

Community Facility: See Table 6.

Community Residential Facility: As defined by Section 17a-220 of the General Statutes, see Table 5.

Congregate Housing: A residential facility for more than six persons within which are provided living and sleeping facilities, meal preparation, laundry services, and room cleaning. Such facilities may also provide other services, such as transportation for routine social and medical appointments, and counseling.

Consent Agenda: A practice in which routine and procedural items which do not require a public hearing are organized apart from the rest of an agenda and are voted on as a group. Upon request by the applicant or reviewing board member, a specific item(s) may be removed from the consent agenda and placed on the full agenda for individual attention.

Coverage:

- **Building Coverage:** See sub-heading under Building.
- **Site Coverage:** That percentage of the land area covered by the combined area of all buildings, structures and paved areas on the lot.

Day Care Center or Facility: See Table 6.

Density: Permitted buildable area per gross acre of land.

Design Standards: Restrictions on the design of a building or structure or on the layout of the site, which may include placement of the building on the lot, parking location, public space, building materials, landscaping and building and/or architectural design.

Detailed Development Plan (DDP): Plans for the specific locations identified in the GDP which set out in detail the proposed use, construction, landscaping, engineering and site development proposed for such parcel(s) subject to such design constraints as allowed by the parameters of the GDP.

Detention Facility: See Table 6.

Development Standards: Mandatory restrictions on the development of a site, including such parameters as height, density, area, setback or other limitations, as set forth in the Zone Development Standards Tables and Supplemental Tables.

Drive-through Facility: A structure from which business is transacted, or is capable of being transacted, directly with customers located in a motor vehicle during such business transactions.

Dwelling: Any building, structure or portion thereof which is occupied as or designed or intended for occupancy by one household and which includes independent and exclusive cooking, sleeping, and sanitary facilities for that household, and which has direct access to the dwelling from the outside of the building or from a common hall.

- **Single Family Dwelling:** A structure containing one residential unit.

- **Two-Family:** A structure that contains two principal residential units that are entirely separated by vertical walls or horizontal floors, un-pierced except for access to the outside or to a common cellar. The units may share a common stairwell exterior to the both dwelling units and with access to the outside. There may be a common cellar and/or common basement. This type of structure may also be known as duplex-style.

- **Three-Family:** A structure containing three residential units.

- **Multi-Family:** A structure containing more than three residential units, with the number of households in residence not exceeding the number of dwelling units provided. Access to units may be from a common hall or from individual entrances. This type of structure may also be known as an apartment house, apartment building, or garden apartment. The term does not include Community Residential Facilities or Townhouses.

Entertainment Facility: An establishment that operates facilities or provides services involved in producing, promoting, or participating in live performances, events, spectator sports, or exhibits intended for the public. The term does not include adult entertainment.

Entertainment "Live": A public or private performance given by an individual or group for the purpose of amusement, engagement of diversion of the attention of an individual or group of people.

Essential Public Service: See Table 6.

Family: See Household.

FAR (Floor Area Ratio) Bonus: An increase in a building's allowable floor area ratio (FAR), granted pursuant to the provision of certain public amenities by the applicant, as regulated herein.

Fence: Any material or combination of materials erected to enclose, screen or separate areas of land. Fences may be open, semi-open, or closed. Closed fences may also be known as walls.

Fill: Sand, gravel, earth or other materials of any composition whatsoever placed or deposited by humans, for purposes of creating a new elevation of the ground.

Floor Area, Gross: The sum of all floors of all principal structures on a lot, measured from the exterior face of the exterior walls, or in the case of a common wall separating two buildings from the center line of such common walls. Gross floor area shall include basements (see definition) and such features as porches, balconies, breezeways, walkways, and raised platforms, if each is enclosed. Gross floor area shall not include cellars (see definition), accessory buildings or parking areas located outside the building or structure.

Floor Area Ratio (FAR): The proportion of gross floor area to lot area. The ratio is an expression of the intensity of development, determined by dividing the gross floor area of all Buildings on a Lot, including accessory structures having walls and a roof, by the total area of that Lot.

Frontage: A continuous distance, measured in feet, of a lot line along the public or private street right-of-way line and ordinarily regarded as the front lot line.

General Development Plan (GDP): The conceptual plan and associated narrative submitted to the Planning & Zoning Commission for the overall development scheme within a MU-W or PDD zone which identifies the proposed uses, improvements, infrastructure, intensity of development and green space to be located in the PDD.

Grade, Finished: The vertical locations of the ground surface of a site after completion of all site preparation work.

Grade, Natural or Existing: The elevations of the ground surface of a site in its natural state, before manmade alterations, excavations or filling, and measured as the degree of rise or descent of a sloping surface.

Green Facades: Green facades have soil only at the base of the wall (in a container or in ground) and support climbing plants on the face of the wall to create the green, or vegetated, facade.

Green Roof: A green roof or living roof is a roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems.

Green Wall: A green wall is a wall partially or completely covered with greenery that includes a growing medium, such as soil or a substrate. Most green walls also feature an integrated water delivery system. Green walls are also known as living walls or vertical gardens. These give insulation to keep the house/building warm.

Ground Level: The mean elevation over the entire length of the street lot line of a lot.

Ground Level Wall Areas: All exterior wall areas for the first level of a structure predominantly above grade, but in no case shall ground level wall areas be less than nine (9) feet above the finished grade.

Group Living: See Table 5.

Halfway House: A residential facility providing a transitional living experience which has the primary purpose of rehabilitation of the developmentally or emotionally disabled,

physically disabled, drug and alcohol dependent, or for the re-integration of ex-offenders into the community. The facility provides room and board, personal care, habilitation services and supervision in a family setting for not more than 15 persons.

Handicap: means, with respect to a person:

1. a physical or mental impairment, which substantially limits one or more of such person's major life activities.

2. a record of having such an impairment, or

3. being regarded as having such impairment, but such term does not include current, illegal use of or addiction to a controlled substance.

Hardscape: The non-living materials, and their use and design, that constitute one component of landscaping. Hardscape shall include paving, walls or fences, concrete, asphalt, stone, or other hard surface that may be used to construct retaining walls, paths, walkways, decks, terraces, accent features, and enclosures.

Hazardous Materials: Any nuclear or radioactive material, any substance or chemical subject to regulation under the federal Emergency Planning and Community Right-to-Know Act of 1986 (Pub. L. 99-499), and any material subject to the hazardous materials regulation (49 CFR Part 17l) of the federal Hazardous Materials Transportation Act (49 U.S.C. Section 1801 et seq.).

Height: The vertical distance measured from the average level of the ground along all walls of the building to the highest point of a structure (See Section 4-4).

Home Occupation: An occupation, profession, activity, or use that is clearly secondary to the residential use of a Dwelling, does not alter the exterior of the Dwelling or accessory structure where it is located, or affect the residential character of the property or the neighborhood

Hotel: A building or part of a building in which (a) living or sleeping accommodations are used primarily as a temporary abode for transients, for compensation to the general public, and not exclusively designed for independent housekeeping, and (b) twenty-four hour desk service is provided in addition to one or more of the following services: housekeeping, telephone, or bellhop service, or the furnishing or laundering of linens. Permitted accessory uses are restaurants or other public dining facility, bars or lounges, public banquet halls, ballrooms, or meeting rooms. Such hotel may also provide extended-stay accommodations, wherein transients, who have a permanent residence elsewhere, stay for multiple nights. The living units may have cooking facilities. The term hotel shall not include motel, rooming or boarding house, or a single-room occupancy facility.

Housing for Older Person: means housing -

a. provided under any State or Federal program that is specifically designed and operated to assist elderly persons (as defined in the State or Federal program); or

b. intended for, and solely occupied by, persons 55 years of age or older; or

c. intended and operated for occupancy by persons 55 years of age or older, and

1. at least 80 percent of the occupied units are occupied by at least one person who is 55 years of age or older;

2. the housing facility or community publishes and adheres to policies and procedures that demonstrate the intent required under The Fair Housing Act (Title 42, United States Code, Chapter 45 as amended); and

3. the housing facility or community complies with rules issued by the Secretary of Housing and Urban Development for verification of occupancy, which shall—

i. provide for verification by reliable surveys and affidavits; and

ii. include examples of the types of policies and procedures relevant to a determination of compliance with the requirement of item c.2 above. Such surveys and affidavits shall be admissible in administrative and judicial proceedings for the purposes of such verification.

House of Worship: A building or structure, or groups of buildings and/or structures, and their associated accessory uses, which by design, construction, or use are primarily maintained and operated by an organized religious group in which religious services are regularly conducted.

Household: A person living alone, or any of the following groups living together;

a. Any number of people related by blood, marriage, civil union, adoption, guardianship, or other duly authorized custodial relationship; or

b. One unrelated person per bedroom plus one additional unrelated person, not to exceed four persons. For persons who are unrelated and for purposes of this definition, a studio or efficiency dwelling unit shall be considered a one-bedroom dwelling unit. Therefore a studio, efficiency, or one-bedroom unit may have a maximum of two occupants, a two-bedroom unit may have a maximum of three occupants & a three-bedroom unit may have a maximum of four occupants. In no case shall there be more than four occupants due to the City of Bridgeport's Housing Code defining five or more occupants as constituting a rooming house.

c. The term "household" shall not refer to:

1. A group living, community residential facility, congregate housing, housing for older persons, or SRO as defined and regulated by the State of Connecticut.
2. Any society, club, fraternity, sorority, association, lodge, or like organizations.

3. Any group of individuals whose association is temporary (less than 60 days) or seasonal in nature.

4. Any group or individuals who are in a group living arrangement as a result of criminal offenses.

Impervious Area: Any land or portion of a site covered by constructed features which prevent the direct percolation of surface water into the underlying earth. Examples: buildings, paved parking and roadways, masonry walls and terraces, swimming pools, sidewalks, hard surface playing courts and paved driveways. Constructed features capable of absorbing and transmitting surface water (such as lawns, gravel sidewalks and driveways, clay courts and natural ponds) are not considered impervious area.

Industrial Service: See Table 6.

Industrial Use, High Impact: See Table 6.

Industrial Use, Low Impact: See Table 6.

Industry: Those fields of economic activity including fishing, mining, construction, manufacturing, transportation, communication, electric service, gas service, sanitary service, and wholesale trade.

Institutional Use: An establishment instituted and organized for an educational, medical, charitable or similar purpose. The term shall exclude those institutions which are penal or correctional institutions, domiciliary care facilities, community residences, or institutions owned or operated by a governmental agency.

Landscape Tree: Deciduous or evergreen tree. Deciduous trees at the time of planting must be fully branched, must have a minimum caliper of four (4) inches, when planted, and have a minimum height of eight feet. Evergreen trees at the time of planting must have a minimum height of six feet.

Landscaped Area: The area on a site that is landscaped with the installation and maintenance typically of a combination of trees, shrubs and groundcover plants to improve the sites aesthetic quality. Does not including bare soil, uncultivated vegetation, impervious surfaces and gravel.

Lot: A contiguous area of land as recorded in a deed, or on a recorded plan, as in a duly filed A-2 survey.

- **Lot Area:** The total area within the lot lines of a lot, excluding any street rights-of-way.

- **Lot Line:** A property line of record bounding one lot from another lot or from a public or private street or any other public or private space.

- **Lot, Corner:** A lot situated at the intersection of two or more streets having an interior angle of intersection of not more than 135 degrees. A lot abutting upon a curved street shall be deemed a corner lot if the tangents to the curve at its points of beginning within the lot or at the point of intersection of the side lot lines with the street line intersect at the interior angle or less than 135 degrees.

- **Lot, Depth:** The mean distance from the street line of the lot to its rear line measure in the average direction of the side lines of the lot.

- **Lot, Width:** The mean distance between the side lines of the lot measured in the average direction of the street line and rear line of the lot. If no setback is required for the lot according to these Regulations and neither setback nor build-to line has been established on a previously recorded plat or site plan, then lot width shall be the distance between the side lot lines measured along the street right-of-way.

Marina: Any business operation or combination of uses in the servicing and maintenance of boats, the mooring of boats for rent or for fee, the retail selling of boat spaces and any other use or product thereto.

Major Entertainment Facility: See Table 6.

Manufacturing and Processing: See Table 6.

Manufacturing and Processing, Artisanal: Within the Downtown Village District (DVD) zones, any allowed manufacturing and/or processing use shall be permitted if it provides accessory retail sales of the goods manufactured by that use, provided that the accessory sales are conducted in an on-site showroom, such sales area is in reasonable proportion to the primary use, and such sales support the artisanal activity. This accessory artisanal use may also be known as boutique manufacturing and shall permit the custom manufacturing of certain products by hand in limited quantities for distribution primarily to a local or regional market; including but not limited to: confections and other custom made food items, ceramics, furniture and housewares, artwork including painting, printmaking and sculpture, and similar products.

Masonry: When used for screening or separation in conformance with these regulations, masonry shall be permitted to include stone, brick, stucco, concrete, or block but shall not include Jersey barriers or exposed cement block (also known as cinder block).

Master Plan: The most recent adopted Bridgeport Master Plan of Conservation and Development, as revised.

Medical Center: See Table 6.

Membership Association: A non-profit association of members or a club organized for the purpose of providing services to the community, and engaging in charitable activities, and providing a meeting place for social interaction of its members. Such associations are typically organized for a common purpose to pursue common goals, interests, or activities, usually for social, recreational, charitable, or educational purposes. Such associations are typically known or organized as clubs, lodges, and civic clubs, or fraternal, trade, union, political, veteran, or religious organizations, or local chapters of national organizations. Such association shall not include establishments operated for gain, such as tennis or health club, and no part of the net earnings of such club or association shall inure to the benefit of any private individual.

Mining: A facility, place, or location that extracts natural resources, and may involve quarrying, well operations, beneficiating (e.g., crushing, screening, washing, and flotation), and other preparation customarily performed at the mine site, or as a part of mining activity. The removal of topsoil and/or stone exclusively for sale and not in connection with site preparation is prohibited.

Mixed Use: A structure or building that is occupied by a mix of uses, as regulated herein, and which may mix residential and non-residential uses, such as office, commercial, and light industrial uses, or varieties of non-residential uses. The term may also be applied to zones and areas where there is allowed a mix of principal uses.

Museum: An establishment primarily engaged in the preservation and exhibition of objects of historical, cultural, and/or educational value not including the regular sale or distribution of the objects collected.

Nonconforming Lot, Use or Structure: A lot, use or structure which was legally permitted under previous regulations prior to the adoption, revision or amendment of these Regulations, but which fails by reason of such adoption, revision or amendment to conform to these Regulations.

Nursing or Convalescent Home: A use providing residential care for more than six infirm persons or persons suffering bodily disorders. Such home does not contain equipment for surgical care or for the treatment of serious injury.

Occupiable Space: A room or enclosed space designed for human occupancy in which individuals congregate for entertainment, education, commerce, labor, residency, or other similar uses.

Office: A room, group of rooms, or a building used for conducting the affairs of a business, profession, service, industry, government, or like activity. Such building may include ancillary services for employees and visitors such as a restaurant, newsstand, or personal services. Occupancy may be single tenant or multi-tenant. See Table 6.

Official Map: A legally adopted Official Map of the City of Bridgeport.

Open Space: Any area which is not divided into private or public building lots, streets, rights-of-way, easements, or parking for purposes other than conservation of natural areas and features. Such open space area shall be set aside, dedicated, designated, or reserved for public or private use or enjoyment.

Outdoor Display: The outdoor exhibition of products, vehicles, equipment and machinery for sale or lease. Such uses may include car and boat sales and plant nurseries. Outdoor display does not include goods that are being stored or parked outside (see Outdoor Storage).

Outdoor Recreation, Commercial: See Commercial Outdoor Recreation.

Outdoor Storage: The outdoor and unroofed or unenclosed keeping of any goods, material, merchandise, vehicles, boats, equipment or other items for more than 72 hours.

Overlay Zone: A mapped area to which a uniform set of regulations serving a particular purpose applies, as a supplement to Base Zone regulations.

Package Store: Establishment for which a package store permit is required, as set forth at Sections 30-14 et seq. of the Connecticut General Statutes.

Park and Open Area: See Table 6.

Parking: Temporary storage in an off-street location for operable and registered vehicle or vehicles, on public or private land and which is designed and used or intended for such temporary storage, and which is usually paved. Parking may include a driveway, a surface lot, a garage, or a multi-modal center.

Passenger Terminal: See Table 6.

Pavement: An impervious surface which may be asphalt, brick, block, concrete, or concrete product. A pervious surface which may be "Green" paving materials such as porous & permeable pavers. For one & two family dwellings only; stones/gravel contained by a retention system.

Performance Standards: A set of criteria or limits established by these Regulations related to nuisance elements that a use or process shall not exceed.

Planned Development District (PDD): A large tract of contiguous land in excess of twenty-five (25) acres in size, which, after designation as a PDD, allows various complementary and mutually beneficial use categories not otherwise permitted to be developed in the same zone designations, to be developed in accordance with an overall general scheme.

Port-Dependent Uses: Those uses that require access to deep water due to a reliance on water-borne transportation or some other essential element of the use.

Prevailing Setback: Prevailing setback conditions exist only on blocks where buildings are constructed on parcels whose linear frontage make up 50 percent or greater of the total linear frontage of the block in question. On blocks where prevailing setback conditions exist, the prevailing set back is defined as the distance from the street lot line to the building facade that exists for 50 percent or greater of the linear total of the building frontages along the block. If no setback is shared for a minimum of 50 percent of the total linear facade on a block where a prevailing condition exists, the setback for new buildings shall be the average of the existing setbacks on that block.

Primary Use: The main use of land or structures, as distinguished from an accessory use.

Principal Building: A structure enclosing the Primary Use of the Lot on which the structure is located.

Public Facility and Service, Government-Owned: A structure, facility, or service containing equipment, including, but not limited to, electrical substations, telephone

exchanges, water or sewer pump stations, and related equipment necessary to transmit electric power, water, sewer, telephone or other public utility or infrastructure services to certain areas or neighborhoods, that is owned by a public utility or government entity. This use shall not include the storage of salt or other road de-icers, fleet storage, or public works.

Public Information Notice Sign: A sign posted on a property to make the public aware of a pending hearing on the use of the property.

Public Safety and Emergency Service: A structure, facility, or service that provides safety and emergency services to the general public and is owned and operated by a government entity or other entity designated by a government entity to provide such public safety and emergency service. Such uses typically include fire, ambulance, and police services.

Radio and Television Broadcast Facility: See Table 6.

Rail Line and Utility Corridor: See Table 6.

Railroad Yard: A facility, place, or location primarily engaged in providing services for railroad transportation including storage, servicing, routine repairing (except factory conversion, overhaul or rebuilding of rolling stock), and maintaining rail cars; loading and unloading rail cars; and operating passenger or freight terminals.

Recreation Trade: A business operated for profit which offers facilities or services that enable patrons to participate in recreational activities or pursue amusement, hobby, and leisure-time interests. These may include but are not limited to gymnasiums or sports facilities, bowling alleys, roller skate and ice skate rinks, swimming pools, tennis or other ball courts, ball fields, billiards rooms, and other similar uses. Accessory uses may include the preparation and serving of food and/or the sale of equipment related to the recreational activity on the premises. This term does not include stadiums or arenas. See also Table 6.

Religious Institution: See Table 6.

Residential Density: See Section 4-10.

Residential Unit: That portion of a Building providing living space for an individual or a single Family. See Dwelling.

Resource Production and Extraction: See Table 6.

Restaurant: A place where full course meals are provided to the general public. The facility must be equipped with a dining room having an area of no less than four hundred (400) square feet and having a seating capacity of twenty (20) persons or more. The premises shall have separate toilet facilities for men and women accessed without passing through a barroom. One room eateries are considered to be cafes, delicatessens, diners, or fast food outlets. A Health Department restaurant license does not constitute a City of Bridgeport zoning approval for a restaurant.

- **Consumer Bar:** A counter which is usually forty-two (42) inches to forty-four (44) inches high and utilized for the dispensing of alcoholic beverages to patrons of the facility. Stools or chairs can be placed in front of the bar for use by the patrons.

- **Service Bar:** A table or counter which can range in height between twenty-eight (28) inches and forty-four (44) inches with a total length not to exceed ten (10) feet. Any type of seating or beverage service to the public is strictly prohibited.

Retail: An establishment or groups of associated establishments, such as a shopping center, providing goods and services to the general public at retail for personal or household consumption or for business use, and rendering services incidental to the sales of such goods and services. Such establishments include retail food establishments and personal service establishments. Retail food sales may be either an establishment selling groceries or an establishment selling ready-to-eat food intended primarily to be consumed off-premises. Personal service establishments provide services involving the care of a person, apparel, or instruction and may include hair and nail salons and barbers, shoe repair, tailors, day spa, laundromat, dry cleaner, drivers' education, and schools of dance, gymnastics, martial arts, and similar pursuits.

- **Sales and Services, Non-Automotive:** All retail sales and services which do not involve the sale or service of vehicles.

- **Sales and Services, Automotive:** Retail sales and service of vehicles.

- **Marine Craft:** The sale and service of marine craft.

- **Retail Sales and Services--General:** See Table 6.

Rip-Rap: Loose angular stone placed on a slope, often along a watercourse or coastal water body, to control erosion or bank sloughing.

Rooming or Boarding House: Any dwelling or portion thereof in which rooms for living purposes are rented for compensation to five (5) or more persons and not more than fifteen (15) persons other than the members of the family of the proprietor. Such rooms shall not have separate kitchen facilities. Group meals may be provided. This term does not include group living facilities.

School: See Table 6.

Shared Use Commercial Kitchen: A building or part of a building where food is prepared by multiple firms to be sold to the public offsite from the facility in a local or regional market including but not limited to: farmer's markets, grocery stores, event venues and similar locations.

Shopping Center: A group of not less than ten (10) retail stores and/or personal service establishments or any combination thereof, planned and developed as a single parcel having a total ground floor building area of not less than 50,000 square feet, with immediate adjoining off-street parking facilities for not less than three hundred fifty (350) automobiles.

Shoreline Flood Erosion Control Structure: As defined by Section 22a-109(c) of the General Statutes.

Short-term Lodging: See Table 6. The term "short-term lodging" shall mean "hotel."

Sidewalk: The area within any public street which is designed for the pedestrian travel of the public, and including any area along, parallel and contiguous to any street between the building line and the street line of any street which is paved as a sidewalk for the pedestrian travel of the public.

Signs: All terms that apply to signs are set forth below.

a. **Billboard Sign:** An outdoor advertising sign, as regulated by Section 11-7-3.

b. **Directional Sign:** (1) Public Right of Way Location. Any sign erected and maintained by local officials within the public right-of-way to indicate to the traveling public the route and distance to public accommodations, facilities and points of scenic, historical, cultural, recreational, educational or religious interest. Such signs shall conform to all applicable state regulations and City ordinances regarding the placement of signs in the public right-of-way. (2) Private Property Location. Signs erected at a Home Office, Church, Community Center, Commercial or Office Building to indicate public accommodations and/or the entrances and exits to the building are permitted.

c. **Electric Sign:** Any sign electrically illuminated by incandescent lamps, luminous gas tubes or other lighting devises and the use of this type of sign shall be defined further by the definitions of and regulations applying to "on-premises sign," "marquee sign," and "outdoor advertising sign" in these regulations.

d. **Embellishments:** Letters, figures or mechanical devices or reflection devices that are attached to the face of a bulletin to provide a three-dimensional effect for greater attention value.

e. **Extension Cut Outs:** The area of design made as a cut-out that extends beyond the basic rectangular space of an advertising structure.

f. **Face Area:** The area of the smallest square, rectangle, triangle, curb (frame or edging) encompassing the entire sign facing.

g. **Ground or Monument Sign:** Any freestanding and non-movable sign that is supported directly by the ground or on a foundation.

h. **Marquee Sign:** Any illuminated sign attached to or hung from the side or front of any previously erected steel frame or canopy, located on theaters, concert halls, or on buildings in the Downtown Village Districts.

i. **Official Sign:** Any sign erected by a governmental agency or its designee, setting forth information pursuant to law.

j. **On-Premises Sign:** Any sign that is located on the property where the business, product or thing being advertised or communicated on said sign is conducted, produced or sold.

k. **Outdoor Advertising Sign:** Any sign which is visible from a street, highway, or public right-of-way and advertises goods or services or disseminates information for public view which is erected, posted or painted on a structure, or pole; also called a "billboard." The following shall not be considered an outdoor advertising sign for purposes of these regulations:

    1. Directional Signs
    2. Official Signs
    3. On-Premises Signs

l. **Pole Sign:** Any on-premises or outdoor advertising sign constructed on a pole, pylon or similar structure.

m. **Projecting Sign:** Any sign fastened to the exterior wall of any building, or to a wood or steel pole set in the ground, and extending from said building or pole over any part of the sidewalk.

n. **Roof Sign:** Any on-premises sign which is painted, applied or installed on the roof of a Building with all of its face area above the height of the Building's front wall and/or front building facade, excluding signs placed on the vertical wall of a fully enclosed mechanical penthouse structure located on the roof of a Building of not less than four stories.

o. **Sign:** An outdoor display, device, figure, painting, drawing, message, placard, poster, or other thing that is designed, intended or used to advertise or inform.

p. **Temporary Signs:** Any sign existing on a particular premises or property for a commercial purpose or for the announcing the sale, rental, or the intended occupancy by a new or moved enterprise or the construction, demolition or remodeling of a Building, structure or premises.

q. **Wall Sign:** Any sign other than a roof sign, applied, installed or attached directly to and supported by the outside walls, or attached to and supported by the building facade, of any Building, except buildings located in a Residential Zone.

Single Room Occupancy Housing (SRO): A facility providing single room residential units where bath or toilet facilities are usually shared by individuals who are not members of the same household. The facility may or may not have separate or shared cooking facilities for the residents. SRO shall include structures commonly called residential hotels, boarding houses and rooming houses.

Site Coverage: See Coverage, Site.

Site Plan: A plan showing accurately and with complete dimensions the boundaries of a site and the location of all buildings, structures, uses, and principal site development features proposed for a specific parcel of land. Such a plan must be prepared, signed and sealed by an engineer, architect or landscape architect registered and licensed to conduct business in the State of Connecticut, dated and meeting the requirements set forth in Section 14-2-3(b).

Social Service Provider: See Table 6.

Special Permit: Permit required for the development of specified allowed uses which require conformance to special standards for that use. .

Specified Anatomical Areas: (1) Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point above the top of the areola(s), or (2) human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities: (1) The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts; (2) sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy; (3) masturbation, actual or simulated; or (4) excretory functions as part of or in connection with any of the activities set forth in (1) through (3) of this definition.

Story: Habitable space in a building between the surface of any floor and the surface of the next floor above, or if there is no floor above, then the space between such floor and the ceiling or roof above.

Street Lot Line: A line dividing a Lot from a public right-of-way.

Streetwall: The portion of the building facade that is located at the setback line.

Structure: That which is built or constructed.

Topsoil: The original upper layer of soil material to an approximate depth of six (6) inches which is usually darker and richer than the subsoil.

Townhouses: Residential units having direct primary ground floor access to the outside and attached to other residential units only by party walls without openings. The term does not include stacked flats.

Transportation: See Table 6.5.

Transportation Management Plan (TMP): Plan submitted to the Planning and Zoning Commission by applicants as regulated herein, stating on-going programs to reduce parking needs.

Use: The specific purpose or activity for which a structure, building, or land is or may be designed, arranged, designated, or intended or for which a structure, building, or land is or may be occupied and maintained.

Use Category: A class of similar uses grouped together for purposes of delineating the uses permitted in a zone.

Utility Service: (a) Any person, entity, agency or establishment which, under public franchise or ownership, or otherwise approved, generates, transmits, distributes, and/or provides the public with electricity, gas, heat, steam, communication, transportation, water, sewage collection, cable television, telephone, or other similar service. (b) A closely regulated private enterprise with a franchise for providing a public service. Such services include the erection, construction, alteration, generation, or maintenance of underground, surface, or overhead transmission and collection systems, and the equipment and appurtenances necessary for such systems to furnish public service.

Vehicle, Commercial: Any motor vehicle with permanent lettering, markings, racks or other apparent accessories indicating it is intended for use other than personal and/or recreational transportation, and which shall be regulated herein as either light trucks or heavy trucks.

Vehicle Service Facility: See Table 6.

- **Vehicle Service Station:** An establishment engaged in the retail sale of vehicular fuels and which may sell other motor vehicle-related merchandise and/or perform minor repair work, or, may be associated with a convenience store.

- **Vehicle Service and Repair Facility:** An establishment primarily providing motor vehicle repairs or service, or installation of motor vehicle-related components, including but not limited to mufflers, transmissions, brakes, lubrication, body work, sound systems, alarm systems, and detailing. See also Retail, Sales and Service, Non-Automotive.

Warehousing or Freight Storage: See Table 6. **Waste**

Processing and Transfer: See Table 6.

Water-Dependent Uses: Those uses that meet the definition of water-dependent uses under Section 22a-93 of the General Statutes: "Water-Dependent Uses" means those uses and facilities which require direct access to, or location in, marine or tidal waters and which therefore cannot be located inland, including but not limited to: Marinas, recreational and commercial fishing and boating facilities, finfish and shellfish processing plants, waterfront dock and port facilities, shipyards and boat building facilities, water-based recreational uses, navigation aids, basins and channels, industrial uses dependent upon water-borne transportation or requiring large volumes of cooling or process water which cannot reasonably be located or operated at an inland site and uses which provide general public access to marine or tidal waters.

Wetland:

- **Inland Wetlands and Watercourses:** Wetlands, defined pursuant to General Statutes Sections 22a-36 and 22a-38, shall include land, including submerged land, not regulated pursuant to Section 22a-28 through Section 22a-35, inclusive, of the General Statutes, as amended, which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial and flood plain by the National Cooperative Soils Survey of the Soil Conservation Service of the U.S. Department of Agriculture. This area shall also include the wetland and all adjacent ground surfaces within a 50-foot horizontal distance from the upland soil-wetland interface of said wetland. "Wetlands" shall also include those areas regulated by the U.S. Army Corps of Engineers, pursuant to Section 404 of the Clean Water Act, 33 U.S.C. 1251, et seq. and 40 CFR 230 of the regulations which define wetlands.

- **Tidal Wetlands:** Wetland, as defined pursuant to General Statutes Section 22a-28 through Section 22a-35, inclusive, means those areas which border on or lie beneath tidal waters, such as, but not limited to banks, bogs, salt marsh, swamps, meadows, flats, or other low lands subject to tidal action, including those areas now or formerly connected to tidal waters, and whose surface is at or below an elevation of one foot above local extreme high water.

Wholesale Trade: See Table 6.

Yard: An area on a lot that lies between the principal or accessory building or buildings and the nearest lot line, and is unoccupied and unobstructed from the ground upward to the sky by any structure or portion thereof except as permitted herein. A required yard, also known as a setback, is that portion of a yard meeting the minimum requirements of the applicable zone development standards.

- **Yard, Front:** An open, unoccupied space extending across the full width of the lot between the front wall of the principal building and the front lot line.

- **Yard, Rear:** An open, unoccupied space extending across the full width of the lot between the most rear main building and the rear lot line. The depth of the required rear yard shall be measured horizontally from the nearest part of the rear lot line.

- **Yard, Side:** An open, unoccupied space between a main building and the side lot line extending from the front yard or front lot line where no front yard is required, to the rear yard. The width of the required yard shall be measured horizontally from the nearest point of the side lot line toward the nearest part of the main building.

Zone: A specifically delineated area or district within the corporate limits of the city of Bridgeport for which the requirements governing the type and intensity of use, lot dimensions, and building bulk are uniform. This may also be known as a district or zoning district.

Zoning Enforcement Officer: A duly authorized official of the City of Bridgeport Zoning Department.

Zoning Map: The adopted Zoning Map of the City of Bridgeport, which may be amended from time to time.

Zoning Regulations: The adopted Zoning Regulations of the City of Bridgeport and including any amendments or modifications.

Zoological Park Zone: A facility in which livestock, farm animals and other animals, are kept for public exhibition, viewing and contact, regardless of compensation, and which may include related uses and activities such as gift shops, picnic areas and recreational activities. Zoological Park shall not include for purposes of these regulations arenas for shows or exhibitions, (with a capacity in excess of five hundred (500) persons seating capacity) retail pet stores, kennels, (except for temporary duration) riding or boarding stables, horses or dog shows, horse races and such activities as state and county fairs which have as a primary activity, livestock shows, rodeos, field trials or coursing events.

ARTICLE 3 GENERAL ZONING PROVISIONS

Section 3-1 Establishment of Zones:

3-1-1 Base Zones:

For purpose of the Zoning Regulations the City of Bridgeport is hereby divided into the following zones:

Residential - Single Family Zone	R-A
Residential - Single Family Zone	R-AA
Residential - Two Family Zone	R-B
Residential - Two and Three Family Zone	R-BB
Residential - Multifamily Zone	R-C
Residential - High Density Zone	R-CC
Mixed Use - Light Industrial Zone	MU-LI
Mixed Use - Educational / Medical Zone	MU-EM
Mixed Use - Waterfront Zone	MU-W
Office / Retail Zone	OR
Office / Retail General Zone	OR-G
Office / Retail Regional Zone	OR-R
Downtown Core Village District	DVD-CORE
Downtown Transit-Oriented Development Village District	DVD-TOD
Downtown Civic Village District	DVD-CIVIC
Downtown Boulevard Village District	DVD-BLVD
Downtown Waterfront Village District	DVD-WF
Neighborhood Center Village District	NCVD
Industrial Heavy Zone	I-H
Industrial Light Zone	I-L
Planned Development District	PDD
Zoological Park Zone	ZP

3-1-2 Overlay Zones:

For the purposes of the Zoning Regulations, the City of Bridgeport hereby establishes the following Overlay Zones:

Historic Overlay Zone	O-H
Incentive Housing Overlay Zone	O-IH
Commercial Village Overlay District	CVOD

Section 3-2 Zoning Map and Other Official Maps

3-2-1 Official Zoning Map: The boundaries of zones and any amendments thereto are established by the Planning and Zoning Commission, as shown on a map entitled, "Zoning Map of Bridgeport, Conn." and shall bear the date of the enactment of these Regulations and of the most recent amendment to the zone boundaries. The Official Zoning Map, updated to the date of the most recent amendment, shall be on file in the Office of the City Clerk and displayed in the Office of Planning and Economic Development and the Zoning Department. The Zoning Map shall be at a scale of one inch equals 800 feet, and shall be certified by the Chairman of the Planning and Zoning Commission as "The Official Zoning Map of Bridgeport, Conn. Prepared From Official Records of the Planning and Zoning Commission".

3-2-2 Other Official Maps: (reserved)

Section 3-3 Zone Boundaries and Interpretation

3-3-1 Interpretation of Boundaries: Where uncertainty exists as to the boundaries of zones shown on the Official Zoning Map, the Planning and Zoning Commission shall determine the boundary location, aided by the rules set forth below:

a. Boundaries indicated as following the center lines of a street, road, or highway shall be construed as following such center lines.

b. Boundaries indicated as following platted lot lines shall be construed as following such lot lines.

c. Boundaries indicated as running parallel to any of the above mentioned lines, at measured distances, shall be construed as parallel. Distances not specifically indicated on the Official Zoning Map or described in the zone regulations shall be determined by the scale of the map, where zone boundaries appear to be set back from such lines.

d. Boundaries indicated as following the center line of a river, stream, or other watercourse and in the case of bodies of water having a designated Harbor Line shall be construed as following that line. In the event of change in the Harbor Line, such boundary shall be construed as moving with the designated Harbor Line. In any case where the boundary is indicated as following a shore line shall be construed as following such shore line.

e. Boundaries indicated as following railroad lines shall be construed as following the center line of the railroad right-of-way.

3-3-2 Determination: Where physical features existing on the ground are inconsistent with those shown on the Official Zoning Map or where the precise location of any

zone boundary is uncertain, the Planning and Zoning Commission shall determine the boundary.

Section 3-4 Lots in More than One Zone

Where a zone boundary divides a Lot in single ownership on the effective date of these Regulations, into two or more zones, the following rules apply:

a. The area, coverage, frontage, and setback requirements of the most restrictive zone shall apply to the entire Lot.

b. Use, density, and other development standards not listed in (a) for each zone within the Lot shall be applicable to that portion of the Lot within each zone.

c. These provisions do not apply to overlay zones.

Section 3-5 Zoning Status of Parks

The public parks of the city, being by law under the management and control of the Board of Park Commissioners, shall be subject to the provisions of the Zoning Regulations. If any part of any public park shall cease to be used for park purposes, it shall exist as a Residential (R-A) Zone until the Planning and Zoning Commission shall act to otherwise determine the zone of that parcel of land.

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ARTICLE 4 STANDARDS APPLICABLE IN ALL ZONES

Section 4-1 Standards Established

Except as otherwise specified by these Regulations, all development of property shall be in accordance with the standards set forth in this Article. In addition to these standards, supplemental development standards and any other relevant standard in these Regulations, each base zone shall have zone development standards and may have additional standards and each floating, overlay or other zone shall have zone development standards and may have additional standards. Use tables may also set forth limitations or conditions applicable to certain uses within each zone.

Section 4-2 Lots

4-2-1 **Lot Area:** All Lots created after the effective date of these Regulations must meet the minimum Lot area requirements listed in the applicable Zone Development Standards Table.

a. Nonconforming Lots are governed by Section 4-12, Nonconforming Lots.

b. Pre-Existing Sub-Standard Lots. See Section 4-12-5.

4-2-2 **Change in Lot Size or Shape Regulated:** No lot shall be reduced in area or size or changed in shape so that the total lot area, minimum frontage, setbacks, coverage, lot area per dwelling unit, or other development standards required by these Regulations are not maintained. No Lot shall be divided so as to create an additional Lot which is not in conformity with these Regulations unless such Lot is deeded, dedicated and accepted for public use.

4-2-3 **Corner Lots and Visibility:**

a. In cases where a lot has frontage on two streets, the lot shall be deemed a corner lot and shall have two frontages and two sides, with the exception of Downtown Village Districts; see Article 10.

b. In cases where a lot has frontage on a public street and on a private right-of-way, the lot shall be deemed a corner lot and shall have two frontages and two sides, with the exception of Downtown Village Districts; see Article 10.

c. On a corner lot nothing shall be erected, placed or planted or allowed to grow so as to hinder the visibility of operators of approaching motor vehicles within ten (10) feet of the intersection of the street right-of-way lines bounding the corner lot.

4-2-4 **Interior Lots:** Interior lots (also known as rear lots) may be created if they are in accordance with the following requirements:

a. Only one interior lot may be created from a lot of record.

b. The interior lot shall have access to a public street, which access shall be no less than thirty (30) feet wide. If the front lot is subdivided to create an interior lot, the front lot shall be required to provide the necessary access to the interior lot.

c. Both the front lot and the interior lot must conform to all minimum lot area and other dimensional standards applicable to the zone in which the Lots are located, provided, however, that the access strip serving the interior lot shall not be included in computing the minimum lot area for the front and interior lots.

d. The front property line of the interior lot shall be deemed to be coincident with the rear property line of the front lot.

4-2-5 **Prohibited Uses:** Except for accessory apartments conforming with the requirements of Section 12-1, or to any other use of a lot expressly permitted by provisions of these regulations, including multifamily use, the following uses of land and buildings are prohibited on private land in all zones:

a. Any building for human habitation located to the rear of another building on the same lot.

b. Any building for any purpose whatever located in front of any building for human habitation on the same lot.

Section 4-3 Setbacks

4-3-1 **Building Setback Standard:** Except as provided in Section 4-3-2 below, all buildings and structures, principal and accessory, shall be located to comply with the minimum and maximum building setbacks established for principal and accessory buildings listed in the zone development standards tables, any supplemental development standards table, condition, or other regulation applicable to the lot or the use being employed at the site.

4-3-2 **Extensions into Required Building Setbacks:**

a. **Principal Buildings:**

1. **Minor Projections Allowed:** Minor features of a building such as eaves, chimneys, fire escapes, bay windows, uncovered stairways, wheelchair ramps, and uncovered decks or balconies, may extend into a required Setback up to 20

percent of the setback. Such projection, however, may not extend to within three (3) feet of the lot line.

2. **Full Projection Allowed:** In addition to the minor projections listed in Section 4-3-2-a. above, the following features are allowed to project into required Building Setbacks as follows:

   i. Canopies, marquees, awnings and similar features may fully extend beyond a Street Lot Line;

   ii. Stairways and wheelchair ramps that lead to the front door of a Building may fully extend to a Street Lot Line.

b. **Accessory Structures in Residential Zones:**

1. **Uncovered Accessory Structures:** Structures such as flagpoles, lamp posts and temporary signs are allowed in a street setback or other setback, but not in a required setback from an abutting Residential Zone.

2. **Covered Accessory Structures:** Structures such as storage buildings, garages, greenhouses, tree houses, work sheds, covered decks and gazebos shall be subject to Table 3, Zone Development Standards for Residential Zones.

3. **Recreational Accessory Structures:** Structures such as swimming pools, uncovered decks, hot tubs, play structures, tennis courts and dog runs shall be subject to Table 3, Zone Development Standards for Residential Zones.

4. **Other Accessory Structures:** Structures such as communication antennas, dishes, and mechanical equipment shall be subject to Table 3, Zone Development Standards for Residential Zones.

See also Section 4-9-1.c.

4-3-3 **Setbacks in Lots abutting Residential Zones:** In all zones other than Residential Base Zones, Building Setbacks along lot lines that abut Lots in Residential Zones must conform to the landscaping standards set forth in the applicable Zone Development Standards Table.

4-3-4 **Rooftop Mechanical Equipment Setback:** All rooftop mechanical equipment shall be set back at least 15 feet from all roof edges parallel to Street Lot Lines. Residential rooftop solar panels exempt (max. height 35').

Section 4-4 Height

Maximum heights for structures are listed in the Zone Development Standards Tables. Exceptions to the maximum heights are set forth below.

4-4-1 **Projections Allowed:** Chimneys, cupolas, flag poles, radio and television antennae, satellite receiving dishes, and other similar items with a width, depth or diameter of five feet or less may rise above the height limit if within five feet above the highest point of the roof. Elevator mechanical equipment may extend up to sixteen (16) feet above the height limit. Other rooftop mechanical equipment which cumulatively covers no more than ten (10) percent of the roof area may extend ten (10) feet above the height limit. Parapet walls may extend ten (10) feet above the height limit.

4-4-2 **Architectural Features:** Steeples, spires, clock towers and similar features with a footprint of less than two-hundred (200) square feet are permitted above the height limit, but may not exceed one and one-half (1.5) times the allowable height.

4-4-3 **Flood Elevation:** In floodplain areas where the lowest floor of the building is elevated to meet the flood damage prevention standards, the maximum total building height shall be measured from the Base Flood Elevation (BFE) + 1' elevation.

Section 4-5 Floor Area Ratio (FAR)

Intensity of development for non-residential uses is set by the establishment of maximum Floor Area Ratios (FARs). The maximum FAR allowed in each zone is listed in the Zone Development Standards Table. In Residential Zones, intensity of development is based Residential Density as described in Section 5-1-3.a.

Section 4-6 Frontage

All Lots created after the effective date of these Regulations must meet the minimum Frontage requirements listed in the Zone Development Standards Tables. Nonconforming Lots are governed by Section 4-12-5, Nonconforming Lots.

Section 4-7 Coverage

4-7-1 **Building Coverage:** Maximum building coverage standards apply to principal and accessory buildings, roofed areas including porches, and to areas used for outdoor storage. The maximum building coverage permitted for principal and accessory buildings is listed in the zone development standards tables. In some zones, minimum building coverage standards may also apply. In the case of floating, overlay and other zones, building coverage standards may be set forth in a separate table. See also Section 4-9-1.c.

4-7-2 **Site Coverage:** In certain cases, a site coverage control is used to regulate the use. Site coverage comprises all buildings and all impervious surfaces on the lot.

Section 4-8 Uses

4-8-1 Uses Regulated: No building or land shall be used or occupied and no structure shall be constructed or altered to be used for any purpose other than a permitted use, including any use lawfully accessory to a permitted use.

4-8-2 Application of Use Regulations:

a. The allowed uses in each Base Zone are set forth in Table 1, Use Table for Residential Zones or in Table 2, Use Table for Non-Residential Zones.

b. Land or structures situated within a Floating, Overlay or Other Zone may be subject to additional standards in addition to the Base Zone Use Regulations.

c. No land, building or structure shall be used, no building or structure shall be erected, and no existing building or structure shall be moved, added to or altered except in conformity with these Regulations.

d. Every development must comply with all applicable General and Special Permit Development Standards set forth in these Regulations.

4-8-3 Permitted Uses:

a. **Principal Permitted Uses:** Uses permitted by right shall be allowed if they comply with all applicable regulations.

b. **Special Permit Uses:** Special permit uses are allowed if approved through the special permit process, Section 14-4, and if they comply with all Development Standards and other applicable zoning regulations.

c. **Accessory Uses:** Accessory uses that are accessory to a principal permitted use or special permit use are allowed if such use complies with all applicable conditions stated in these Regulations. See Section 4-3-2.b and Section 4-8-5.b.3.

4-8-4 Prohibited Uses:

a. General Prohibition: Any use not listed in these Regulations or in a zone as a Permitted Use is prohibited. Any use shall be prohibited in the city of Bridgeport if such use does not conform to Section 11-8, General Performance Standards or is detrimental to the general health, safety, and welfare. Any structure or building or any use of any structure, building or land which is injurious, obnoxious, dangerous or a nuisance to the city or to the neighborhood through noise, vibration, concussion, odors, fumes, smoke, gases, dust, harmful fluids or substances, danger of fire or explosion, or other features detrimental to the city or neighborhood health, safety, or welfare.

4-8-5 Use Categories:

a. **Purpose:** The purpose of this section is to describe the different classifications of uses found in these Regulations, and to provide a systematic basis for assignment of present and future uses to zones.

b. **Classification of Uses:**

1. **Standards for Classification:** Uses shall be assigned to the category with the description and listing of uses most closely describing the nature of the principal use.

2. **Developments with Multiple Primary Uses:** When all the principal uses of a development fall within one use category, then the development is assigned to that use category. When the principal uses of a development fall within different use categories, each principal use is classified in the applicable category and is subject to the regulations for that category.

3. **Accessory Uses:** Unless otherwise stated in the Regulations or otherwise indicated in the use tables for each zone: (1) accessory uses are allowed by right in conjunction with a principal use; (2) accessory uses are subject to the same regulations as the principal use; and (3) all principal uses may include parking for residents, customers or employees as an accessory use. Examples of common accessory uses are listed within the use categories, found in Tables 5 and 6. Accessory uses are incidental only to a principal permitted use (also known as a "use by right") or a special permit use. A use may be operated as an accessory use if the use:

   i. Is clearly incidental and customary to and commonly associated with the operation of the principal permitted use or special permit use;

   ii. Is operated and maintained under the same ownership or by lessees or concessionaires thereof, and on the same zone lot as the principal permitted use or special permit use;

   iii. Does not include structures or structural features inconsistent with the principal permitted use or special permit use;

   iv. Does not include residential occupancy in conjunction with uses other than hotels, motels, tourist homes and like transient housing accommodations, except by owners and employees employed on the premises, and the immediate families of such owners and employees; and

   v. The maximum total square footage of the accessory use(s), in combination with all other accessory uses located in the principal structure, does not exceed ten (10) percent of the total square footage of all principal uses on the site. This ten (10) percent floor area limitation, however, shall not apply to off-street parking when located in the principal structure.

4-8-6 Tables 5 and 6: Uses Included:

The names of uses in Tables 5 and 6, Use Categories are generic, and similar uses not listed in the "Uses Included" list may also be included in the Use Category, if they are not included in another Use Category. Uses included are based on the common meaning of the terms and not on the name that an owner or operator might give to a use.

Section 4-9 Accessory Structures

4-9-1 Accessory Structures: Customary accessory structures are allowed in all zones, as specifically regulated in that zone, under the provisions below:

a. **Location:**

1. Accessory structures, if detached from the principal structure, shall not be located in the front yard. If located in a side yard, the accessory structure shall not be located closer to the street than the required front setback of the principal structure.

2. Accessory structures shall be set back from all side and rear lot lines as provided in Table 3, Zone Development Standards for Residential Zones and Table 4, Zone Development Standards for Non-Residential Zones.

3. On corner lots, accessory structures shall not be located on the side street side between the side street and the required front setback line of structures fronting on the side street.

4. See also Section 4-3-2.b and Section 4-8-5.b.3.

b. **Compliance:**

1. When an accessory structure is attached to the principal structure, it shall comply in all respects with the requirements of these Regulations applicable to the principal structure(s).

2. No accessory structure shall be constructed with a cellar or below-grade story.

c. **Size:**

1. The footprint of the accessory structure(s) shall be included in the computation of building coverage.

2. The maximum total square footage of any and all accessory structures on a lot shall not exceed fifty (50) percent of the first or ground floor of the principal structures, with the exception of in-ground pools and other similar structures at grade level which shall not be counted towards the maximum square footage of accessory structures.

d. **Prohibited Use:**

1. No part of any accessory structure shall be designed or used for human habitation.

Section 4-10 Development Standards

4-10-1 Application of Development Standards: No structure shall be constructed or altered except in conformance with all applicable Development Standards. These Regulations provide for Development Standards as follows:

a. **General Development Standards:** General Development Standards are applicable to development in all zones and are set forth in this Article 4 and in Article 11.

b. **Specific Zone Development Standards:** Zone Development Standards are applicable to development in each zone and are set forth in the Use Tables, the Zone Development Standards Tables, the Additional Standards Table, and the Use Categories Tables, and as relevant within the articles and sections for each zone.

c. **Special Permit Use Development Standards:** Special Permit Use Development Standards are applicable to particular use categories and are set forth in Article 12.

4-10-2 Residential Use In Office / Retail-Regional Zones: Construction of a four-family or larger residential structure shall comply with the Zone Development Standards for the R-C Zone. Zone Development Standards for Residential Zones are found in Table 3.

4-10-3 Building Orientation: All buildings with street frontage must be oriented to the street, providing a main building entrance and other architectural embellishments on the front façade. Buildings that contain a commercial, office, retail, or industrial uses, or more than five residential units, and have multiple street frontages, shall be oriented to the primary street, with appropriate pedestrian scaled features along the secondary street.

Section 4-11 Adaptive Reuse of Structures

4-11-1 Purpose: The purpose of the adaptive reuse provisions of these Regulations is to foster the renovation and reuse of structures which have historic and/or architectural value to the city.

4-11-2 Qualifying Adaptive Reuses: Any property in any zone, excluding R-A & R-AA, is eligible for adaptive reuse status if it meets the requirements of Section 12-15, Adaptive Reuse Special Permit.

Section 4-12 Nonconforming Uses, Structures, and Lots

4-12-1 Purpose: The nonconformity provisions of these regulations are intended to establish conditions under which nonconforming structures and uses may continue. These provisions of Section 4-12 do not apply to existing uses which prior to the enactment of these Regulations were principal permitted uses and then upon enactment become permissible by special permit.

4-12-2 Continuance of Nonconformity: Any structure or the use of any structure or land which was conforming or validly nonconforming and otherwise lawful at the enactment date of the Zoning Regulations and is nonconforming under the provisions of these Regulations, or which shall be made nonconforming by subsequent amendment, may be continued in accordance with the provisions of this Section.

4-12-3 Nonconforming Uses: nonconforming uses shall be regulated as follows:

a. **Expansion or Moving of Nonconforming Uses:** No nonconforming use shall be increased in intensity or extended to any part of a structure or a Lot which is not, on the enactment date of the Regulations, devoted to such use. No nonconforming use shall be moved to another part of a Lot or structure or beyond a Lot or structure, and no structure containing a nonconforming use shall be moved unless such move will reduce or end the nonconformity.

b. **Alteration, Repair and Maintenance:** A structure devoted to or containing a nonconforming use shall not be enlarged, structurally altered or improved. Nothing in this provision shall be deemed to prohibit repair and maintenance of a structure or replacement of existing materials, including structural repairs necessary to the safety of the structure.

c. **Change in Use:** A nonconforming use may be changed only to a use which conforms to the zone. Once changed to a conforming use, no structure or use may revert to a nonconforming use. The new use shall conform to the applicable Zone Development Standards, and all other relevant requirements in these regulations.

d. **Replacement of Use:** If a conforming structure occupied by a nonconforming use is destroyed the use of such structure by that and no other nonconforming use shall be permitted.

e. **Abandonment of Nonconforming Use:** An intent to abandon a nonconforming use of a structure or land shall be demonstrated under any or all of the following conditions:

1. The use is replaced by a use in contravention of Section 4-12-3.c above.

2. The characteristic equipment and furnishings have been removed from the premises and have not been replaced by similar equipment and furnishings within six (6) months, except in the event that the structure is damaged.

3. The use is discontinued for twelve (12) months within an eighteen (18)-month period. The owner of the structure or parcel shall be required to prove to the Zoning Enforcement Officer's satisfaction that the use was not discontinued for such period of time. At minimum, the owner shall be required to show proof of active occupancy. If a legal nonconforming use ceases for a period of twelve (12) months, the Zoning Enforcement Officer may issue a notice to the property owner by certified mail, return receipt requested, stating that the property owner's intent to abandon the nonconforming use is presumed, and that the nonconforming use will be terminated unless the property owner submits an answer within thirty (30) days of the date the notice was issued. The answer shall indicate the property owner’s intention to resume the nonconforming use and shall describe the actions the property owner intends to take within ninety (90) days of submission of the answer to resume the nonconforming use.

Answers must be on forms provided by the Zoning Enforcement Officer. If no answer is submitted within thirty (30) days of the issuance of the notice, the nonconforming use will be terminated. If an answer is submitted, but the nonconforming use is not resumed within the ninety (90) days following submission of an answer, the nonconforming use shall be terminated at the end of that 90-day period. Once a nonconforming use is terminated, subsequent uses of the property must conform to the Zoning Regulations.

4. The use is discontinued for six (6) months during a one year period where nonconforming use is of land only and the entire site is vacant.

4-12-4 Nonconforming Structures: Nonconforming structures are governed by the following regulations:

a. **Expansion and Moving of Nonconforming Structures:** No nonconforming structure may be expanded unless the expanded portion of the structure complies with all general development standards for the zone and the expansion would not create an additional nonconformity. Nonconforming structures shall not be moved unless the move would reduce or eliminate the nonconformity.

b. **Alterations, Maintenance and Repair of Nonconforming Structures:** Nonconforming structures may be altered, maintained, repaired and improved in any way if the work done does not increase any existing nonconformity or create an additional nonconformity.

c. **Replacement of Nonconforming Structures:** When a nonconforming structure is damaged by any means beyond the control of the owner, the structure may be repaired or replaced to 100% if all of the following conditions apply:

1. Such repair or replacement does not increase the nonconformity.

2. Such repair is in compliance with all requirements of the Connecticut Basic Building Code.

3. Such repair is completed within a period of eighteen (18) months of the date of damage.

4. No nonconforming structure may be expanded unless the expanded portion of the structure complies with all general development standards for the zone and the expansion would not create an additional nonconformity.

b. **Use of Nonconforming Structures:** Nonconforming structures may be devoted to or contain any use allowed in the zones where they are located so long as all requirements specific to a particular use can be met in the existing structure or on the existing Lot.

4-12-5 Nonconforming Lots:

a. **Use of Nonconforming Lots:** Any nonconforming lot may be built upon so long as all use, density and coverage standards and all spatial standards other than minimum lot size and minimum frontage requirements are met.

b. **Minimizing Nonconformity of Lots:** If two or more adjoining lots of record, at least one of which is undeveloped, are in the same ownership, and any of these lots are made nonconforming by these Regulations or any amendment thereto, the parcels of land involved said lots shall be considered a single lot for purposes of applying these Regulations, and no portion of said lot shall be divided off, sold, or used in any manner which violates the lot size and frontage requirements of these Regulations.

c. **Pre-Existing Lots:** Any lawful pre-existing lot in any R-A Zone that is 50 feet in width and 100 feet in depth is considered a conforming lot under these Regulations for the purposes permitted in the zone in which it is located, even though such lot may not conform to minimum lot area requirements. Such lots are permitted to have one detached single-family dwelling as regulated herein. In no case shall occupancy exceed one household. Such lot shall not be required to obtain an area variance for lot size from the Zoning Board of Appeals.

4-12-6 Protected Nonconformities: Residential uses in any Residential Zone shall be considered "Protected Nonconforming Uses" (also known as "grandfathered") and are governed by the following regulations:

a. **Expansion of Protected Nonconforming Uses:** Any protected nonconforming use may be extended to any part of a structure or Lot devoted to such use, provided that the extension of nonconforming use does not create an additional nonconformity or additional residential units.

b. **Alteration and Enlargement:** Any structure devoted to or containing a nonconforming use may be structurally altered, improved and enlarged by up to 25 percent of the structure's existing floor area, provided that the structure, as expanded, complies with all the density, coverage, and spatial requirements of the zone.

Section 4-13 Stormwater Management Regulations

a. **Purpose:** The intent of the City of Bridgeport's comprehensive stormwater management program is to fulfill relevant state statutes, reduce soil erosion and sediment deposition resulting in water pollution and damage to land and resources, reduce damage from stormwater runoff; protect Long Island Sound's resources, ecosystems and habitats, minimize sediment pollution resulting from land development activities, and reduce pollutants from, detain, and/or retain, and provide a destination for stormwater to best preserve or mimic the natural hydrologic cycle, to accomplish the goals of reducing and controlling stormwater runoff, or to fit within the capacity of existing infrastructure.

b. **Authority:** Activities with the potential for stormwater impacts shall be controlled by the City of Bridgeport's official Stormwater Management Manual, as updated from time to time. The manual is issued by the City Engineering Department, with the assistance of the Water Pollution Control Authority. These agencies are responsible for reviewing

and approving the stormwater management component of applications before the Planning and Zoning Commission, or any other reviewing and approving body. The Planning and Zoning Commission, or other approval body, shall not issue an application approval until and unless the City Engineering Department and/or the Water Pollution Control Authority has granted final approval for the stormwater management component. The Planning and Zoning Commission, or other approval body, is not authorized to grant a waiver to the manual's requirements.

c. **Reference:** The City of Bridgeport's official Stormwater Management Manual, as updated from time to time, is incorporated into these regulations by reference.

ARTICLE 5 RESIDENTIAL ZONES

Section 5-1 Residential Base Zones

5-1-1 **Purpose:** Each residential base zone is designed and intended to establish the absolute priority of residential uses within the zone by prohibiting uses detrimental to residential neighborhoods and allowing, through special permit, with regulation of design, scale, and location, only those non-residential uses which support and give vitality to residential life. The residential base zones differ on the basis of density, predominant housing type, and range of non-residential uses. The differentiation among the residential base zones is designed and intended to provide for variety in the size and density of residential neighborhoods and to allow for a range of affordability in each housing type.

5-1-2 **Use Regulations:**

a. **Use Regulations:** See Table 1, Use Table for Residential Zones for all residential base zones.

b. **Use Categories:** See Table 5, Use Categories in Residential Zones.

5-1-3 **Zone Development Standards:**

a. **Zone Development Standards:** Zone development standards for all residential base zones are set forth in Table 3, Zone Development Standards for Residential Zones. Additional standards may be set forth as needed in other tables.

b. **Residential Density:** In all residential base zones, residential development must be in accordance with the residential density standard established for each zone. Residential density is expressed in terms of lot area required per dwelling unit built on a lot. Residential density varies by zone. The number of dwelling units that may be built on a given lot is a function of two factors: the lot size and the residential density of the zone. Residential density is to be distinguished from minimum lot area, which delimits the minimum area required in order for a lot to be built upon.

Section 5-2 Residential Single Family Zones (R-AA and R-A)

5-2-1 **Purpose:** The Residential Single Family (R-AA and R-A) Zones are designed and intended to preserve existing low-density residential neighborhoods by restricting residential density, limiting housing type to detached single family dwellings, certain compatible public and institutional facilities (i.e. schools, parks) and, where appropriate, community residential facilities (except in the case of those containing single room occupancy units) and by strictly limiting non-residential uses.

Section 5-3 Two Family and Three Family Zones (R-B and R-BB) Residential

5-3-1 Purpose: The Residential Two Family and Three Family (R-B and R-BB) Zones are designed and intended to encourage, vitalize and promote medium density residential neighborhoods by allowing a sufficient variety of housing types, including two and three family structures to meet differing residential needs and by encouraging neighborhood oriented retail and office establishments, and certain institutional uses such as community facilities, religious institutions, schools, daycare centers, and parks.

Section 5-4 Residential Multi-Family Zone (R-C)

5-4-1 Purpose: The Residential Multi-Family (R-C) Zone is designed and intended to provide residential neighborhoods with a safe and vital residential character by promoting a maximum variety of housing types, including multifamily structures, and by allowing a range of non-residential uses that will, when properly regulated, provide the services, recreational facilities, and opportunities for social interchange that enhance residential life.

Section 5-5 Residential High Density Zone (R-CC)

5-5-1 Purpose: The purpose of the Residential CC District is to allow residential densities higher than the R-C in relative proximity to transits hubs, employment centers and along transit corridors; to encourage and support transit usage; to aid sustainability and to establish pedestrian-friendly, walk-able neighborhoods.

5-5-2 Additional Standards:

a. **Site Plan:** A professional, certified site plan shall be submitted for all proposed development. The site plan shall recognize and respond to the existing neighborhood context as it relates to buildings, topography, existing landscaping, i.e. trees, the relationship to surrounding streets, vehicular and pedestrian access. An as-built (A-2 survey) is required at the completion of the project (Sec. 14-1-10).

b. **Urban Design:** With respect to project design, all proposed developments shall be cognizant of the existing urban fabric of the surrounding neighborhood and thereby produce plans that are compatible in all aspects relative to building height, floor area ratio, massing and scale, open space, architectural features, and historic preservation, where appropriate.

c. **Building Scale:** The building “street wall” shall meet the front setback lines, except for special entry features, architectural articulation and plaza areas or other public spaces. A building on multiple streets shall wrap the corners.

    1. Large building volumes shall be broken into a number of smaller components to decrease its apparent mass and volume, and thus reduce its visual impact. Reducing the visual impact of mass can be accomplished by creating building insets or projections, stepping back upper floors, varying the height of the roofline and repetitive architectural features and details.

    2. All buildings shall be designed such that they are compatible in scale and proportion with the neighborhoods.

3. Usable open space is encouraged to be incorporated into the design to break up the building massing as viewed from the street.

d. **Materials:**

1. All materials and details should be durable and of high quality to reinforce the overall building design.

2. Building facades shall incorporate at least two different materials.

3. When used only for windows, glass shall not count towards this requirement.

4. Transparent glass shall be used at the street level when the street level is occupied by a commercial use only, to encourage browsing and window shopping.

5. Faux treatments are not permitted.

e. **Building Facades:**

1. Facades shall incorporate varied architectural elements, especially at the street level, to provide for visual interest and pedestrian scale.

2. For retail uses, the first 10 feet of height above the public sidewalk elevation, the primary façade shall contain windows and/or doorways of transparent glass covering at least 70 percent of the wall length.

3. All windows on a building shall be related in design.

4. Upper story windows may be detailed with architectural elements, such as projecting sills, molded surrounds and/or lintels. Windows should maintain consistency in shape and location across the facade and should be harmonious with facades of adjacent buildings.

5. The base of all transparent openings shall be no more than 30 inches above the public sidewalk elevation.

f. **Entrances:**

1. Primary entries to ground floor retail areas shall occur from the main commercial street and should incorporate distinctive mass or architectural elements.

2. Primary entrances to upper-story uses shall be located between storefronts and should be accented by architectural elements such as sidelights and distinctive light fixtures. These entrances should be indicated by a recessed entrance, vestibule or lobby. Doorways should be recessed for privacy, but should be clearly expressed through awnings, high quality materials or other architectural treatments.

g. **Parking:**

1. Surface parking lots shall not be permitted between a public right-of-way and a principal building.

2. Structured parking should be wrapped at a minimum on the ground floor by active retail, office, residential or lobby uses on primary and secondary frontages unless such ground floor uses are prohibited by flood zone regulations. Any exposed portion of structured parking not wrapped by the above active uses shall be screened by landscaping or enclosed by a façade to screen the interior parking use. Parking structures are encouraged to be completely wrapped by commercial, office, or residential uses.

h. **Open/Outdoor Spaces: <u>Recommended</u>**

1. Outdoor dining adjacent to the sidewalk is to be encouraged.

2. New development is encouraged and may incorporate outdoor pedestrian spaces and courtyards.

3. Outdoor areas may be integrated into the site design of new developments, surrounding buildings and existing open spaces.

4. Outdoor areas may be visible from the sidewalk, and promote pedestrian orientation.

5. Outdoor pedestrian spaces may include both public and private improvements.

6. Open space may contain high-quality hardscape and softscape elements, such as strategically placed shade structures, fountains or art work.

7. Seating may be considered in the design of open space areas.

I. **Sustainability:** It is the City's desire to conserve our supply of natural resources and to minimize the demand for these resources. By setting these goals of sustainability, the City is taking steps to build value into the properties (durability, low operation and maintenance costs and high salvage value), the residents (better quality of environment, desirable amenities), the companies (higher productivity per employee, lower operating costs, lower employee recruiting costs) and the community (need less infrastructure, less overhead required to manage, deplete less finite resources and help investors attract other buyers).

ARTICLE 6 OFFICE / RETAIL ZONES

Section 6-1 Office/Retail Zones

6-1-1 **Purpose:** The Office/Retail Base Zones established by these Regulations are: Office/Retail (OR), Office/Retail-General (OR-G); and Office-Retail Regional (OR-R). The different Office/Retail base zones are intended to reflect the diversity of Bridgeport's commercial areas. The zones are distinguished by the uses allowed and the intensity of development allowed. Some of the zones encourage office/retail areas that are supportive of surrounding residential neighborhoods, while other zones allow office/retail areas which have a city-wide or regional market. The regulations are intended to promote uses and development which will enhance the economic viability of the specific office/retail zone and the city as a whole.

The following Design Standards are intended as an instrument to improve Office/Retail zones by:

1. Creating a safe, vibrant mixed-use urban district which is welcoming to businesses, residents and visitors.
2. Promoting diverse pedestrian and transit oriented development at street level.
3. Encouraging a variety of interesting design styles, features and amenities.
4. Promoting sustainable design and development practices consistent with LEED guidelines

6-1-2 **Use Regulations:**

a. **Use Regulations:** See Table 2, Use Table for Non-Residential Zones for all Office/Retail base zones.

b. **Use Categories:** See Table 6, Use Categories for Non-Residential Zones.

6-1-3 **Office/Retail Base Zone Development Standards:**

a. Zone Development Standards for Office/Retail (OR) and Office/Retail General (OR-G) zones are set forth in Table 4.B.

b. Zone Development Standards for the Office/Retail Regional (OR-R) zone are set forth in Table 4.A.

c. See **Table 4.I** for building dimension standards applicable in the OR & OR-G zones.

Additional standards may be set forth as needed in other tables.

6-1-4 Urban Design Guidelines: OR & OR-G Zones

Intent: Reinforce pedestrian activity, orientation to ground floor activities, and enhance liveliness of the street through building and parking location for Office/Retail (OR) and Office/Retail General (OR-G) zones.

a. **Building Siting:**

1. New development must be compatible with a street level design and shall serve to enliven the street and provide a continuous border of interest. Buildings shall be pedestrian-oriented and aligned to the sidewalk. If the property has more than one street frontage, the main elevation and primary entrance must front the primary street.

2. Locate the building at the sidewalk edge, front setback line or street lot line to maintain a continuous building wall with minimum interruptions only for permitted driveways. To accommodate outdoor seating for food establishments an additional 5 feet of front setback is allowed.

3. Minimum 75% of the building length must meet the front setback line, except for special entry features, angled building corners, architectural articulation, plaza areas or other public space created by the development.

4. Large parcels capable of supporting multiple buildings shall maintain a building wall along at least 60% of the length of the primary street frontage.

5. Single use multifamily structures shall provide a minimum 10' front setback of landscaped area.

b. **Parking** shall be located to the rear of the principal building, with suitable landscaped islands and perimeter landscaped screening. It shall be in compliance with the minimum parking stall dimensions, vehicle maneuvering space, aisle width and driveway width dimensions (See Section 11-1). For corner buildings, parking access shall be located on the secondary street. To reduce curb cuts shared access driveways are encouraged. (See Figure 6-A)

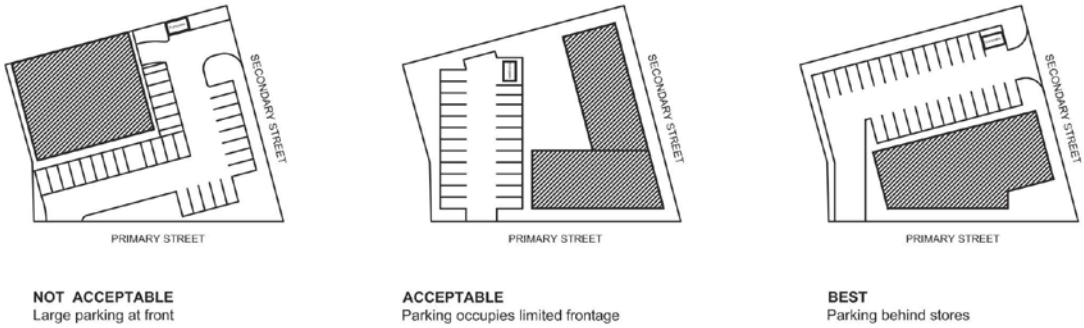


Figure 6-A BUILDING SITING AND PARKING LOCATION

c. **Parking structures** shall be situated below grade, integrated into the principal building behind active uses or located to the rear of the principal building and suitably screened from sensitive pedestrian views and adjacent residential buildings, with all exposed exterior walls faced with finished materials such as brick or masonry. Parking structures abutting residential zones shall have all walls designed as facades, compatible with the residential context.

d. **Lighting** shall be provided to ensure adequate and safe lighting of all pedestrian sidewalks, walkways and parking areas within the site and along the property frontage to the curb line. Lighting fixtures shall be appropriately shielded to prevent trespass lighting onto adjoining private property.

e. **Trash receptacles and mechanical equipment** shall be located away from the street and suitably screened by means of solid fencing or landscaping, or a combination of both. Landscape screening is encouraged over solid fencing (See Sections 11-8-4 and 11-8-5).

f. **Loading and Service Areas** are limited to secondary or tertiary streets. Primary street use is permitted only if there is no alternative street and cannot be accommodated in any other fashion.

g. **Screening & Fencing:** Fencing along side or rear yards or within a lot may be wood, steel pickets or any other approved fence type. Chain link, barbed wire or razor wire fencing shall not be permitted. The use of dense landscaping instead of solid fencing is encouraged (See Sections 11-1-13 and 11-3).

h. **Public Amenities** shall be provided if a front setback greater than 0' is selected. Such amenities include, but are not limited to, benches, trash receptacles, bike racks, artwork, planters, trees, and public charging stations.

Figure 6-B PUBLIC AMENITY SAMPLE IMAGES

i. The use of mulch or rocks shall be limited to the perimeter of planting areas and around trees. The use of such materials to cover large portions of the landscaping area shall not be allowed.

6-1-5 Architectural Design:

The architectural design of new buildings, substantial reconstruction and/or renovation projects shall be coordinated and compatible with the architectural context of the site and character of the surrounding neighborhood. Design compatibility includes forms, size, complementary building style, colors and materials. Multiple buildings on the same site shall be designed to create a cohesive visual relationship between the buildings. Continuous building walls shall be enhanced by and broken up with architectural features.

The City welcomes innovative designs that will enhance the existing public realm and create landmark buildings.

a. **Massing and Building articulation**: To improve the consistency of scale on the streets, new buildings should respond to the scale, proportion and placement of design features of buildings adjacent to them in order to fit within the urban fabric of the neighborhood. Such design features include cornice lines, colonnades, fenestration, and materials. Large building volumes shall be broken into a number of smaller components to reduce their perceived massing of the structure through building articulation and facades**.** On larger buildings, the rooflines of buildings can follow the variation in bay massing so as to appear as a series of side-by-side buildings or bays.

b. **Wall materials:** Street facing ground floor wall treatment shall be of high quality, durable material such as brick, stone, granite, metal, wood, and glass. The use of lesser quality materials, such as, but not limited to, Masonite paneling, sheet tile, simulated brick, pegboard, vinyl and aluminum siding, external insulation and finish systems, and plastic laminate on upper building levels will be assessed on a case-by-case basis at the Design Review. Consideration shall be given to incorporate similar building materials that are complementary to the best building materials used on nearby structures. Changes from lower to upper levels shall occur along a horizontal line, with the visually-heavier material below the visually-lighter material. Materials applied to one façade shall be extended around building corners to a logical break in plane, so as to look substantial rather than “pasted-on.” Exterior material samples shall be submitted with the Design Review application.

c. **Rooflines** shall be emphasized, for example, with gabled or other pitched roof forms, parapets, balustrades, and/or cornices. Buildings shall have varied roof lines and materials. Peaked, mansard and other sloping roof types are encouraged. Flat roofs shall be topped with cornices or decorative parapets.

d. **Height** of new buildings shall be a minimum of 2 stories and encouraged to be in accord with the height of taller adjacent structures, especially where buildings will adjoin or be close to each other. Corresponding building height can often be achieved by adjusting the height of a wall, cornice or parapet line to match that of the adjacent building. Similar design linkages can be achieved to adjust apparent height by placing

window lines, belt courses, and other horizontal elements in a pattern that reflects the same elements on neighboring buildings. Green Roofs are encouraged.

1. A parapet wall constructed to meet the minimum building height shall be constructed along all building sides not meeting the minimum height. A parapet is not required along that portion of a building which is within three feet of a taller adjacent building but must be constructed to wrap around the corner a minimum of ten feet for visual continuity.

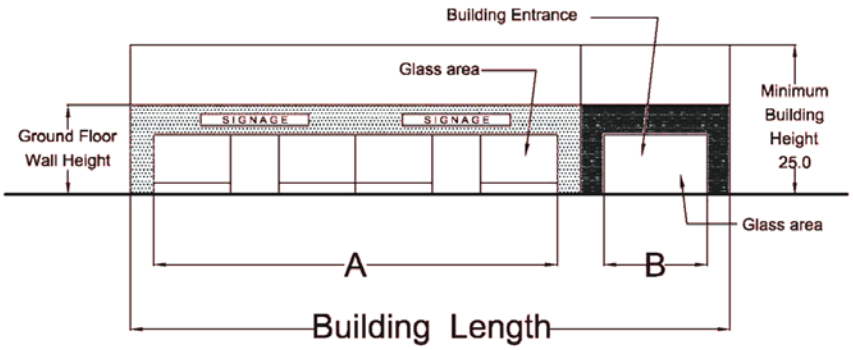
e. **Building facades** shall be articulated by using color, arrangement, or change in materials to emphasize the façade elements. The planes of the exterior walls may be varied in height, depth or direction. Long building facades shall be broken up into lengths of thirty feet (30') to forty feet (40') with sufficient building articulation and architectural features such as reveals, piers and landscaping in limited instances, to avoid a monotonous or overpowering institutional appearance. Large scale retail stores with building frontages exceeding thirty feet (30') shall include architectural details and design elements to create the appearance of multiple storefronts. Where side elevations of buildings are prominently exposed to pedestrian view from public streets, architectural strategies shall be employed to provide articulation of the façade.

f. **Street Level Design** shall serve to enliven the street and provide a continuous "border of interest" by maintaining storefronts and window displays close to the outermost edge of the building façade and by avoiding deep setbacks and dark alcoves. Storefront windows shall be kept as large as reasonably possible and glazing shall be of clear vision glass only. Tinted glass and reflective glass shall not be permitted. Where storefronts do not open to the street, building facades should be highly articulated with projections, recessions, windows, and other design elements to avoid blank, featureless areas.

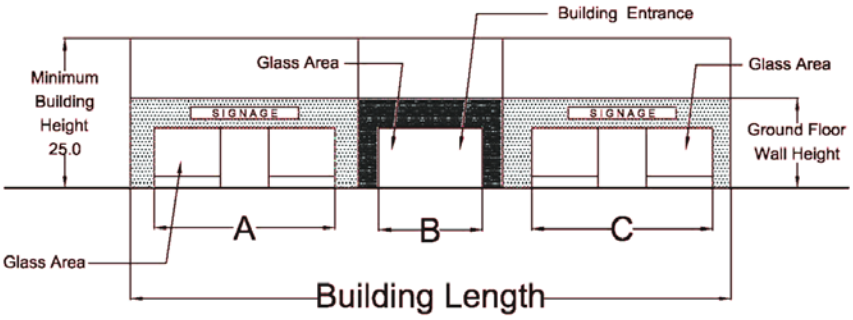
g. **Mixed Use Structures** shall provide at least 20% of the ground floor area of the building for commercial use. Such area shall be located along the primary street and shall meet the window requirements. If the proposed building is located on a corner property, the ground floor retail area shall be facing the primary street and continue to wrap around the corner. If both streets are commercial streets, the store front shall not only wrap around the corner but extend along the secondary street to provide continuity to the retail area.

h. **Required Minimum Window Area Coverage, Commercial:** Exterior walls on the primary street frontages, ground level, must contain windows of two-way (non-mirrored) glass for a minimum of 75 percent of the building length (length x 0.75) with window coverage at 50 percent of street wall area [(length x height) x 0.5]. Side/Secondary street windows must contain a minimum of fifty (50%) percent of building length (length x 0.5) with window coverage at forty (40%) percent of street wall area [(length x height) x 0.4]. Ground floor windows shall have a minimum height of six feet (6') with a window sill of not more than two feet (2') above grade (See Figure 6-C).

Figure 6-C WINDOW COVERAGE



Minimum Window Length Distribution = 75% Building Length
Minimum Window Coverage = 50% (Ground Floor Height x Building Length)
A+B = 0.5 (Height x Length)



Minimum Window Length Distribution = 75% Building Length
Minimum Window Coverage = 50% (Ground Floor Height x Building Length)
A+B+C = 0.5 (Height x Length)

1. **Qualifying Window Features:** Required window areas must be windows that allow views into retail stores, working areas or lobbies. Window areas may be used for merchandise display.

2. No use regulated in accordance with Table 6.6.1 shall be conducted in any manner that permits the observation of any material depicting, describing, or relating to specified sexual activities or specified anatomical areas, from any public way or from property not used as an adult entertainment facility. This shall include any display, decoration, sign, show window, or other opening.

i. **Window Requirements, Multifamily structures** shall be residentially-scaled double-hung, casement or other multi-paned styles. Fixed glass windows shall not be used for residential units.

j. **Rooftop mechanical equipment** shall be integrated into the design of the building and set back at least 15 feet from all roof edges parallel to street lot lines, and must be effectively screened from view from street level.

k. External roll down shutters shall not be permitted in OR and OR-G zones. Any necessary **security grills** shall be located inside the shop windows, and shall not be solid. Preferred security systems are glass shock or breaker sensors, or electronic alarms. Barbed wire and razor wire are prohibited.

Section 6-2 Office/Retail Zone (OR)

6-2-1 **Purpose:** The purpose of the Office/Retail (OR) Zone is to comply with the adopted Comprehensive Plan's recommendation for a zone to allow a mix of commercial, office, retail, and residential uses within the zone and within individual structures in areas that are served by arterial roads and are developed or are in the process of developing a commercial character, and where the local streets are predominantly residential. The Office/Retail (OR) zone is also intended to preserve and enhance established commercial areas in or near residential neighborhoods so that nearby residents can make use of small-scale retail and service uses. New development shall be compatible with a street-side, storefront character. The zone allows a wide range of retail, service and business uses with a local market, but restricts such uses in size to promote a local orientation and to limit adverse impacts on nearby residential areas. Development is intended to be pedestrian-oriented, with buildings close to and oriented towards the sidewalk (especially at corners), and compatible with the scale of surrounding residential areas. Parking areas are strictly regulated in order to promote compatibility with the character of surrounding residential development and the intended pedestrian orientation of the uses.

Section 6-3 Office/Retail General Zone (OR-G)

6-3-1 **Purpose:** The purpose of the Office/Retail General (OR-G) Zone is to comply with the adopted Comprehensive Plan's recommendation for a zone to allow a mix of predominantly auto-accommodating commercial, office, and retail development and residential uses within the zone and within individual structures, in areas already predominantly developed for this use. The zone allows a full range of retail and service businesses with a large local or city-wide market. Development is expected to be generally auto-accommodating, with access from major traffic ways. The zone's development standards are intended to promote an open and pleasant street appearance; development that is aesthetically pleasing for motorists, pedestrians and the businesses themselves; and compatibility with adjacent residential areas.

Section 6-4 Office/Retail Regional Zone (OR-R)

6-4-1 **Purpose:** The purpose of the Office/Retail Regional (OR-R) Zone is to comply with the adopted Comprehensive Plan's recommendation for a zone to allow a mix of commercial, office, retail, and residential uses within the zone and within individual structures, where the scale of the non-residential uses attracts clientele from outside the city and produces significant automobile traffic. Such uses include office parks, major shopping centers, sports facilities, and theater and entertainment complexes. Industrial uses are limited to avoid adverse effects different in kind or amount from office/retail uses and to ensure that they do not dominate the character of the commercial area. Development standards are intended to promote compatibility with adjacent uses and neighborhoods.

6-4-2 Additional Standards: The following standard (s) applies in the Office/Retail Regional zone:

a. **Building Siting:**

1. New development must be compatible with a street-side, storefront character. Buildings shall be pedestrian-oriented and aligned to the sidewalk.

2. Minimum 70% of the building length must meet the front setback line, except for special entry features, architectural articulation, plaza areas or any other public space existing or created by the development.

3. Buildings along multiple streets must meet the front setback line along all streets to a minimum of 70% of building length. Angled building corners or open plazas are encouraged.

   a. If the property has more than one street frontage the building must front the primary street or streets.

   b. Regulations related to required percentage of window coverage and qualifying window features apply to commercial uses on all sides facing the street.

b. **Ground Floor Windows:**

1. **Required Amounts of Window Area:** Exterior walls on the primary street frontages, ground level, must contain windows of two-way (non- mirrored) glass for a minimum of 75 percent of the building length (length x 0.75) with window coverage at 50 percent of street wall area [(length x height) x 0.5]. Side/Secondary street windows must contain a minimum of 40 percent of building length (length x 0.4) with window coverage at 30 percent of street wall area [(length x height) x 0.3].

2. **Qualifying Window Features:** Required window areas must be either windows that allow views into retail stores, working areas or lobbies. Up to 50 percent of required window areas may be used for merchandise display, except no display shall be permitted in a use regulated in accordance with Table 6.6.1.

3. No use regulated in accordance with Table 6.6.1 shall be conducted in any manner that permits the observation of any material depicting, describing, or relating to specified sexual activities or specified anatomical areas, from any public way or from property not used as an adult entertainment facility. This shall include any display, decoration, sign, show window, or other opening.

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ARTICLE 7 INDUSTRIAL ZONES

Section 7-1 Industrial Base Zones

7-1-1 **Purpose:** The industrial base zones established by these Regulations are Industrial Heavy (I-H) Zone and Industrial Light (I-L) Zone. Each zone is intended to reserve appropriately located areas for predominantly industrial uses and to protect these areas from intrusion by dwellings and other inharmonious uses. The zones are intended to promote the economic viability of the city's industrial areas and to provide standards to assure safe, functional, efficient and environmentally sound operations. Differentiation among the zones is intended to provide appropriate areas for industrial uses of different character, intensity or impact while minimizing potential conflicts among land uses.

7-1-2 **Use Regulations:**

a. **Use Regulations:** See Table 2A, Use Table for Non-Residential Zones for the industrial base zones.

b. **Use Categories:** See Table 6 for Use Categories for Non-Residential Uses.

7-1-3 **Zone Development Standards:** Zone development standards for the industrial base zones are set forth in Table 4A, Zone Development Standards for Non-Residential Zones.

Section 7-2 Industrial-Heavy Zone (I-H)

7-2-1 **Purpose:** The Industrial Heavy (I-H) Zone is intended to reserve appropriate areas of the city for those industries which due to impacts in terms of such characteristics as dust, traffic, hazards, appearance or intensity of industrial development are not desirable in or adjacent to non-industrial areas. Development and performance standards are intended to recognize the operational needs of high impact industries while setting minimum standards to promote safe, functional, efficient and environmentally sound development and operation.

Section 7-3 Industrial-Light Zone (I-L)

7-3-1 **Purpose:** The Industrial-Light (I-L) zone is intended to promote a concentration of industrial uses having minimal off-site impacts. The zone is intended to be an area where most industrial uses may locate, but where development and performance standards which are stricter than those of the Industrial Heavy Zone will promote uses which are compatible with non-industrial areas. Development and performance standards are designed to promote a viable and attractive industrial area and to minimize potential land use conflicts. Non-industrial uses are intended to be limited to uses that are most directly supportive of industry.

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ARTICLE 8 MIXED USE ZONES

Section 8-1 Mixed Use Base Zones

8-1-1 **Purpose:** The mixed use base zones established by these regulations are Mixed Use Educational/Medical (MU-EM) Zone and Mixed Use Light Industrial (MU-LI) Zone. Others may be created from time to time by the Planning & Zoning Commission. The mixed use zones are intended to preserve and encourage the development of certain areas of Bridgeport with a mixture of compatible land uses. The regulations are intended to promote a balanced combination of these uses to create dynamic urban neighborhoods that enhance the economic vitality and livability of the city.

8-1-2 **Use Regulations:** Use regulations for the mixed use base zones are set forth in Table 2, Use Table for Non-Residential Zones.

8-1-3 **Zone Development Standards:** Zone development standards for all mixed use zones are set forth in Table 4, Zone Development Standards for Non-Residential Zones.

Section 8-2 Mixed Use Educational/Medical Zone (MU-EM)

8-2-1 **Purpose:** The Mixed Use Educational/Medical (MU-EM) Zone is intended to allow controlled expansion of major educational and medical institutions and related uses, while discouraging displacement of existing residents. Restrictions on the size and type of nonresidential uses are intended to discourage demolition of residences and to retain the existing scale of areas with major institutions.

8-2-2 **Use Regulations:** Use regulations for the Mixed Use Base Zones are set forth in Table 2, Use Table for Non-Residential Zones. As needed, use categories are presented in Table 6, Use Categories for Non-Residential Zones.

8-2-3 **Zone Development Standards:** Zone Development Standards for all Mixed Use Zones are set forth in Table 4, Zone Development Standards for Non-Residential Zones. Additional standards may be set forth as needed in other tables.

Section 8-3 Mixed Use Light Industrial (MU-LI)

8-3-1 **Purpose:** The Mixed Use Light Industrial (MU-LI) zone is intended to allow a mix of commercial, office, retail, and light industrial uses within areas that have compatible industrial uses or have the potential for such.

8-3-2 **Use Regulations:** Use regulations for the Mixed Use Base Zones are set forth in Table 2, Use Table for Non-Residential Zones. As needed, use categories are presented in Table 6, Use Categories for Non-Residential Zones.

8-3-3 **Zone Development Standards:** Zone Development Standards for all Mixed Use Zones are set forth in Table 4, Zone Development Standards for Non-Residential Zones. Additional standards may be set forth as needed in other tables.

Section 8-4 Mixed Use Waterfront (MU-W)

8-4-1 **Purpose:** The intent of the Mixed Use Waterfront Zone (MU-W) is to enable owners of large contiguous undeveloped or underdeveloped properties bordering Long Island Sound or Bridgeport Harbor to develop those properties with a mixture of residential, commercial, and entertainment uses. A key factor of this district is the degree of flexibility accorded to the developer, the goal of which is to foster large-scale developments responsive to the market place and beneficial to the city. The regulations are designed to encourage developments that contain residential and commercial use in one building or complex of buildings, on a qualifying parcel. This zone is intended to allow increased density of residential use in high-rise buildings, with access to Long Island Sound or to Bridgeport Harbor, to provide new housing opportunities in the city, together with non-residential use providing for locally oriented retail, service and office uses, to encourage water related or water dependent uses, as separate uses or as are accessory to a residential use, and to support bus transit.

8-4-2 **Establishment of a Mixed Use Waterfront Zone:**

a. **Eligible Property:** Eligible Property means:

1. One or more parcels of land constituting a contiguous tract of real property that is ten (10) acres or more in area, which tract does not include any land designated as R-AA, R-A, RB or RBB. For the purposes of this Section 9-3-2, a property is deemed a contiguous tract of real property even if it is divided by public or private roads or rights-of-way located in the city and even if one or more parcels within such tract are at the time of application owned by, or are proposed to be owned by, a governmental agency or authority;

2. The tract shall abut a principal street, such as Park Avenue, Main Street, State Street, etc.; and

3. The tract shall border Long Island Sound, Black Rock Harbor, Cedar Creek or Bridgeport Harbor south of Stratford Avenue for a distance of at least five hundred (500) feet and such proposed uses must include a water-dependent use component.

b. **Eligible Applicant:** An applicant is defined as a party, its heirs, administrators, successors and assigns whose interest in the designated area is as a property owner(s) or the holders of options or agreements to acquire said property.

c. **Application:** An eligible applicant shall make application to the Planning and Zoning Commission of the City to have the zone designation of the eligible property re-zoned as a Mixed Use Waterfront Zone.

d. **Re-Zone Required:**

1. In order to establish a Mixed Use Waterfront Zone, the applicant must demonstrate to the Planning and Zoning Commission that:

i. The infrastructure surrounding the proposed Mixed Use Waterfront Zone is sufficient or would be made sufficient to accommodate the long-term development proposed in the Zone;

ii. The contemplated overall development of the site cannot be achieved under any of the other existing zone designations in the city; and

iii. The contemplated MU-W is consistent with the objectives and policies of the Master Plan in effect at the time of the submittal of the MU-W application.

8-4-3 MU-W Procedure: The approval of MU-W designation for an Eligible Property requires the following procedure:

a. Submission of MU-W application,

b. Public hearing by the Planning and Zoning Commission on the MU-W application, and

c. Decision by the Planning and Zoning Commission on the request to re-zone the Eligible Property to MU-W.

8-4-4 General Development Plan:

a. The intent of the MU-W District is to enable owners of properties in that district to develop those properties in accordance with a comprehensive plan, to be known as a General Development Plan (GDP), and in accordance with a Detailed Development Plan(s) (DDP). A key factor of this district is the degree of flexibility accorded to the developer, the goal of which is to foster the large-scale developments responsive to the marketplace and beneficial to the city.

b. The procedures for GDP and DDP review and approval are set out in Section 14-5 and Section 14-6 respectively.

8-4-5 Other Permits: Approval of a MU-W Zone designation by the Planning and Zoning Commission does not imply or grant acceptance of any other permits or approvals required by the project from the Commission or any other entity. All projects covered by the MU-W designation shall be responsible for obtaining any and all necessary permits and approvals from Inland Wetlands and Watercourses, Coastal Area Management (CAM) (including but not limited to Storm Water Discharge Permits), Bridgeport Redevelopment Agency, Port Authority, Harbor Management, City Council, State, and/or Federal entities, and any and all other approvals as may be required or necessary. All residential improvements within the MU-W must comply with all Federal, State and local laws, rules and regulations regarding construction within flood hazard areas and flood zones.

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ARTICLE 9 FLOATING, OVERLAY AND OTHER ZONES

Section 9-1 Zoological Park Zone (ZP)

9-1-1 **Purpose:** To allow for a zoological park for the purpose of exhibiting animals and other related educational activities. All buildings and structures, existing at the time a property is re-zoned to a Zoological Park Zone shall be deemed to conform to the requirements contained herein. New buildings and structures or enlargements to existing buildings and structures shall comply with the requirements of these regulations.

9-1-2 **Use Regulations:** Use regulations for the Zoological Park Zone are set forth in Table 2, Use Table for Non-Residential Zones.

a. **Permitted Uses:** No building or premises shall be used and no building shall be erected or structurally altered except for use as and for a zoological park by a non-profit corporation or organization, the municipality or other governmental entity which use includes but is not limited to, animal habitats and exhibits as defined in Section 2-2 of these regulations and the permitted accessory uses listed in Use Table 2. All uses existing at the time a property is re-zoned to Zoological Park Zone shall be deemed as permitted uses.

b. **Use Conditions:** All applications to the Planning and Zoning Commission for new exhibits, structures, buildings, and/or alterations to any existing building, exhibit or structure shall comply with the requirements of Section 413 (Environmental Protection Regulations), Section 14-2 (Site Plan Review), where applicable Section 14-4 (Special Permit), Section 11-8, General Performance Standards, and Table 6, Use Categories for Non-Residential Uses where applicable, as well as any other relevant requirement in these Regulations. In addition to the requirements and standards set forth in Sections 4-13, and
14-2, all new exhibits, structures, buildings and structural alteration to any existing building, structure or exhibit, shall be subject to the following conditions and safeguards:

1. Exterior lighting shall be provided by the applicant at parking areas, buildings entrances and elsewhere, required for safety of vehicular and pedestrian traffic.

2. No use shall be approved by the Planning and Zoning Commission unless the zoo has suitable access to an adequate major collector, arterial street, or authorized driveway and is accessible by public transportation.

3. There shall be adequate provision made for the management and disposal of animal and other wastes and for the control of vectors.

4. There shall be adequate provision for off-street parking and loading for cars, buses and delivery vehicles, as per Sections 11-1 and 11-2.

Provided the zoological park is accessible by public transportation, the minimum number of parking spaces for cars and buses shall not be less than five (5) per gross acre of land or as provided in Section 11-1, Off-Street Parking.

5. No dwelling units, except for a caretaker, shall be permitted.

c. All such uses shall be subject to and operated in compliance with all applicable Federal, State and City regulations.

9-1-3 **Zone Development Standards:** Zone Development Standards for the ZP zone are set forth in Table 4, Zone Development Standards for Non-Residential Zones.

9-1-4 **Additional Standards:** See Table 7and Table 8 for Additional Standards, as relevant.

9-1-5 **Site Plan Review:** Site plan review, as per Section 14-2, by the Planning and Zoning Commission shall be required for all new buildings, structures and exhibits. Any expansion or enlargement of an existing, building, structure, or exhibit constituting less than twenty (20) percent of the existing building, structure or exhibit shall not require Site Plan Review.

Section 9-2 Historic Overlay Zone (O-H)

9-2-1 **Purpose:** The Historical Overlay (O-H) zone is established by these regulations. The overlay zone is intended to foster important and irreplaceable resources. The regulations are intended to promote a balance between the need to protect the resource and the potential for development that will enhance the economic vitality and livability of the city. The Historic Overlay (O-H) Zone is intended to recognize the establishment of the City's local Historic Districts (see Section 24102 et seq. of the Code of Ordinances) and to promote the public interest in having the full and informed participation of the City's Historic District Commissions in the hearing of zoning applications potentially affecting the city's historic resources. To fully meet this objective, the Historic Overlay Zone may include properties that are proximate to, but not within, one of the Historic Districts established by the Code of Ordinances. The procedures established by this Article 9 are intended to ensure that the City's Historic District Commissions are specifically notified of all applications before the Planning and Zoning Commission or the Zoning Board of Appeals respecting property within or proximate to the City's local Historic Districts.

9-2-2 **Notice:** Within five days of the receipt of any application by the Zoning Board of Appeals or the Planning and Zoning Commission respecting property within a Historic Overlay Zone, the receiving agency shall mail notice to the chairpersons of the City's Historic District Commissions informing them of the pendency of such application.

9-2-3 **Certificate of Appropriateness:** As provided by Section 7-147d of the General Statutes, and notwithstanding any uses otherwise permitted under an applicable Base Zone classification, no Building or structure within an Historic District may be erected, altered, demolished or removed and no area within an Historic District may be used for industrial, commercial, business, home industry or occupational parking until a certificate of appropriateness has been issued for such activity by the Historic District Commission with jurisdiction over that Historic District. This requirement applies only to properties within the City's Historic Districts. It does not apply to properties within a Historic Overlay Zone which are not also part of the underlying Historic District, as established by the Code of Ordinances.

Section 9-3 Planned Development District (PDD)

9-3-1 Purpose: The intent of the Planned Development District (PDD) is to enable owners of large contiguous undeveloped or underdeveloped properties to develop those properties in accordance with a comprehensive plan, to be known as a General Development Plan (GDP) and in accordance with a Detailed Development Plan(s) (DDP), which will allow a specific mixture of residential, commercial, industrial and entertainment uses, which may be supportive of bus transit. A key factor of this district is the degree of flexibility accorded to the developer, the goal of which is to foster large-scale developments responsive to the market place and beneficial to the city.

9-3-2 Use Regulations:

a. **Use Regulations.** Use regulations for the Planned Development District are set forth in Table 2, Use Table for Non-Residential Zones.

b. **Additional Use Standards:**

1. Institutional uses shall be limited to 15,000 gross square feet or less, except for museums.

2. Adult entertainment and detention facilities shall not be permitted.

3. The Planning and Zoning Commission may approve other uses proposed by the Applicant.

9-3-3 Establishment of a Planned Development District:

a. **Eligibility:**

1. **Eligible Property:** Eligible Property means one or more parcels of land constituting a contiguous tract of real property exceeding twenty-five (25) acres in area, which tract does not include any land designated as R-AA or R-A. For the purposes of this Section 9-3-3, a property is deemed a contiguous tract of real property even if it is divided by public or private roads or rights-of-way located in the city and even if one or more parcels within such tract are at the time of application owned by, or are proposed to be owned by, a government agency or authority.

i. At the discretion of the Planning and Zoning Commission, out-parcels may be included in the rezoning action to create a regularly-shaped development area and improved transition between the rezoned area and its surroundings. The Commission may not require such out-parcels to be included in the Applicant's GDP and DDP.

2. **Eligible Applicant:**

   i. An applicant is defined as a party, its heirs, administrators, successors and assigns whose interest in the designated area is as a property owner(s); the holders of options or agreements to acquire said property; a designated redeveloper of the Bridgeport Redevelopment Agency or Housing Site Development Agency after the area has been duly adopted as a designated redevelopment area; or parties who have entered into a development agreement with the City of Bridgeport or its Redevelopment Agency.

   ii. However, in any event, if the applicant is a non-owner of the real estate, the applicant must obtain ownership within eighteen (18) months after obtaining approval of the General Development Plan for the PDD per Section 14-5, or the PDD approval is vacated, unless the applicant is under contract with the City to develop or acquire the property.

3. **Application:** An Eligible Applicant shall make application to the Planning and Zoning Commission of the City to have the zone designation of the Eligible Property re-zones as a Planned Development District.

b. **Re-Zone Requirements:**

1. In order to establish a Planned Development District, the applicant must demonstrate to the Planning and Zoning Commission that:

   i. The infrastructure surrounding the proposed Planned Development District is sufficient or would be made sufficient to accommodate the long term development proposed in the District;

   ii. The contemplated overall development of the site cannot be achieved under any of the other existing zone designations in the city; and

   iii. The contemplated PDD is consistent with the objectives and policies of the Master Plan in effect at the time of the submittal of the PDD application.

c. **PDD Procedure:**

The approval of PDD designation for an Eligible Property requires the following procedure: i) submission of PDD application, ii) public hearing by the Planning & Zoning Commission on the PDD application, and iii) decision by the Planning & Zoning Commission on the request to re-zone the Eligible Property to PDD.

1. **Concurrent Process:** If the applicant chooses to initiate the GDP application process (see Section 14-6) concurrent with the PDD process, then the Planning & Zoning Commission may review the applicant's GDP supporting documentation, as per Section 14-6, in order to make its findings in support of its decision on the requested re-designation. As the GDP approval process requires a public hearing, the Planning & Zoning Commission may, in consultation with the applicant,

schedule concurrent public hearings on the PDD and GDP applications. In that case, the Planning & Zoning Commission shall conclude the PDD public hearing and render its decision on the requested PDD re-designation prior to closing the GDP public hearing and rendering its decision on the GDP application. Such concurrent public hearings are not required; the Planning & Zoning Commission may conduct and close the PDD hearing before conducting the GDP public hearing.

2. **Sequential Process:** If the applicant chooses to request the PDD re-designation entirely independent of any GDP application, the applicant shall provide to the Planning & Zoning Commission a report that is sufficiently detailed, in the opinion of the Commission, to enable the Commission to make its findings in support of its decision on the requested PDD re-designation. Such report shall contain at minimum a Statement of Intent on the part of the applicant regarding site development on the Eligible Property, to include land uses, approximate densities and square footages of the uses, and public amenities. When and if a GDP application is submitted for the re-zoned property, the Planning & Zoning Commission shall have the right to refuse to accept an application that does not comply with the aforementioned Statement of Intent.

3. **Other Permits:** Approval of a Planned Development District zone designation by the Planning & Zoning Commission does not imply or grant acceptance of any other permits or approvals required by the project from the Commission or any other entity. All projects covered by the PDD designation shall be responsible for obtaining any and all necessary permits and approvals from Inland Wetlands and Watercourses, Coastal Area Management (CAM) (including but not limited to Storm Water Discharge Permits), Bridgeport Redevelopment Agency, Port Authority, Harbor Management, City Council, State, and/or Federal entities, and any and all other approvals as may be required or necessary. All residential improvements within the PDD must comply with all Federal, State and local laws, rules and regulations regarding construction within flood hazard areas and flood zones.

9-3-4 Zone Development Standards:

a. The applicant shall, as a part of the GDP approval process, propose, and the Commission shall establish the zone development standards applicable in the PDD. The zone development standards submitted by the applicant shall be in lieu of General Development standards set forth in these Bridgeport Zoning Regulations and any successor legislation. See Section 14-5.

Section 9-4 Incentive Housing Overlay Zone (O-IH)

a. **Purpose:** The Incentive Housing Overlay Zone (O-IH) is designed to encourage and promote the development of affordable housing in the city's downtown as well as other areas of the city contiguous to downtown or otherwise served by bus transit or within walking distance of its transportation assets and quality of life amenities.

b. **Boundaries:** The Incentive Housing Overlay Zone shall be applied to all parcels within the downtown (bounded on the north by Catherine Street/ East Washington Avenue, on the east by the Pequonnock River, on the south by the railroad tracks and Whiting Street between Broad Street and Main Street, and on the west by the Route 8/25 connector) and the Broad Street and Main Street corridors (from the railroad tracks in the north to Long Island Sound in the south and consisting of all properties between Main Street and Broad Street and one property deep west of Broad Street and one property deep east of Main Street). The O-IH Zone also applies to parcels owned by the University of Bridgeport and those of utility companies located within the above described boundaries.

c. **Eligibility:** All development located within the boundaries of these zones as described in subsection (b) of this regulation shall be eligible for the incentives described in subsection (d) of this regulation pending that each development:

1. Contain a residential component.

2. Set aside a minimum of twenty (20) percent of all allowable residential units as affordable.

3. That these units must be made available to qualifying households making no more than eighty (80) percent of the area median income.

4. That these affordable restrictions be placed on these units for a period of no less than thirty years.

5. May exceed minimum requirements in subsections 2 through 4 without penalty.

d. **Incentives:** All development located within the boundaries of these zones as described in subsection (b) of this regulation and meeting the eligibility requirements as described in subsection (c) of this regulation shall receive a twenty-five (25) percent density bonus in the number of allowable residential units able to be developed on any applicable parcel.

e. **Funding Mechanism:** Subject to availability of funds, the State Secretary of the Office of Policy and Management shall make a zone adoption payment to the City of Bridgeport.

Section 9-5 Commercial Village Overlay District (CVOD)

9-5-1 Purpose: The purpose of the Commercial Village Overlay District is to encourage pedestrian oriented mixed-use development in the City. The provisions of this overlay zone are intended to:

1) Encourage new development and rehabilitation of existing structures in a manner in keeping with the character of the area in accordance with Connecticut General Statute Section 8-2j, Village Districts.

2) Preserve sites and buildings of unique historical and architectural value. The Commercial Village Overlay District imposes additional requirements beyond those of the underlying zone in cases where additional safeguards are necessary.

9-5-2 Commercial Village Overlay Standards Applicability

a) New Development:

All new developments shall follow all requirements of Article 9-5, Commercial Village Overlay District

b) Pre-Existing Development:

i. Sites that expand the existing floor area by more than 50 percent shall fully comply with all requirement of Article 9-5.

ii. Disturbance to more than 50 percent of the site requires full compliance with Site Landscape Standards.

iii. Disturbance to more than 50 percent of an existing structure façade requires full compliance with building standards.

9-5-3 Permissible Uses:

Uses allowed in the Commercial Village Overlay District are those for the underlying zone set forth in Table 2.A.

9-5-4 Zone Development Standards:

a) The development standards applicable in the Commercial Village Overlay District are set forth in Table 4.A.

b) In case of conflict between the development standards set forth in Table 4.A and the Commercial Village District Overlay Standards set in Article 9-5, the later shall govern.

9-5-5 Standards:

1. Site Plan:

A site plan shall be submitted for all proposed development under Section 9-5-2. The site plan shall recognize and respond to the existing neighborhood context as it relates to buildings, topography, existing landscaping, i.e. trees, the relationship to surrounding streets, vehicular and pedestrian access. An as-built (A-2 survey) is required at the completion of the project. See Section 14-1-10.

All applications for new construction and substantial reconstruction within the district and in view from public roadways shall be subject to review and recommendation by an architect or architectural firm, landscape architect, or planner who is a member of the American Institute of Certified Planners selected and contracted by the Planning and Zoning Commission or City of Bridgeport and designated as the village district consultant for such application, per CGS Section 8-2j(d). In the event that Zoning staff do not have said credentials the applicant shall bear the cost of hiring a professional or professional firm to provide the review and recommendation necessary.

2. Streetscape Standards:

a) Street Trees: Street trees are recommended along each side of the road in planting strips or in tree wells at the maximum average interval of 30 feet on center.

b) Street Furniture: At least one bench per 50 feet of frontage of eating establishments and civic attractions is recommended.

c) Awnings: Awnings, canopies or arcades are recommended on all commercial street frontages to provide consistent and continuous pedestrian protection from the elements, to the extent feasible. Awnings and canopies may encroach maximum setbacks and public right of way by a maximum of 4', but not extend beyond the curb line.

d) Public Art: Well-placed public art is encouraged as means to create 'sense of place' and foster creativity. Graffiti or tagging is not considered as 'public art' under these regulations.

3. Site Design Standards:

a) The maximum principle building setback from the lot line shall be between 0-10' or prevailing on all sides.

b) Most of the building "streetwall" shall meet the front setback lines, except for special entry features, architectural articulation, and plaza areas or other public spaces.

c) Buildings shall be oriented to have their front facades and primary pedestrian entrances face the primary street that is most designated for pedestrian activities.

d) All circulation patterns shall be designed to minimize curb cuts. Adjoining properties may be required to share or coordinate curb cuts, service alleys and other features to achieve this standard.

e) Commercial uses shall reduce potential nuisances to adjoining residential property by locating trash enclosures, loading areas, and restaurant vents away from residential uses and by proper screening of utilities and equipment. Commercial uses developed as part of a mixed-use project (with residential units) shall not be noise intensive.

f) Areas for outdoor storage, loading areas, trash collection, or other such service areas shall not be visible from abutting streets.

g) Drive-through buildings or drive-through windows shall not be permitted.

h) Fences, with or without masonry piers shall be decorative and shall not exceed a height of four (4) feet. Chain link fences are not permitted.

4. Site Landscaping:

A 5 foot minimum landscaped buffer shall be provided between a commercial or mixed-use structure and an adjoining residential parcel unless the type of building use calls for a wall to be located along the property line and the wall(s) include a sound-reducing design.

5. Building Standards:

a) Building Scale:

i. All buildings shall be designed such that they are compatible in scale and proportion with the existing structures, in order to fit within the urban fabric of the neighborhood.

ii. Large building volumes shall be broken into a number of smaller components to decrease its apparent mass and volume, and thus reduce its visual impact.

b) Building Facades:

i. Building facades shall incorporate varied architectural elements, especially at the street level, to provide for visual interest and pedestrian scale. Long expenses of blank walls are not permitted.

ii. For retail uses, the first 10 feet of height above the public sidewalk elevation, the primary façade shall contain windows and/or doorways of transparent glass covering at least 70 percent of the wall length.

iii. For retail uses, the base of transparent openings shall be no more than 30 inches above public sidewalk elevation.

iv. Entries to ground floor retail areas shall occur from primary commercial corridors and should incorporate distinctive architectural elements.

v. All multi-family residential buildings are encouraged to feature individual residence entries for ground floor units facing the primary street.

vi. External roll down shutters shall not be permitted. Any necessary security grills shall be located inside shopping windows.

c) Building Height:

Site context and surrounding building types shall play a critical role in determining appropriate building height. The building Height-to–Street width ratio shall not exceed 1:1. For new building heights greater than 45', a step back of 15' is required on principle building elevation after 45' of building base height.

6. Parking:

a) Comply with Table 8.A.

b) Surface parking lots shall not be permitted between a public right-of-way and a principal building.

c) Structured parking shall be wrapped at a minimum on the ground floor by active retail, office, residential or lobby uses on primary and secondary frontages unless such ground floor uses are prohibited by flood zone regulations. Any exposed portion of structured parking not wrapped by the above active uses shall be screened by landscaping or enclosed by a façade to screen the interior parking use. Parking structures are encouraged to be completely wrapped by commercial, office, or residential uses.

ARTICLE 10 DOWNTOWN VILLAGE DISTRICTS

Section 10-1 Purpose

10-1-1 Revitalization: To promote the continued revitalization of Downtown Bridgeport as a transit-oriented, vibrant live/work neighborhood with a dense urban character that embodies the principles of smart growth by:

a. Encouraging the development of market-rate and affordable housing at an urban density in existing and new downtown buildings;

b. Providing for office employment and retail sales and service businesses that are complementary to the downtown setting;

c. Establishing Lafayette Boulevard as a premier corridor for the development of large-scale business offices;

d. Reinforcing the green, moderately scaled and historic qualities of the civic core on and surrounding Lyon Terrace and Golden Hill Street;

e. Creating a regulatory framework to encourage a dynamic live/work/play environment that serves as an economic driver for the city as a whole;

f. Providing incentives to promote energy efficient and environmentally sound building construction;

g. Creating a critical mass of residential population in the downtown to ensure the economic health of retail stores and entertainment;

h. Promoting walkability, social interaction, and safety through the use of urban design features;

i. Promoting a downtown as a destination for unique shopping, entertainment, and dining in a highly urban setting; and

j. Creating a rail-linked mixed-use environment conducive to walking, biking, use of bus transit, and transit commuting and non-commuting trips.

10-1-2 Design: To provide for high-quality design in new construction by ensuring that:

a. The scale, proportions, massing, and detailing of proposed buildings are compatible with the scale, proportion, massing and detailing of urban buildings in the district;

b. The buildings and their layout and included site improvements reinforce existing buildings and streetscape patterns and the placement of buildings and included site improvements assure there is no adverse impact on the districts;

c. Open spaces within the proposed development reinforce open space patterns of the district, in form and siting;

d. Locally significant feature of the site such as distinctive buildings or sight lines of vistas from within the district are integrated into the site design;

e. The landscape design complements the district's urban character; and

f. The exterior signs, site lighting, and accessory structures are compatible with the surrounding urban context.

Section 10-2 Permissible Uses

The uses permissible in the Downtown Village Districts are set forth in Table 2.B, Downtown Village Districts.

Section 10-3 Zone Development and Building Dimension Standards

The zone development standards applicable in the Downtown Village Districts are set forth in Table 4.B, Zone Development Standards for Downtown Village Districts.

Section 10-4 Additional Standards

a. **Building Dimensions:** See Tables 4.C through 4.G for Building Dimension Standards applicable to each Downtown Village District.

b. **Street Hierarchy:** See Figure 10.A for the street hierarchy in effect within the Downtown Village Districts.

c. **Off-Street Parking:** See Table 8.B for parking standards within the Downtown Village Districts.

Section 10-5 FAR Bonuses

Zoning lots within the DVD-Core, DVD-BLVD, DVD-TOD, DVD-WF, and NCVD zones shall be eligible for the bonuses set forth below:

10-5-1 Green Building Design: A building designed to meet LEED (see below for definition) Silver or equivalent shall receive a development bonus of 0.5 FAR. A building designed to meet LEED Gold or equivalent shall receive a development bonus of 0.625 FAR. A building designed to meet LEED Platinum or equivalent shall receive a development bonus of 0.75 FAR. The developer shall provide plans certified by a licensed professional whose fees shall be paid by the developer indicating that the development will meet the criteria set forth above to the Planning and Zoning Commission to receive approval with bonus.

Issuance of a certificate of occupancy shall be contingent upon certification by a licensed professional that said development was completed according to plan submitted for zoning approval. LEED (Leadership in Energy and Environmental Design) is certification program of the U.S. Green Building Council that provides technical and criteria-based standards for environmentally sustainable design, construction, and operation. The program includes a building rating system for new construction for use by designers, builders, developers, and building owners. LEED standards, and their equivalent from other sources, are aimed at providing objective criteria for green building design, which is the practice of increasing the efficiency with which buildings use energy, water, and material resources while reducing building impacts on human health and the environment during the building's lifecycle.

10-5-2 **New Public Open Space:** A portion of a zoning lot that is developed as a public open space having frontage on a public street or public pedestrian way, beyond those areas required by the zone development standards (excepting that new waterfront access required within the DVD-W shall remain eligible), shall result in one square foot of additional development for each one square foot of public open space. Passive open space must include ample seating and shade to ensure usage. Ample shall be defined at the discretion of the planning commission. Said open space shall be open to the public for unrestricted pedestrian movement and reasonable use and signage shall prominently be displayed indicating that the area is available for public use. An additional bonus shall be provided for the provision of permanent public art (consisting of any form of art deemed acceptable by the Planning and Zoning Commission and any other appropriate municipal authorities, located outside of the building, and displayed in a prominent position within the open space) or water feature (consisting of a fountain, cascade, stream, water sculpture or reflection pond serving as a focal point for pedestrian activity located outside the building and in operation no less than eight months of each year). For every $100.00 (one hundred dollars) of installed cost of public art or water feature the developer shall receive a bonus of ten (10) square feet. Appraisal value of the public space construction costs and art and/or water feature installation costs shall be confirmed by independent review of a qualified expert, reporting to the commission, whose fee shall be paid by the applicant.

10-5-3 **Rehabilitation of Existing Open Space:** A developer may receive development bonuses for offsite improvements to public open spaces within the downtown. For every $100.00 (one hundred dollars) invested in existing public open spaces, according to plans approved by the Planning and Zoning Commission and other appropriate municipal authorities, a developer shall receive a bonus of ten (10) square feet. Appraisal value of the construction costs shall be confirmed by independent review of a qualified expert, reporting to the commission, whose fee shall be paid by the applicant.

10-5-4 **Direct Pedestrian Connection to a Public Parking Garage:** A portion of a zoning lot that contains a direct pedestrian connection to publicly accessible parking providing not less than two-hundred (200) publicly accessible parking spaces shall result in a development bonus of one square foot for each one square foot of pedestrian connection. The pedestrian connection shall consist of

a. hallway, landscaped alley or other access route at grade that does not cross a street, alley or private driveway and shall provide a shortened walking connection to major pedestrian destinations. The width of said access way shall not be less than twelve (12) feet, shall be handicapped accessible, and suitably signed, lighted, maintained, and open to the public for consistent hours as the hours of operation of the parking garage.

Section 10-6 Transfer of Air Rights

Zoning lots within the DVD-Core, DVD-BLVD, DVD-TOD, and DVD-WF zones shall be eligible air rights receiving sites as defined by the following conditions:

10-6-1 Air rights may be transferred from a property with any of the Downtown Village Districts certified as historic by the National Historic Registry, the State of Connecticut, or identified as locally historic in the "Bridgeport Historic Properties Report," as updated.

10-6-2 Receiving parcels within the DVD-Core zone must be located within a maximum distance of five-hundred (500) feet from sending parcel center point to receiving parcel sending point. Air rights can be transferred to parcels within the DVD-BLVD, DVD-TOD, and DVD-WF zones from any sending parcel within the Downtown Village Districts.

10-6-3 The air rights transfer shall be recorded in the deed of both the property from which the air rights were transferred and that to which the air rights were transferred. Once the air rights of a property are sold, the maximum building mass allowable on that property shall be permanently reduced by the amount of the air rights transferred. The recording instrument shall include both a textual and graphic depiction of the permitted building envelope on each property following the transfer.

10-6-4 If a building from which air rights were transferred is subsequently demolished, the air rights shall remain with the property to which they were transferred.

10-6-5 Air rights may be transferred between properties in common ownership, including adjoining properties in common ownership, and between different portions of a single property. Air rights may also be transferred between properties not in common ownership, or between public and private entities.

10-6-6 Public proceeds from the sale of air rights above publicly owned historic structures shall be entered into a revolving fund to support the rehabilitation of publicly owned historic structures with priorities for investment to be set by the city.

10-6-7 **Proof of Unused Development Potential:** The Planning and Zoning Commission shall require proof of the unused development potential on the sending historic site. The applicant for the proposed receiving site shall demonstrate to the Commission's satisfaction the unused development potential, under current zoning, on the sending historic property, not including bonuses (if any are applicable) in order to demonstrate the square footage that may be transferred from the sending site to the receiving site.

Section 10-7 Design Requirements and Guidelines

10-7-1 Retail shall be required on the ground floor of all primary frontages in the DVD-Core and DVD-TOD zones, not to the exclusion of lobbies and entrances.

10-7-2 A minimum of sixty (60) percent of the street-facing building facade between two (2) feet and ten (10) feet in height shall be comprised of windows that allow views of indoor nonresidential space or product display areas on all primary and secondary frontages.

10-7-3 External roll down shutters shall not be permitted in the DVD-Core, DVD-BLVD, DVD-TOD, DVD-WF or DVD-Civic zones. Any necessary security grills shall be located inside the shops windows.

10-7-4 Buildings must have a primary entrance door facing a public sidewalk or plaza. There shall be at least one door for every seventy-five (75) feet of primary and secondary frontages.

10-7-5 Surface parking shall not be permitted between any building and a primary or secondary street.

10-7-6 Structured parking shall be wrapped at a minimum on the ground floor by active retail, office, or lobby uses on primary and secondary frontages. Any exposed structured parking shall be screened by landscaping or false facade to mask the interior parking use. Parking structures are encouraged to be completely wrapped by buildings.

10-7-7 Driveway access and loading docks shall be located along tertiary frontages, or may be located along a secondary frontage if no tertiary frontage is available. Driveway access shall not be permitted on a primary frontage. A loading dock may only be located on a primary frontage if there is no alternative frontage and deliveries cannot be accommodated in any other fashion.

10-7-8 All building services, including but not limited to trash and recycling storage, shall be located along tertiary frontage, or may be located along a secondary frontage if no tertiary frontage is available. Services shall only be located on a primary frontage if there is no alternative frontage and building services cannot be accommodated in any other fashion. In all instances, these services shall be screened from adjacent properties and from the pedestrian realm with fencing or landscaping.

10-7-9 Drive-through buildings or drive-through windows as an accessory use shall not be permitted in the DVD-Core, DVD-BLVD, or DVD-Civic, DVD-TOD, or DVD-WF zones.

10-7-10 Tunnels, skyways, or other connection above or below grade shall be prohibited from connecting two structures across a public right-of-way.

10-7-11 Horizontal and vertical articulation shall be provided on all sides of buildings visible from public rights of way to create visual interest.

10-7-12 Reflective surface building materials shall be prohibited excepting solar panels.

10-7-13 **Wall Materials:** Wall treatments shall be of high quality, durable materials such as brick, stone, granite, metal, masonry and glass. The same architectural language, details and integrity of the building design shall be maintained on all elevations. Elevation design shall maintain a coherent composition, and must include details and select materials that are relevant to the scale of the building and are consistent with the best material of the dominant overall Downtown context, architectural strategy and neighborhood compatibility. Changes from lower to upper levels may occur along a horizontal line with the visually heavier material below the visually lighter material. Building design and wall material selection will be assessed at the Design Review stage (Section 14-12) allowing the applicant to adjust the proposal for a favorable recommendation. Exterior material samples shall be submitted with the Design Review application.

10-7-14 The Planning and Zoning Commission may adopt a detailed set of non-binding design guidelines for the DVD districts to provide applicants, commissioners and the public with additional guidance in the preparation and evaluation of plans, the location of significant buildings, and the design of key sites.

Section 10-8 Parking

10-8-1 See Section 11-1 for Off-Street and Shared Parking regulations for all Downtown Village Districts. See Table 8.B for parking standards within the Downtown Village Districts.

Section 10-9 Street Hierarchy

10-9-1 Figure 10.A shows the street hierarchy in effect within the Downtown Village Districts.

Section 10-10 Neighborhood Center Village District (NCVD)

10-10-1 **Purpose:** The Neighborhood Center Village District is designed to promote the continued revitalization of Bridgeport in areas of the city contiguous to downtown or otherwise served by bus transit or within walking distance of the transportation assets and quality of life amenities of downtown at densities less than those allowed in the DVD-Core and DVD-TOD zones including:

a) Encouraging the development of market-rate and affordable housing at a lesser urban density in existing and new buildings;

b) Providing for office employment and retail sales and service businesses that are complementary to the neighborhood setting;

c) Creating a regulatory framework to encourage a dynamic live/work/play environment that serves as an economic driver for the neighborhood and for the city as a whole;

d) Providing incentives to promote energy efficient and environmentally sound building construction;

e) Creating a critical mass of residential population to ensure the economic health of retail stores, restaurants and similar uses;

f) Promoting walkability, social interaction and safety through the use of urban design features;

g) Creating a mixed-use environment conducive to walking, biking and use of bus transit.

10-10-2 Design: To provide for high-quality design in new construction by ensuring that the scale, proportions, massing, and detailing of proposed buildings are compatible with the scale, proportion, massing and detailing of urban buildings allowed in the DVD-Civic zone and otherwise meet the design objectives set forth below:

a) Open spaces within the proposed development reinforce, or are compatible with, open space patterns of the neighborhood, in form and siting;

b) Locally significant features of the site such as distinctive buildings or sight lines of vistas from within the neighborhood are integrated into the site design;

c) The landscape design complements the neighborhood's urban character;

d) The exterior signs, site lighting, and accessory structures are compatible with the surrounding urban context; and

e) Placement of site improvements, including buildings, do not have a material adverse impact on the neighborhood.

10-10-3 Permissible Uses: The uses permissible in the NCVD zone are the same as those permitted in the DVD-TOD zone set forth in Table 2.B.

10-10-4 Zone Development and Building Dimension Standards: The zone development and building dimension standards applicable in the NCVD zone are set forth in Table 4.B for NCVD.

10-10-5 Additional Standards:

a) **Building Dimensions:** The building dimension standards as set forth in Table 4.H are applicable to the NCVD zone.

b) **Off Street Parking:** See Table 8.B for parking standards applicable to the NCVD zone. Section 11-1 is also applicable.

c) **FAR Bonuses:** The provisions of Section 10-5 are applicable to the NCVD zone. At grade parking, including parking within the building footprint, shall not be included in determining FAR.

d) **Design Requirements and Guidelines:** The street hierarchy in effect within the DVD zone shall not apply to the NCVD zone unless shown on Figure 10.A. If there is no street hierarchy, all street frontages shall be treated as secondary frontage.

In instances where conflicts may arise between the standards specified in section 10-10-5 of Zoning Regulations and the City Code Chapter 15-44-150 of Flood Damage Prevention Standards, the standards of Chapter 15-44-150 shall take precedence.

I. Building Scale

a) All buildings shall be designed such that they are compatible in scale and proportion with the existing structures, in order to fit within the urban fabric of the neighborhood.

b) Large building volumes shall be broken into a number of smaller components to decrease its apparent mass and volume, and thus reduce its visual impact.

II. Streetscape Standards

a) Street Trees: Street trees are recommended along each side of the road in planting strips or in tree wells at the maximum average interval of 30 feet on center.

b) Street Furniture: At least one bench per 50 feet of frontage of eating establishments and civic attractions is recommended.

c) Awnings: Awnings, canopies or arcades are recommended on all commercial street frontages to provide consistent and continuous pedestrian protection from the elements, to the extent feasible. Awnings and canopies may encroach maximum setbacks and public right of way by a maximum of 4', but not extend beyond the curb line.

d) Public Art: Well-placed public art is encouraged as means to create 'sense of place' and foster creativity. Graffiti or tagging is not considered as 'public art' under these regulations.

III. Facades

a) Building facades shall incorporate varied architectural elements, especially at the street level, to provide for visual interest and pedestrian scale. Long expenses of blank walls are not permitted.

b) For retail uses, the first 10 feet of height above the public sidewalk elevation, the primary façade shall contain windows and/or doorways of transparent glass covering at least 70 percent of the wall length.

For retail uses, the base of transparent openings shall be no more than 30 inches above public sidewalk elevation. In floodplain areas where the lowest floor of the retail uses is elevated to meet the flood damage prevention standards, the transparency requirements shall be measured from the Base Flood Elevation (BFE) + 1' elevation rather than the sidewalk elevation.

c) Entries to ground floor retail areas shall occur from primary commercial corridors and should incorporate distinctive architectural elements.

d) All multi-family residential buildings are encouraged to feature individual residence entries for ground floor units facing the primary street.

e) In floodplain areas, when flood resistant construction require raising the lowest floor, design features that promote vibrant streetscape shall be incorporated into the building street elevation. A planting buffer with shrubs or trees, combined with other façade treatments such as vertical articulation shall be used to mitigate limited ground-floor activity.

f) External roll down shutters shall not be permitted in the NCVD zone. Any necessary security grills shall be located inside shop windows.

IV. Parking

a) Surface parking shall not be permitted between any building and a primary or secondary street.

b) Structured parking shall be wrapped at a minimum on the ground floor by active retail, office, residential or lobby uses on primary and secondary frontages unless such ground floor uses are prohibited by flood zone regulations. Any exposed portion of structured parking not wrapped by the above active uses shall be screened by landscaping or enclosed by a façade to screen the interior parking use. Parking structures are encouraged to be completely wrapped by commercial, office, or residential uses.

V. Services

a) Loading docks shall be located along tertiary frontages, or may be located along a secondary frontage if no tertiary frontage is available. A loading dock may only be located on a primary frontage if there is no alternative frontage and deliveries cannot be accommodated in any other fashion.

b) All building services, including but not limited to trash and recycling storage, shall be located along tertiary frontage, or may be located along a secondary frontage if no tertiary frontage is available. Services shall only be located on a primary frontage if there is no alternative frontage and building services cannot be accommodated in any other fashion. In all instances, these services shall be screened from adjacent properties and from pedestrian walkways with fencing or landscaping.

VI. Drive-Through

a) Drive-through buildings or drive-through windows as an accessory use shall not be permitted in the NCVD zone.

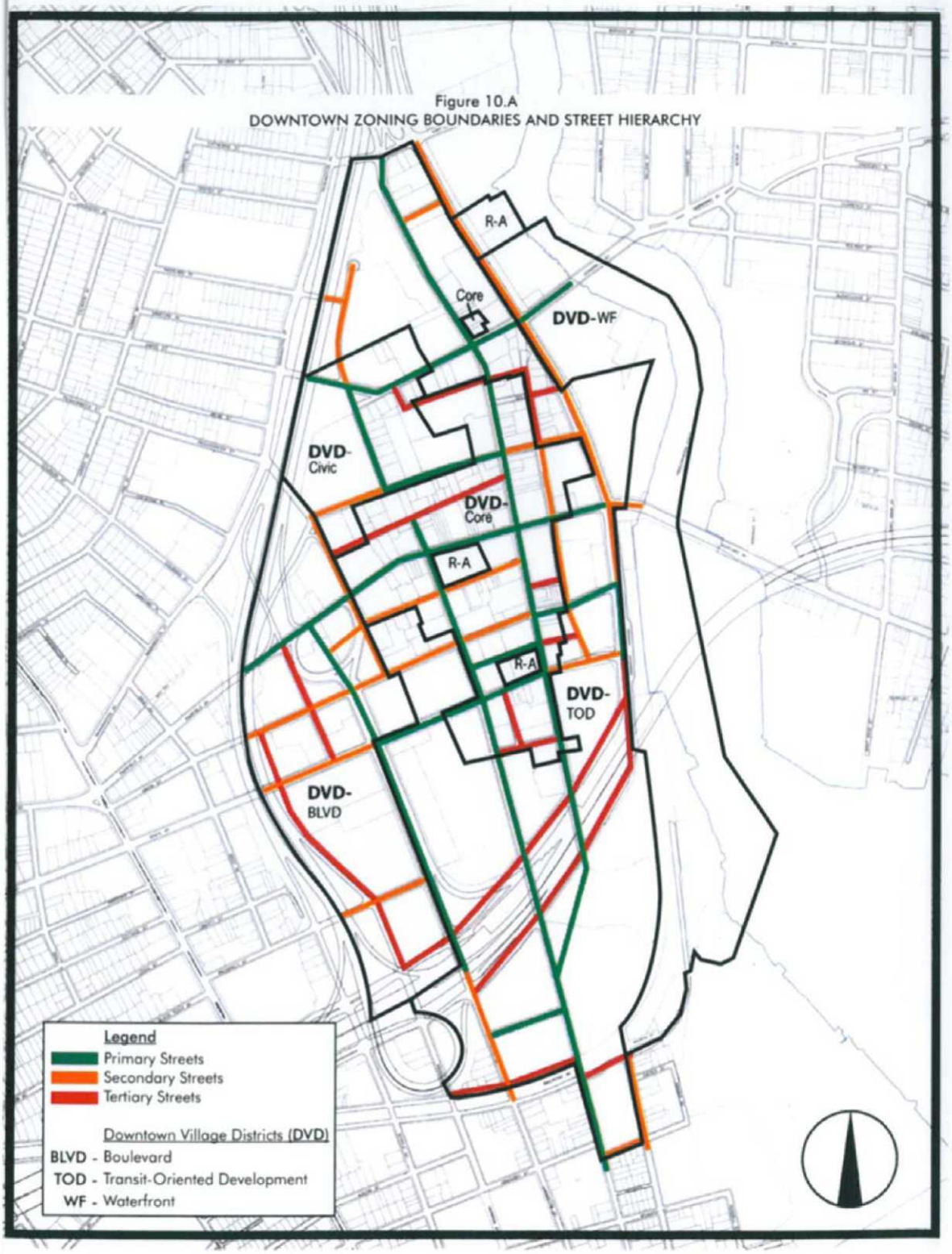
Figure 10.A
DOWNTOWN ZONING BOUNDARIES AND STREET HIERARCHY
R-A
Core
DVD-WF
DVD-
Civic
DVD-
Core
R-A
R-A
DVD-
TOD
DVD-
BLVD
Legend
Primary Streets
Secondary Streets
Tertiary Streets
Downtown Village Districts (DVD)
BLVD - Boulevard
TOD - Transit-Oriented Development
WF - Waterfront

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ARTICLE 11 SUPPLEMENTAL STANDARDS

Section 11-1 Off-Street Parking and Shared Parking

11-1-1 Applicability: The off-street parking requirements set forth in this Section 11-1 apply to all off-street parking uses, whether required by these Regulations, or in excess of the requirements of these Regulations; whether accessory to the principal use of a site, or operated as a commercial enterprise. Minimum off-street parking requirements do not apply to the following zones: OR; OR-G; DVD-CORE; DVD-CIVIC; DVD-WF; DVD-BLVD and abutting NCVD; DVD-TOD and abutting NCVD.

11-1-2 Required Parking Spaces: Except for reductions allowed pursuant to an approved Transportation Management Plan, Sections 11-1-17, or pursuant to a Transportation Management Fund, Section 11-1-17, or pursuant to Shared Parking Regulations, Section 11-1-16, off-street parking spaces must be provided in accordance with the minimum requirements set forth in Table 8.A or Table 8.B, Minimum Off-Street Parking Requirements for any new building constructed and for any new use established. Off-street parking spaces in addition to existing off-street parking spaces must be provided for any expansion of an existing Building or use, or any change of occupancy or manner of operation that would, under minimum standards found in Table 8.A or 8.B, require such additional parking spaces.

a. **Temporary Parking:** The Planning and Zoning Commission may allow temporary parking on a case by case basis. Such parking shall be supplemental to an allowed principal use. Such parking may not be required to be paved. Such parking, if allowed, shall have the time period stated in the final approval conditions.

11-1-3 Occupancy of Structures Requiring Off-Street Parking: All required parking areas must be completed and surface parking areas must be landscaped prior to occupancy of any structure, or a bond must be posted to ensure completion of landscaping prior to the issuance of a Certificate of Zoning Compliance. See Section 11-3-1 for landscaping standards.

11-1-4 Use of Required Parking Spaces: Required parking spaces must be maintained for the duration of the use requiring the spaces. Required spaces shall be used exclusively for the temporary parking of passenger motor vehicles or light trucks and must be available for the use of residents, customers, and employees of the use requiring the parking spaces. Fees may be charged for the use of required parking spaces. Required parking spaces for one site may not be assigned in any way to a use on another site unless such assignment is made pursuant to an approved Shared Parking Plan, Section 11-1-16. Required parking spaces may not be used for the parking of equipment, the storage or display of goods, or the storage or repair of inoperable vehicles.

11-1-5 Proximity of Parking to Use: Required parking spaces for residential uses must be located not more than a 500-foot radius from a main entrance to the structure for which the parking is provided. Except when valet parking is provided pursuant to Section 11-1-7, or a shuttle service is provided pursuant to an approved Transportation Management Plan, Sections 11-1-17, required parking spaces for

non-residential uses must be in parking areas located not more than a 1,000-foot radius from a main entrance to the structure served by the parking.

11-1-6 Parking may be located within a required setback, when so indicated by Table 7, Additional Standards for Supplemental Uses on Lots in All Zones.

11-1-7 Street Level Parking: Parking that is located at the street level underneath a building must be separated from the primary street frontage by an occupiable space. This requirement is not applicable in floodplain areas where flood damage prevention standards apply. In these areas, parking shall be screened by landscaping or enclosed by a façade to screen the interior parking use.

11-1-8 Stacked (Tandem) or Valet Parking:

a. **Non-Residential Uses:** For non-residential uses, valet parking is allowed by special permit if an attendant is present to move vehicles. A covenant must be filed on the City land records obligating the property owner to have an attendant available at all times that the lot is in operation. The requirements for minimum spaces and all parking area development standards apply for such parking. Area on a lot set aside for vehicle queuing or display shall not be counted towards the required parking count. Vehicle lifts can be used to achieve vertically stacked parking.

b. **Residential Uses:** For single- and two-family dwellings, stacked parking (also known as tandem parking) shall be allowed as a standard accessory use, if no more than two cars are so parked in each stack for each driveway serving the structure.

11-1-9 Computation of Parking Spaces: For purposes of computing the minimum required parking spaces pursuant to Section 11-1-2 and Table 8.A and Table 8.B, Off-Street Parking Requirements, the following rules apply:

a. When computing parking spaces based on floor area, areas used for parking are not counted.

b. Where calculations yield a fractional result, fractions of 0.5 or greater shall be resolved to the higher whole number.

c. Mixed-use development parking shall be determined as the sum of parking requirements of the individual uses.

11-1-10 Accessible Parking Spaces for Persons with Disabilities: For change of use or new construction, (a) where parking spaces are provided for the self parking of vehicles by employees or visitors to a site or use, or (b) where required parking spaces for residential uses exceeds three (3) spaces, parking spaces accessible for persons with disabilities shall be provided in accordance with the minimum ratios set forth in Table 9, Required Accessible Parking Spaces, and with federal and state laws which contain requirements and specifications for parking spaces accessible to the disabled or handicapped. Property owners and operators of uses on property shall have the responsibility of determining their compliance with federal and state laws, as those laws may from time to time be amended. Required Accessible Parking Spaces may count as Required Parking Spaces for purposes of Section 11-1-2, Required Parking Spaces.

11-1-11 Parking Space and Vehicle Maneuvering Space and Aisle Dimensions: All required parking spaces must comply with the minimum dimensions for spaces stated in Figure 11.A.

11-1-12 Driveways: Driveways for commercial facilities and multi-family dwellings (4+) must have a minimum width of twelve (12) feet for one-way traffic and twenty (20) feet for two-way traffic. Driveways may have two-foot (2-foot) flares at the curb line, and must be designed to minimize the number and width of curb cuts. Please refer to City Ordinance, Section 12.08.030, Restrictions as to Driveways for additional information on driveway approaches at the property line.

11-1-13 Improvements:

a. **Pavement:** In order to control dust and mud, all vehicle areas must be paved.

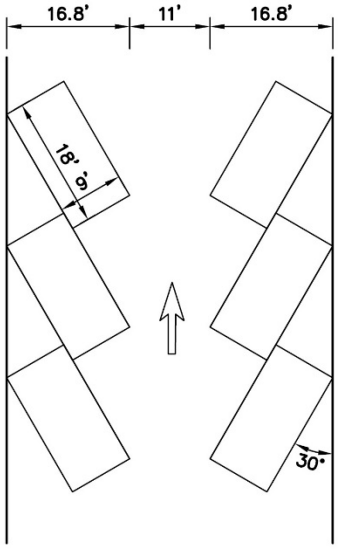
b. **Striping:** All parking areas must be striped in accordance with the dimension standards shown in Figure 11.A.

c. **Drainage:** Surfacing, curbing and drainage improvements on all parking and loading facilities must be sufficient to provide adequate drainage and to preclude the free flow of water onto adjacent properties and public rights-of-way. Stormwater management on site shall conform to Section 4-13, Environmental Protection Regulations.

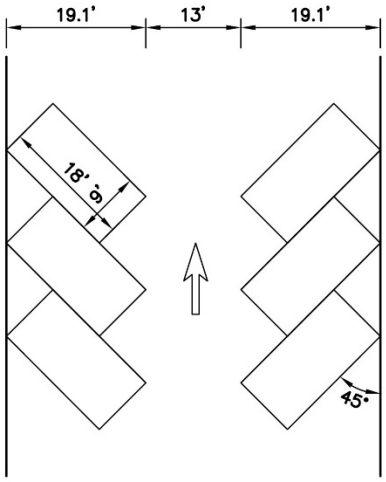
d. **Lighting:** Illumination for parking and loading areas must be designed to reflect away from adjacent residential uses.

[Section 11-1-14, Landscaping found on page following Figure 11.A

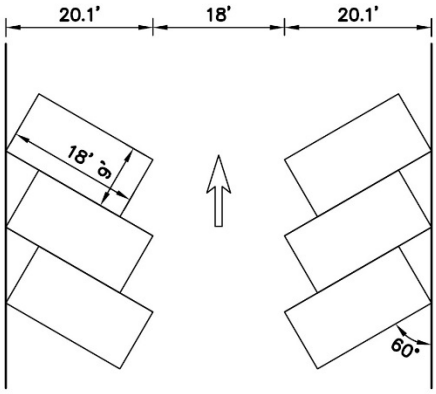
Figure 11-A PARKING AREA DIMENSIONS (For Standard-size Vehicles)



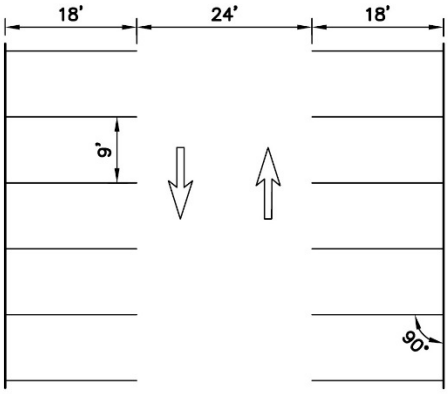
30° PARKING



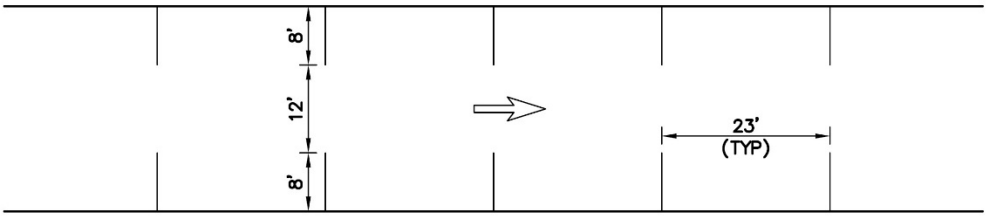
45° PARKING



60° PARKING



PERPENDICULAR (90°) PARKING



PARALLEL PARKING (ONE WAY)

Landscaping:

a. All surface parking areas greater than 2,500 square feet or with more than 10 spaces must contain interior landscaping.

   1. For parking areas of less than 20,000 square feet, one square foot of interior landscaping must be provided for every fifteen (15) square feet of parking or maneuvering surface.

   2. For parking areas greater than 20,000 square feet, at least one square foot of interior landscaping must be provided for every ten (10) square feet of parking or maneuvering surface. At least one Landscape Tree, as defined by Section 11-3, must be maintained for every two-hundred (200) square feet of landscaped area. Shrubs or ground cover plants must cover the remainder of the landscaped area.

b. Surface drives, maneuvering space and parking facilities must conform to the minimum landscaping and screening requirements of Table 11-1-13, below.

Table 11-1-14

Minimum Parking Area Setbacks and Perimeter Landscaping

LOCATION	All Zones Except I-L	I-L
Lot line abutting street	5 ft. @ L2 or 10 ft. @ L1	10 ft. @ L2 or 15 ft. @ L1
Lot line abutting an OR, MU or I-Zoned Lot	5 ft. @ L2 or 10 ft. @ L1	5 ft. @ L2 or 10 ft. @ L1
Lot line abutting an R-Zoned Lot	5 ft. @ L3	10 ft. @ L3

c. All landscaping must comply with the standards of Section 11-3, Landscaping and Screening. Trees and shrubs must be fully protected from potential damage by vehicles.

d. Interior parking area landscaping must be dispersed throughout the parking area. Some trees may be grouped, but groups of trees must be dispersed.

e. Perimeter landscaping may not substitute for interior landscaping, except as provided in Section 11-1-14c. However, interior landscaping may join perimeter landscaping as long as it extends four feet or more into the parking area from the perimeter landscape line.

f. Parking areas that are thirty (30) feet or less in width may locate their interior landscaping around the edges of the parking area. Interior landscaping placed along an edge is in addition to any required perimeter landscaping.

g. Uses that park and/or store trucks and equipment outdoors shall be required to provide landscaping that screens such trucks and equipment as well as the required on-site parking spaces, as per Table 11-1-13.

11-1-15 Parking decks: No parking may be provided in parking decks unless the structure containing such parking conforms to the following requirements:

a. **Structure:** Deck structure visible from the street must be horizontal rather than sloping.

b. **Screening:** Screening or other improvements must be made so that parked vehicles are shielded from view at each level of the parking structure.

c. **Conformance to bulk and landscaping requirements:** The parking structure must conform to all setback, height, bulk and landscaping requirements for Buildings within the zone in which the structure is located. If the rooftop is to be used for parking, the roof deck shall be treated as a surface parking lot for purposes of the minimum interior landscaping requirement of Section 11-3, Landscaping and Screening. Any area devoted to hanging gardens, however, may be subtracted on a square foot basis from required interior landscaping. Ornamental trees may be substituted for required Landscape Trees on roofs of parking structures.

d. **Limits:** Parking is permitted in a structure on the ground level of the structure, or within a space which extends from street level upwards a distance of ten (10) feet if such parking is located thirty-five (35) feet or more from the building frontage. Access to parking deck is allowed at street-level.

11-1-16 Trucks, Equipment, Boat and Recreational Vehicle Parking and Storage:

a. **Definition:**

1. **Heavy Truck:** A truck that may use diesel fuel and has two rear-drive axles, each of which has dual tires on each side. The truck cab may be positioned behind the engine and hood or located directly over the engine. Also known as semis or tractor-trailer trucks.

2. **Light Truck:** A truck up to 6500 lbs gross vehicle weight with two axles, four wheels.

3. **Equipment:** A vehicle or apparatus usually attached to a vehicle used for commercial or industrial purposes. This may include but not be limited to equipment for earth-moving, road, site and building construction, landscaping.

b. **On-Site Parking:** Trucks and/or equipment may be parked and/or stored on-site, provided that:

1. For commercial and industrial sites, the site is landscaped in such a way as to screen the trucks and equipment. Landscaping shall not be required on construction sites or where trucks and equipment serve a site on an intermittent and short term basis. See also Section 11-1-13g.

2. For residential sites and in any R-AA, R-A, R-B, R-BB or R-C residential zone, light trucks may be parked and/or stored overnight on-site provided that:

   i. Such truck has no commercial signage on it.

   ii. If such truck does have commercial signage on it, it shall be parked or stored in a covered enclosure. Such enclosure shall not be located in the required front yard and shall be located to the rear of the front facade line of the dwelling.

3. One registered boat (24 ft max. length) on a registered boat trailer, and one registered recreational vehicle (24 ft max. length) shall be parked and/or stored in the rear yard or side yard for corner lots and shall conform to accessory structure setbacks.

4. Outside storage of inoperative and/or unregistered motor vehicles, including boats, for more than thirty days is prohibited. Any item that is required to be registered by the State of Connecticut shall be registered and operable in order to remain on private property in the city of Bridgeport.

11-1-17 Shared Parking:

a. **Eligibility:** Where two or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times (both during the day and during the week), the same parking spaces may be counted to satisfy the off-street parking requirements for each use upon the approval of a Shared Parking Plan by the Planning and Zoning Commission. Applications for Shared Parking Plan approval shall include:

   1. The names and addresses of the uses and of the owners or tenants who will share the parking.

   2. The location and number of parking spaces to be shared.

   3. An analysis showing that the peak parking times of the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses.

   4. A legal instrument such as a lease, easement or deed restriction that guarantees access to the parking for both uses, designates the time periods under which each use will have rights to count spaces for purposes of the space requirements under Section 11-1-8, and places restrictions on the hours of operation of each use.

b. **Guidelines for Calculation of Shared Parking Requirement Reduction:** In all cases, applications for reduction allowances in parking must be prepared to the satisfaction of the Planning and Zoning Commission, based on the information exhibited in the steps outlined below. On-street parking spaces may not be included in the required minimum.

1. The parking requirements for each use shall be determined based on the standard methods for determining minimum parking supply as outlined in Section 11-1-8.

2. The parking requirements for each use (as determined in step 1) shall be multiplied by the percent occupancy rates found by time period as calculated by the Institute of Transportation Engineers and found in Table 11, Shared Parking: Parking Occupancy Rates Matrix, unless a study of local conditions is available.

3. The resulting minimum requirements for each individual use shall be summed for each of the weekly time periods to determine the maximum parking requirement for the combined uses for each time period.

4. The highest sum parking requirement for the combined uses of any time period shall be identified as the adjusted minimum parking requirement resulting from Shared Parking reduction.

c. **Approval of Shared Parking:** The Planning and Zoning Commission may grant an application for Shared Parking if it finds that:

1. The analysis provided presents a realistic projection of parking demands likely to be generated.

2. Peak demand is sufficiently distinct so that the Planning and Zoning Commission is able to clearly identify a number of spaces for which there will rarely be an overlap of parking demand.

3. Rights to the use of spaces are clearly identified so as to facilitate enforcement.

4. The shared parking reduction does not exceed 20% of the total requirement.

d. **Enforcement:** The approved Shared Parking Plan will run as restrictive covenants acceptable to the Office of the City Attorney. The City's Zoning Enforcement Officer is responsible for overseeing the implementation of the specific Shared Parking Plan upon acceptance of the covenants. Building owners shall be required to submit an annual audit of their Shared Parking Plans to the City Zoning Enforcement Officer, to be completed by a qualified professional and paid for by the building owner.

11-1-18 Transportation Demand Management Plan: As part of the site plan review process, an applicant may submit for approval by the Planning and Zoning Commission and

Transportation Demand Management Plan (TDMP). Such plan shall demonstrate a direct reduction in off-street parking demand.

a. **Contents of a Transportation Demand Management Plan:** At a minimum, the applicant shall submit the following items of information:

   1. The number of off-street parking spaces required under Section 11-1-8 for the current or proposed uses.

   2. Techniques which will be used to reduce parking demand. See Section 11-1-16, Shared Parking and Section 11-1-17(g), Parking Demand Adjustment Factors below.

   3. An analysis of the effect each technique is expected to have on the parking demand generated by the site.

   4. The requested reduction.

   5. A description of the number, location, and type of off-street parking spaces that will be provided if the requested reduction is approved.

   6. Location of all vehicular and pedestrian entrances and exits to the structure or use served by the parking.

   7. Description of any restrictions on the use of parking spaces, any transportation that will be available to off-site parking spaces, and any security measures that will be taken to ensure the safety of those using the parking spaces provided.

   8. A comparison of the impact of the site's proposed uses on the city's vehicular and circulation systems with and without implementation of the TDMP.

   9. Description of measures that will be used to ensure compliance with the TDMP.

b. **Approval of Transportation Demand Management Plans:** Transportation Demand Management Plans may be approved by the Planning and Zoning Commission when the Planning and Zoning Commission makes a finding that all of the following provisions have been met:

   1. The plan submitted provides a realistic means of appreciably reducing parking demand generated by the use or structure for which the parking would otherwise be required, as per Section 11-1-16 and 11-1-17;

   2. The Planning and Zoning Commission is satisfied that the obligations of the TDMP will be fulfilled without creating an enforcement burden on the municipality; and

   3. Implementation of the TDMP will reduce traffic and congestion on city streets, or will provide other benefits which outweigh the benefit of additional parking.

4. In ruling on the proposed TDMP, the Planning and Zoning Commission may deny, approve, or approve subject to conditions. When a plan is approved or approved subject to conditions, the Planning and Zoning Commission shall state the maximum reduction of off-street parking spaces for which approval is granted.

c. **Covenant Regarding Plan Obligations:** Before an applicant can rely on an approved TDMP, the applicant shall record a covenant, approved by the Office of the City Attorney, on the City land records obligating the property owner to comply with the terms of the TDMP. Such covenant shall run with the land.

d. **Applicant Shall Comply with Approved TDMP:** The applicant will be solely responsible for fulfilling the parking requirements set forth in the approved TDMP. These requirements may be fulfilled by providing the required off-street parking or by entering into agreements with owners of parking lots, structures, or garages within the downtown (bounded on the north by Catherine Street/ East Washington Avenue; bounded on the east by Pequonnock River; bounded on the south by the elevated rail tracks; and bounded on the west by the Route 8/25 Connector).

e. **Municipal Transportation Management Fund:** If a Transportation Management Fund is established by the City of Bridgeport to provide parking improvements or reduce parking demand, such as through new transit services, car sharing, universal transit passes, car and van pooling, pedestrian connections to transit, transit amenities, bicycle amenities, and way finding, and the terms of such fund are approved by the Planning and Zoning Commission, a property owner or the operator of a use within a zone in which the fund is operating may request that the Commission approve a reduction in the minimum number of required off-street parking spaces applicable to his property or use in accordance with the terms established by the fund.

f. **Payment in Lieu of Parking Program (PILOP):**

1. If an applicant does not provide all required parking on site and does not enter into a Shared Parking and TDMP, the applicant must contribute to a Payment in Lieu of Parking (PILOP) program, as constituted by the City of Bridgeport, to meet all or a portion of their parking requirements. The applicant will pay into a PILOP Trust Fund an annual amount which represents the reasonable amount necessary to provide and maintain a parking space through a public/private partnership, multiplied by the number of parking spaces needed to meet the residual parking requirement not met through mechanisms elsewhere in this regulation. These annual payments will become covenants on the property in perpetuity and subject to increased payment due to inflation.

2. Should any component of the TDMP cease to be effective or should any off-site lease agreements terminate, the current building owner shall be levied a fee by the City equivalent to the payment in lieu of parking for the amount of spaces that would have had to have been provided had it not been for that TDMP component or off-site lease.

3. The annual fee per space may be modified by the Commission on an annual basis subject to a ninety (90) day notice and subject to documentation of the necessary cost per space. The fees are reflective of the gap between the expected revenue generated from the parking space and the cost of providing and maintaining the space through a public/private mechanism. For initial PILOP payments the annual cost per space is $1,274. This is based on the estimated gap between the likely revenue per structured parking space (approximately $1,274 per year, $103.50 per month or $4.70 per day), the capital cost ($2,276 per year at approximately 20 years at 5 percent interest and $25,000 per space development cost), and operating cost ($20 per space per month) of parking in any of the downtown village districts.

g. **Parking Demand Adjustment Factors:** Table 11-1-17, Parking Demand Adjustment factors, below, provides the amount of parking requirements that can be reduced from employing specific transportation management techniques. Upon application, the Planning and Zoning Commission can further reduce the percent reduction.

1. Each application will be determined on a case-by-case basis. The burden of demonstration lies upon the applicant, who shall conduct or commission an accurate analysis of potential parking demand reduction enabled by the respective components of their agreement(s). This analysis shall be conducted by a licensed transportation engineer.

2. No agreement shall be unreasonably denied if the applicant shows clear, accurate and demonstrable evidence of the parking reduction requested in the TDM agreement. Applications for parking reductions utilizing TDM agreements must include all components in Table 11-1-17, including the expected reduction in parking requirements. The agreement and request for reduction will then be reviewed by the zoning department or its consultant to determine if it is reasonable. It is anticipated that the Planning and Zoning Commission may use the Parking Demand Adjustment Factors as benchmarks to determine the reasonableness of reduction allowances from the implementation of TDM programs.

3. The TDM agreements will run as restrictive covenants with the land that shall be acceptable to the Office of the City Attorney. Should the developer fail to meet the parking requirements through reductions from shared parking or TDM agreements, they will be responsible for making payments in lieu of parking requirements. TDM agreements should be monitored and reviewed on annual basis, or a regular basis as determined by the City.

4. Shall the current building owner fail to continue any of the components of the transportation demand management plan for which parking requirement reductions were allowed, the developer or building owner shall be levied by the City a fee equivalent to the payment in lieu of parking for the amount of spaces that would have been provided had that component of the TDM plan not been initially approved.

5. **Definitions:** The following terms, as defined below, are used in Table 11-1-17:

i. **Car-Sharing:** An automobile rental service (whether a business enterprise or cooperative) that provides 24-hour self-serve access to a fleet of cars parked in various locations.

ii. **HOV:** High occupancy vehicle(s), defined herein as a vehicle with two or more persons in addition to the driver travelling together in one vehicle to one final destination. Also known as a carpool or vanpool.

iii. **Parking Management Program:** A Parking Management Program shall be made up of components that encourage efficient use of parking facilities, improve the quality of service provided to parking facility users and improve parking facility design. The components shall be (1) parking cash out programs, (2) free or discounted transit passes, (3) priority parking for ridesharing (carpools or vanpools), (3) bicycle parking and related locker/shower amenities, (4) car-sharing, (5) shuttle serving the inter-modal transit facility and/or satellite parking lots, and (6) guaranteed ride home services that allow employees who do not drive to work to get a free ride home (usually via taxi) if they need to stay late, or if they need to leave unexpectedly in the middle of the day.

iv. **Parking Cash Out Program:** If the development provides free off-street parking, the employer may provide a cash out program that offers employees who do not drive to work the value of a parking space in cash (which may be taxable) or as a pre-tax transit pass.

v. **Ridesharing:** This term refers both to carpooling and vanpooling, in which vehicles carry passengers in addition to the driver. In a carpool, the participants' own vehicles are used. In a vanpool, a van is used, which may be supplied by employers, non-profit organizations, or government agencies. Ridesharing may include ride-matching services which assist commuters in finding travel partners. Priority parking spaces for HOVs shall be close to building entrances, covered, or otherwise preferable spaces.

vi. **Unbundled Parking:** A parking space that is sold or rented separately from space occupied within the building (e.g., place of business or residence). The building owner/manager shall demonstrate that he will lease or sell excess parking spaces and that there shall be no spillover problems to local streets due to residents or employees seeking on-street parking to avoid paying for off-street parking spaces.

Table 11-1-19

Parking Demand Adjustment Factors

Factor	Description	Adjustment
Car-Sharing	See definition above.	Reduce total residential parking requirement by 10% if a car-sharing service is located within 250 feet of property line OR reduce by 4 parking spaces for each car-share vehicle parked in a residential building. Adjustment allowed only for residential uses.
Unbundled Parking	See definition above.	Reduce total parking requirement by 10%.
Unreserved Parking	Development has no reserved parking spaces.	Reduce total parking requirement by 5%.
Ride-sharing	Development designates priority HOV spaces or provides discount-price parking for HOVs.	Reduce total parking requirement by 10% if the development sets aside 20% to 40% of off-street parking spaces for certified HOVs.
Free or Subsidized Transit Passes	Development employees and/or residents receive free or subsidized transit passes.	Reduce total parking requirement by 15% if free or subsidized passes are provided for a transit service within 800 feet of the property line.
Parking Management Program (PMP)	See definition above.	Reduce total parking requirement by no more than 10% if development has on-site PMP program with any or all components other than those listed above.

Section 11-2 OFF-STREET LOADING

11-2-1 Off-Street Loading Facilities: Off-street loading facilities must be provided in accordance with the minimum requirements prescribed by Table 12, Off-Street Loading Spaces for every new building constructed and every new use established. Off-street loading facilities for additions to existing structures, or enlargements of existing uses, may be provided only for the addition or enlargement.

11-2-2 Loading Berth Location: Required off-street loading berths must be provided on the same or adjacent Lot as the structure for which the space is required and must be designed in a manner so that loading activities will not block any required parking area, public right-of-way, public or private access, or sidewalk. Loading berths should be designed to minimize visibility from sidewalks and streets.

11-2-3 Loading Berth Dimensions: Required off-street loading berths must be at least 35 feet long, 12 feet wide and have a vertical clearance of 14 feet. No portion of the vehicle shall obstruct the public right-of-way.

Section 11-3 Landscaping and Screening

The minimum areas required to be landscaped are listed in Table 3, Zone Development Standards for Residential Zones and Table 4.A and 4.B, Zone Development Standards for Non-Residential Zones. Any required landscaping, as for required setbacks or parking lots, may be applied toward the minimum landscaped area percentage requirement. Required landscaping and screening must meet the levels referenced in each applicable Zone Development Standards Table and applicable standards set forth elsewhere in these Regulations. Landscaping and screening standards levels are set forth in Section 11-3-1, below.

11-3-1 Landscaping and Screening Standards:

a. **L1, General Landscaping:**

1. **Generally:** The L1 standard is a landscape treatment for open areas. It is generally intended to be applied in situations where distance is the principal means of separating uses or development, and landscaping is required to enhance the area in between. While primarily consisting of ground cover plants, it also includes a mixture of trees, high shrubs and low shrubs.

2. **Required Landscaping Elements:** The following minimum landscaping elements must be applied in the following ratios:

   i. If the area to be landscaped is less than 30 feet deep, the required minimum ratio is one Landscape Tree per 25 linear feet parallel to the lot line, plus two low shrubs per 300 square feet of area to be landscaped.

iii. If the area to be landscaped is 30 feet deep or greater, the required minimum ratio is one (1) Landscape Tree per 800 square feet and either two high shrubs or three low shrubs per 400 square feet of landscaped area. The shrubs and trees may be grouped. Ground cover plants must fully cover the remaining area to be counted toward required landscaping.

b. **L2, Low Screen:**

1. **Generally:** The L2 standard requires a combination of distance and low level screening to separate uses or development. The standard is generally applied where a low level of screening is adequate to soften the impact of the use or development, and where visibility between areas is more important than a total visual screen. It is usually applied along Street Lot Lines.

2. **Required Landscape Elements:** Low shrubs must form a continuous screen three feet high and 95 percent opaque year round. In addition, one Landscape Tree is required per 30 lineal feet of landscaped area or as appropriate to provide a tree canopy over the landscaped area. A three (3) foot high masonry wall or a berm that is compatible with the surrounding general neighborhood appearance may be substituted for the shrubs, but the trees and ground cover plants are still required. When applied along Street Lot Lines, the screen or wall is to be placed along the interior side of the landscaped area.

c. **L3, High Screen:**

1. **Generally:** The L3 landscape standard uses screening to provide physical and visual separation between uses or development. It is generally used in those instances where visual separation is desirable.

2. **Required Landscape Elements:** The L3 standard requires a sufficient number of high shrubs to form a screen six feet high and 95 percent opaque year round. In addition, one Landscape Tree is required per 30 lineal feet of landscaped area or as appropriate to provide a tree canopy over the landscaped area. Ground cover plants must fully cover the remainder of the landscaped area. A six (6) foot high masonry, stone or brick wall, stockade or solid vinyl fence may be substituted for the shrubs, but the trees and ground cover plants are still required. When applied along Street Lot Lines, the screen or wall is to be placed along the interior side of the landscaped area.

d. **L4, High Wall:**

1. **Generally:** The L4 standard is intended to be used in special instances where extensive screening of both visual and noise impacts is needed to protect abutting uses in areas where there is little space for separation.

2. **Required Landscape Elements:** The L4 standard requires a six foot high masonry (but not concrete blocks) wall along the interior side of the landscape area. One tree is required per 30 lineal feet of wall or as appropriate to provide a tree canopy over the landscaped area. In addition, four high shrubs are required per 30 lineal feet of wall. Ground cover plants must fully cover the remainder of the landscaped area.

e. **F1, Partially Sight-Obscuring Fence:**

1. **Generally:** The F1 fence standard provides a tall, but not totally blocked visual separation. The standard is generally applied where a low level of screening is adequate to soften the impact of the use of development, or where visibility between areas is more important than a total visual screen. It is generally applied in areas where landscaping is not necessary and where nonresidential uses are involved.

2. **Construction Standards:** Fences must be six (6) feet high and at least 50 percent sight-obscuring. Fences may be made of wood, metal, bricks, masonry or other permanent materials.

f. **F2, Fully Sight-Obscuring Fence:**

1. **Generally:** The F2 fence standard provides a tall and complete visual separation, and is primarily intended to be used in special instances where complete screening is needed to protect abutting uses, and landscaping is not practical. It is usually applied in nonresidential situations.

2. **Construction Standards:** Fences must be six (6) feet high and one-hundred (100) percent sight-obscuring. Fences may be made of wood, metal, bricks, masonry or other permanent materials.

11-3-2 Plant materials:

a. **Shrubs and Ground Cover:** All required ground cover plants and shrubs must be of sufficient size and number to meet the required standards within three years of planting. Mulch (as a ground cover) must be confined to areas underneath plants and is not a substitute for ground cover plants. .

b. **Landscape Trees:** Landscape Trees may be deciduous or evergreen. Deciduous trees at the time of planting must be fully branched, have a minimum diameter of four (4) inches, measured five (5) feet above the ground, and have a minimum height of eight feet. Evergreen trees at the time of planting must be fully branched and have a minimum height of six (6) feet.

c. **Existing Vegetation:** Existing landscaping or natural vegetation may be used to meet the standards for required landscaping, if protected and maintained during the construction phase of the development. When the existing trees are at least twelve (12) inches in diameter, measured five (5) feet above the ground, they may count triple towards meeting the requirements of a landscaping standard.

11-3-3 Installation and Maintenance:

a. **Installation:** Plant materials must be installed to current nursery industry standards. Plant materials must be properly supported to ensure survival. Support devices such as guy wires or stakes must be adequately marked and must not interfere with vehicular or pedestrian movement.

b. **Maintenance:** Maintenance of landscaped areas is the ongoing responsibility of the property owner. Required landscaping must be continuously maintained in a healthy manner. Plants that die must be replaced in kind within six months after receipt of notice to the owner by the Zoning Enforcement Officer. Failure to maintain required landscaping shall be enforced in the same manner as any other violation of these Regulations. Pursuant to applicable law, fines shall be levied and orders issued requiring the installation of new plants.

11-3-4 Additional Landscaping Standards for Lots Abutting a Different Zone:

a. When a lot in a Mixed Use-Light Industrial Zone, Industrial-Heavy Zone, or Industrial-Light Zone abuts a residential zone, the lot shall provide landscaping to meet the following conditions:

1. Any lot line abutting a residential zone shall be screened using landscaping. Table 11-1-13 Minimum Parking Area Setbacks and Perimeter Landscaping, above, provides the minimum requirements.

2. All off-street parking areas, off-street loading areas, outdoor storage areas, refuse and recycling areas, and utility improvements, such as transformers and external heating and cooling equipment, shall be screened using landscaping. Table 11-1-13, Minimum Parking Area Setbacks and Perimeter Landscaping provides the minimum requirements.

3. The landscaping shall be designed to minimize erosion and storm-water runoff, and to protect abutting residential areas from the view of uses and parking on the site.

4. Landscaping shall be permanently maintained evergreens or a mix of evergreen and deciduous trees and shrubs. Landscaping shall be of such type, height, and spacing as in the judgment of the Planning and Zoning Commission will effectively screen the activities on the lot from the view of persons standing on abutting properties. The plan and specifications of such planting shall be filed with the approved site plan.

5. A solid wall or fence may be substituted for all or part of the required landscaped area in setbacks abutting a residential zone, if approved by the Planning and Zoning Commission.

6. **Modifications:**

a. Where the existing topography and/or landscaping provides adequate screening or would render the normally required screening inadequate, the Planning and Zoning Commission may modify the requirements by decreasing or increasing the site-specific requirements;

b. Where a site is a minimum of five (5) acres, the landscaped area in setbacks abutting a residential zone shall only apply to the area of the site where the proposed use is located. In such instances, the landscaped area site minimum provided in Table 4.A shall also be based upon the proposed use area. The proposed use area shall be identified by the applicant and approved by the Planning and Zoning Commission.

7. **Solar Panels:** For purposes of the installation of a ground-mounted solar panel system, the landscaped area in setbacks abutting a residential zone shall consist of landscaped fencing and low-growing flowers and/or plantings to ensure the effective operation of the solar panels. In such instances, the landscaped area required in Table 4.A shall be limited to the proposed solar panel use area.

Section 11-4 On-Site Sidewalks

11-4-1 General Standards: An on-site sidewalk shall connect the street to the main entrance of the primary structure on the site and the driveway(s) to the right-of-way. Sidewalks shall be composed of concrete, brick or other masonry pavers, and shall be at least five feet wide. Where sidewalks cross driveways, parking areas and loading areas, the crossing shall be clearly identifiable, through the use of striping, elevation changes, speed bumps, a different paving material or other similar method. The primary sidewalk leading to the main entrance of the primary structure on the site shall be lighted, except for such sidewalks leading to single family, two family, three family and multi-family dwellings. Single family, two family, three family and multi- family dwellings (including townhouses), and community residential facilities may have sidewalks narrower than five (5) feet, and walkways for such uses may be made of stepping stones or gravel, instead of concrete, brick or other pavers.

11-4-2 Corner Lots: On corner lots, sidewalks are only required between the main entrance of the primary structure and one street.

Section 11-5 Outdoor Display

11-5-1 General Standards: The extent to which the outdoor display of goods is allowed is set forth in Table 7, Additional Standards for Supplemental Uses on Lots in All Zones. Any outdoor display of goods permitted shall be in accordance with the following standards:

a. Outdoor displays may not interfere with pedestrian or automobile traffic on adjacent public rights-of-way, and may not interfere with the enjoyment or operation of adjacent properties and uses.

b. Outdoor display areas must comply with all applicable setback requirements for Buildings.

Section 11-6 Outdoor Storage and Activities

11-6-1 General Standards: The extent to which outdoor storage and activities are allowed is set forth in Table 7, Additional Standards for Supplemental Uses. Any outdoor storage or activity shall be in accordance with the following standards:

a. Outdoor storage areas must comply with all applicable setback requirements for buildings.

b. Outdoor storage areas shall count toward maximum building coverage limitations listed in the Zone Development Standards Tables.

c. All materials or wastes stored outdoors which cause fumes or dust or which constitute a fire hazard or which may be edible by or otherwise attractive to rodents or insects shall be stored only in closed containers.

d. No materials or wastes shall be stored or deposited upon a lot in such form or manner that they may be transferred off the lot by natural causes or forces.

11-6-2 Outdoor Activities and Storage in Industrial Zones:

a. **Standards:** Activities and storage in outdoor areas in Mixed Use-Light Industrial, Industrial-Heavy, and Industrial-Light Zones are subject to the following conditions:

1. Each application for activities and storage in outdoor areas in industrial zones shall be accompanied by a site plan, which shall include in addition to all other site plan requirements:

i. locations and types of containers for all volatiles and all enclosures for outdoor storage;

ii. traffic aisles and parking for the establishment;

iii. an operating plan indicating types of materials to be accepted at the facility and estimates of the volume and number of trips of incoming and outgoing materials daily and during peak periods;

iv. a plan for preventing and controlling offensive noises, odors, and rodents and other disease vectors;

v. a plan for preventing and controlling fire and explosions occurring at the site;

vi. a plan and for keeping the area immediately around the facility free and clear of debris;

vii. a plan for managing dust and other airborne particles and debris, which may include covering or enclosing the stored material, and controlling dust and dirt on the vehicles (including tires) that enter and leave the site, and;

viii. stormwater management regulations in compliance with Section 4-13, Stormwater Management Regulations.

2. No material shall be received at the facility that is not permitted for the facility except as provided in this ordinance or by state statute.

3. All materials and activities not within fully enclosed buildings shall be surrounded (except along a wharf, dock or other water-dependent structure used by the facility) by an opaque fence of uniform color, at least six (6) feet in height, surfaced so as to be resistant to damage from the elements, and maintained in good condition. Any gate in such fence shall be similarly constructed and maintained (except that a view hole may be left in each such gate) and shall be kept locked at all times when the facility is not in operation.

4. All materials shall be stored in such a manner as to prevent the breeding or harboring of rats, insects or other vermin. Where necessary, this shall be accomplished by enclosure in containers, raising of materials above the ground, separation of types of materials, preventing the collection of stagnant water, extermination procedures, or other means.

5. A cleared fire lane shall be maintained to facilitate access by firefighting equipment, as approved by the Fire Department.

6. Nothing in this section shall preclude the Planning and Zoning Commission from imposing additional or stricter conditions pertaining to design, screening, buffering, lighting, soundproofing, signs, or any matter necessary to protect adjacent property.

7. No goods, materials or equipment shall be stored out of doors on any lot in an industrial zone within fifteen (15) feet of any lot line along which such lot abuts a residential zone, either directly or across a street or alley. Any goods, materials or equipment stored out of doors on such lot shall be effectively screened from view from such residential zone by means of a suitable fence, wall or evergreen planting at least six (6) feet in height. See Section 11-3, Landscaping and Screening and Section 11-8, General Performance Standards.

Section 11-7 Signs

11-7-1 Purpose: It is the purpose and intent of these sign regulations to permit such signs that will not, by their size, location, construction or manner of display, confuse or obstruct the vision necessary for traffic safety or otherwise endanger public health, safety, and morals and to regulate these structures in such a way as to insure that there is no environmental impact to residential areas located within a one half mile radius of the proposed site, to improve the physical appearance of commercial areas, and to preserve and enhance the characteristics of the community.

11-7-2 Restrictions: To the extent that the Sign Ordinance in Chapter 15 of the Bridgeport Municipal Code differ from the regulations set out in Section 11-7 the more restrictive regulation shall apply. No variance issued by the Zoning Board of Appeals shall concern a sign. Any sign shall be installed by a sign installer licensed by the City of Bridgeport.

11-7-3 Regulations Applying To Signs in All Zones:

a. **Same Lot:** Signs shall be located on the same Lot as the use except for outdoor advertising signs and directional signs where allowed.

b. **Illumination:** No sign that is illuminated by flashing, intermittent or varying intensity shall be erected in any zone. Strobe lights or similar moving/flashing lights shall not be allowed. There shall be no illumination of any sign that would interfere with the operation of a motor vehicle, except for variable message signs installed and operated by the State Department of Transportation on State Highways. Marquee signs are allowed by special use permit and are exempt from this Section 11-7-3.b. Light-emitting diode (LED) signs are allowed so long as such signs conform to these illumination standards.

1. Civic Uses: In addition to standards described in 11-7-3.b. and c., internally illuminated individual letters are permitted. Light box type signs, including free standing, shall have a darker background, with the lighter colored letters illuminated. Lettering shall not be greater than 50% of the sign area.

c. **Impact on Residential Zones:** There shall be no illumination of any sign that would cause glare observable from a residential zone.

d. **Sign Dimensions:**

1. **On-Premise Sign:** Unless otherwise provided in these regulations, no on-premise sign shall exceed the following:

i. **Maximum Area:** Three Hundred (300) square feet, including design cutouts and/or embellishments;

ii. **Maximum Length:** Thirty (30) feet.

iii. **Measurement Points:** The area shall be measured by the outer limits of the advertising space.

e. **Maximum Height:** Except as provided in this Section, the maximum height above ground level of any sign shall be no greater than the maximum height allowable in the zone where situated or twenty-five (25) feet whichever is less. No part of any wall sign shall extend above the top of the wall or façade to which it is attached; except that the height of an on-premises wall sign on a building of five (5) or more stories situated in a non-residential zone and erected to be visible from any major commercial thoroughfare or interstate highway may be greater than twenty-five (25) feet above ground level subject to the issuance of a special permit upon a finding of compliance with the provisions of Section 14-4-4j.

f. **On-Premises Signs:** No on-premises sign shall be used other than for the purpose of identifying, by name and symbol or trademark, the business, service or industry conducted on the premises upon which the same shall be erected. Such sign may be electrified or otherwise illuminated subject to such limitations as set out in this Section.

g. **Directional Signs:** Directional signs may be erected in any Office/Retail, Mixed Use, Industrial Zone, or Downtown Village District provided they do not exceed six (6) square feet in area

h. **Temporary Signs:** A temporary sign as defined in these regulations may be placed on the premises near the property boundary, on a temporary protective fence, or on an existing Building or a Building in the process of construction, demolition or remodeling. Temporary signs of contractors, subcontractors, and material suppliers are also permitted. Temporary signs shall be removed promptly once the activity or event is completed; see Section 11-7-4. Signs advertising real property for sale or rental may be erected and displayed upon the property so advertised in non-residential zones but shall not be more than twenty-four (24) square feet in area, unless otherwise provided in these regulations. Signs temporarily affixed to or on a building, window or door announcing sales or special features are permitted, provided they do not exceed twenty-five (25) percent of the area of said building, window and/or door and provided they are in place for not more than thirty (30) days. Temporary signs are permitted once in a six month period. A Certificate of Zoning Compliance is required. Esplanade signs, e.g. sandwich boards or A-frame signs, are not allowed in public rights-of-way, including road medians. Temporary signs/banners shall not be affixed to fences or screening wall. A Certificate of Occupancy or Zoning Compliance Certificate shall not be issued until a temporary sign has been removed from the site. Temporary signs are also subject to Subsection 11-7-5 of this Section when such signs are in a Residential Zone.

h. **Official Signs:** Official signs are exempt from the requirements of these regulations.

i. **Pole Signs:** Unless otherwise provided in these regulations, the maximum height of any pole sign, including its base, is twenty-five (25) feet from the established grade of the immediate area. No pole sign shall project over the sidewalk. No pole sign shall be erected within asphalted areas but shall be allowed in permitted landscaped areas.

j. **Roof Signs:** For purposes of this Section 11-7, a roof sign includes any on-premises sign painted, applied or installed above the height of the front wall of a Building. Roof signs require a special permit by the Planning and Zoning Commission. Roof signs installed at the Sports and Entertainment Venue at Harbor Yard as mentioned in Section 11-7-11a, are exempt from the special permit requirement. No roof sign shall exceed a maximum height of three (3) feet above the top of any building on which it is located, measured to include the equipment necessary to securely anchor the sign on the roof of the building in a manner that results in it being certified safe at that location by a licensed professional engineer. No roof sign shall extend more than the width of the building upon which the same shall be constructed.

k. **Projecting Signs:** No part of any projecting sign, marquee or marquee sign shall be less than nine (9) feet above the level of any sidewalk, nor shall any part thereof be nearer than eighteen (18) inches to the curb-line of the street along which the same is constructed as it is securely fastened to the wall of the building or other surface to which the same shall be attached. Except as provided in Section 11-7-6 & 11-7-8, no sign and no advertising device of any character shall be erected or maintained so as to extend or project over any part of any sidewalk. Any existing sign that violates the prohibition of this Section shall be altered in conformity with the provisions of this

Section within a reasonable time frame, or removed by Order of the Zoning Enforcement Officer, and is also subject to monetary fines as set forth in subsection r, below.

l. **Wall Signs:** Except as otherwise provided in these regulations, no wall sign shall extend more than eighteen (18) inches beyond the exterior wall of the building along which the same shall be constructed.

m. **Reader Boards:** Reader boards shall be allowed provided that such sign is not intermittent, e.g., flashing.

n. **Monument Signs:** A freestanding (meaning not attached to any portion of a building, and not projecting through the roof or eaves of a building) and non-movable sign that is situated on the ground along its base. No monument sign, if placed on a corner lot, shall block the views of oncoming traffic, and shall allow a clear view for the first vehicle. Monument signs shall be allowed in any zone that permits freestanding signs.

o. **Marquee Signs:** Any sign attached to or hung from a marquee. For the purpose of this Section, a marquee is a permanent covered structure projecting from and supported by the building with independent roof and drainage provisions and which is erected over a doorway or doorways as protection against weather.

p. **Sign Faces:** Each face of a sign shall be calculated towards the allowable square footage.

q. **Penalty:** Any person who shall violate any provisions of these regulations shall be fined one-hundred dollars ($100.00) for each day, or part thereof, that such sign shall be maintained. In addition to the penalties imposed under this Section, any person who violates any provision of these regulations, any provision of the State Building Code or City Ordinance as it pertains to signs, shall be subject to the revocation of their Certificate of Zoning Compliance, and/or the removal of the sign from its location, by Order of the Zoning Enforcement Officer.

11-7-4 Sign Inspection, Repair, Maintenance, Removal, Replacement, Alteration and Relocation:

a. Existing signs, including nonconforming signs, shall be maintained to insure the safety of the public and may be repaired by repainting or modifying letters, words and accompanying symbols or by repairing structural supports. Such repair or modification shall not be considered a replacement under the meaning of this Section, provided that the outside dimensions of signs as measured in this Section are not changed, the structural support of a sign is not replaced and the location, height and illumination of a sign are not changed. However, existing signs, including nonconforming signs, may be replaced and/or relocated on the same lot in the event such replacement and/or relocation is necessitated by condemnation or other governmental action, provided that such replacement and/or relocation does not interfere with on-site traffic patterns and such replacement and/or relocation promotes the public health, safety and welfare. The building official is empowered to inspect any sign at any time that he may deem necessary and to order such repairs thereto as in his judgment may be required for the safe and proper maintenance of such sign. It shall be the duty of the owners of such signs to make repairs that the building official shall order thereto within ten (10) days

after receiving such order. If such order shall not be obeyed within ten (10) days thereafter, the building official is empowered, if in his opinion said sign is a menace to public safety, to Order the same removed at the expense of the owner. Following the issuance of such an Order, the Zoning Enforcement Officer shall revoke the Zoning Certificate of Compliance for the sign for that location.

b. It shall be the responsibility of the property owner to remove or cause to be removed all on-premises and/or temporary signs within one month from the time the accompanying use is discontinued or the premises are vacated.

c. No outdoor advertising or roof signs shall be altered, replaced or relocated without a special permit. All other signs to be altered, replaced, or relocated shall conform to the existing requirements of this Section as amended from time to time, at the time of such replacement, alteration or relocation. No existing on-premises sign for any nonconforming use may be enlarged or relocated unless such sign conforms to this Section.

11-7-5 Residential Zones: Signs shall be permitted on each lot in all residential zones under the following conditions:

a. One temporary sign, as defined by these regulations, not over ten (10) square feet in area advertising the sale, rental, lease, construction, repair or other disposal of a building or lot in which such sign is maintained.

b. One sign not over two (2) square feet in area announcing the existence of an enterprise permitted on the premises, except that public and religious institutions may have an announcement sign not more than twelve (12) square feet in area for their own use.

c. One sign not over two (2) square feet in area having the name of the occupant of a dwelling or the name of such property.

d. Exterior sign(s) aggregating twelve (12) square feet or less may be erected to advertise a nonconforming use that is located in a residential zone.

e. Exterior sign(s) aggregating twelve (12) square feet or less may be erected to advertise a subdivision or a multifamily building or complex.

f. All permanent signs shall be placed behind the minimum front or street setback line for the lot on which such sign is to be located.

g. The top of any sign erected in a residential zone shall not be higher than the eaves line of the principal or accessory building on the lot on which such sign is located.

11-7-6 Office/Retail Zone (OR): Signs on each lot in the OR Zone shall be permitted under the following conditions:

a. The total area of any sign placed on the front wall of a building shall not exceed two (2) square feet in area for each lineal foot of building frontage.

b. The total area of signs placed on the side or rear walls of a building shall not exceed thirty (30) square feet.

c. Signs shall not extend above the height of the front wall of the building.

d. Where a parking area is provided in the rear or at the side of a building, a sign may be placed near the rear or side entrance to such building, not exceeding twelve (12) square feet in area, advertising the name of the occupant. This may be in addition to the thirty (30) square feet specified in Subsection 11-7-6b.

e. No signs of any type shall project more than twelve (12) inches over sidewalks unless otherwise provided in these regulations.

f. Ground signs or pole signs are permitted in the landscaped areas of parking lots, as set forth in sub-section (d) above, and such signs shall not exceed thirty (30) square feet nor shall any dimension exceed eight (8) feet, nor shall any part thereof exceed fifteen (15) feet in height above the ground level.

g. The total area of all signs for any use shall not exceed one-hundred (100) square feet.

11-7-7 Office/Retail General (OR-G), Office/Retail with Historic District Overlays, and Mixed Use Zones: Signs on each lot shall be permitted under the following conditions:

a. On the front walls of buildings, the total area of signs shall be limited to an area of two (2) square feet for each lineal foot of building frontage.

b. The total area of signs placed on the side or rear walls of a building shall not exceed sixty (60) square feet.

c. Ground signs or pole signs are permitted only in the landscaped area of a shopping center or in the landscaped areas of any parking lot and as set forth in subsections d, e and f, below.

d. The total area of all signs for any individual use in these zones shall not exceed two-hundred (200) square feet.

e. Site identification signs or any other signs for a shopping center may not exceed two-hundred (200) square feet, and no site may have more than one (1) ground or pole sign exceeding sixty (60) square feet. No ground or pole sign shall exceed sixty (60) square feet nor shall any dimension exceed ten (10) feet, nor shall any part thereof exceed more than twenty-one (21) feet in height above the ground level.

f. Where a parking area is provided in the rear or at the side of a building, a sign may be placed near the rear or side entrance to such building, not exceeding twelve (12) square feet in area, advertising the name of the occupant. This may be in addition to the sixty (60) square feet specified in Subsection 11-7-7b.

11-7-8 Office/Retail Regional (OR-R) and Downtown Village Districts: Signs on each lot shall be permitted under the following conditions:

a. The gross area of signs allotted to each store or individual use for each street facade shall not exceed two (2) square feet per lineal foot of such building frontage.

b. Projecting signs may not project more than twenty-four (24) inches from the face of the Building.

c. The total area of signs placed on the walls of a building oriented to a public pedestrian walkway shall not exceed two (2) square feet per lineal footage of storefront. For such buildings, site identification signs not exceeding 30 square feet are allowable on street frontages.

d. The total area of all signs for any individual use in these zones shall not exceed two-hundred and fifty (250) square feet.

e. For a shopping center, site identification signs or any other signs may not exceed two-hundred (200) square feet, and no site may have more than one (1) ground or pole sign exceeding fifty (50) square feet, or twenty-five (25) feet in height.

11-7-9 Industrial Zones: Signs on each Lot shall be permitted under the following conditions:

a. Subject to Subsection 11-7-2 and 11-7-3, all types of signs shall be permitted in Industrial Zones.

b. The total area of signs for each use shall not exceed one and one-half (1.5) square feet for each lineal foot of street Frontage, and no sign shall exceed eighty (80) square feet.

c. The total area of all signs for any individual use in an Industrial Zone shall not exceed three hundred (300) square feet.

d. No ground or pole sign shall exceed twenty-five (25) feet in height.

e. Sites for a single use having not less than ten (10) acres of land are allowed up to a total of nine-hundred (900) square feet of signage with no individual sign exceeding five-hundred (500) square feet or erected any higher than the eave line of the building to which it is attached.

11-7-10 Signs for Specific North Main Street Properties that have received Use Variances for a Commercial Use:

Only those properties that: (1) are zoned R-A on North Main Street but have been designated “Mixed Use” on the Future Land Use Plan in the Master Plan of Conservation and Development adopted January 28, 2008 by the Planning and Zoning Commission; and (2) subsequent to effective date of March 17, 2008 have been granted a Use Variance for a commercial use by the Board of Appeals and a Site Plan Permit by the Planning and Zoning Commission; may apply for Sign Permits under the following conditions:

a. Certificate of Zoning Compliance shall be obtained prior to issuance of any sign permit.

b. Signs may be permitted pursuant to Section 11-7-7.

Address	Block-Lot	Address	Block-Lot
4977 Main St	2520-5	4840-4842 Main St	2600B-3
4965 Main St	2520-4	4830 Main St	2600B-2
4950 Main St	2600A-1	4800 Main St	2600B-1
4949 Main St	2520-3	4795 Main St	2530-21
4942 Main St	2600A-2A	16 Minturn Road	2530A-17
4935 Main St	2520-2	2650 Old Town Road	2520-1
4934 Main St	2600A-18	2641 Old Town Road	2530A-1 (TD Bank Site)
4890 Main St	2600-4C	25 Sequoia Road	2600B-4
4857 Main St (4865)	2530A-18		

11-7-11 Sports and Entertainment Venue at Harbor Yard: Notwithstanding Section 11-7, signs on the exterior of the Arena, Ball Park and Garage at Harbor Yards ("ABHY") shall be permitted under the following conditions:

a. The total area of all ABHY signage shall not exceed eight thousand five hundred (8,500) square feet per building. The maximum eight thousand five hundred (8,500) square feet limit is per building and is not interchangeable between the Arena, Ball Park, and Garage. All on-premise, flush mounted roof signs that are less than twenty thousand (20,000) square feet in area shall not be counted towards the eight thousand five hundred (8500) square feet per building signage area requirement. Roof signs shall be of non-reflective and unlit material.

b. ABHY signage may include off-premise advertising but not in excess of forty percent (40%) of the total allowable building signage. Off-premise advertising shall not be affixed to any location where it becomes directly visible from the stadium seating in either the Arena or Ball Park.

c. Wall signs shall not project more than twenty-four (24) inches from the face of the building.

d. Wall signs shall not project above the main roof line or parapet by more than eight (8) feet.

e. Maximum signage per building side shall not exceed two thousand five hundred (2,500) square feet.

f. Electronic messaging signs are permitted subject to the following standards:

1. **Size and Placement:** The size and placement of electronic message display signs will be the same as other ground and wall signs.

2. **Ground Sign:** The maximum height of an electronic message display sign on a ground sign located within fifty (50) feet of a traffic signal will be limited to eight (8) feet. The height can be increased one (1) foot for every twelve (12) feet in additional setback from the traffic signal to the maximal height allowed for the ground sign. The maximum sign face for a ground sign shall be thirty-two (32) square feet.

3. **Pole Sign:** The maximum height of an electronic message display sign on a pole sign shall be twenty-five (25) feet, with a minimum ten (10) feet from the average grade to the bottom of the sign. The maximum sign face for a pole sign shall be sixty-four (64) square feet.

4. ABHY electronic message displays signs are allowed only where adjacent to highways, major arterial, or arterial collector streets in or adjacent to the Arena and must be spaced a minimum of one hundred (100) feet from flashing warning signs.

5. A Special Permit is required for electronic message display signs that shall have the appearance of moving text and images, flash, intermittent or moving lights, or produce the optical illusion of movement, or if any part of the sign structure or cabinet can move or rotate. No application for a Special Permit pursuant to this section shall be granted until the Planning and Zoning Commission shall have made the following findings:

a) the sign shall not have strobe lights;

b) the sign shall not pose a material obstruction to the vision of pedestrians or motorists and shall not block or obstruct signs on adjacent properties;

c) the sign (nor any portion thereof) shall not be inflatable;

d) the sign shall not emit light beyond the property line;

e) the sign shall not emit a light intensity greater than 300 NITS;

f) a rotating sign shall not exceed ten (10) revolutions per minute;

g) the sign shall not have a series of lights simulating exploding fireworks;

h) the sign shall not emit sound.

6. Electronic message display signs must be displayed for a minimum of eight (8) seconds. The Zoning Official may increase the length of the display time if the sign is located within one hundred (100) feet of another electronic message display sign. Any increase in the display time can be made in eight (8) second increments, to a maximum of thirty-two (32) seconds, or to a longer period agreed to by the applicant.

7. Electronic message display signs must include photo-cell technology that will vary the intensity of lighting depending on present-time level of ambient light (e.g. daytime, nighttime, or cloudy conditions). The intensity of lighting must not exceed 300 NITS (candelas per square meter) from dawn until dusk.

g. Notwithstanding Section 11-7-3, Outdoor Advertising Signs on ABHY property may:

1. Be allowed, pursuant to Section 11-7-3d, and if located no less than one thousand (1000) feet from other billboards on the south side of I-95 and may display an ABHY event or off-premise advertising.

2. Not exceed nine hundred (900) square feet per face.

3. Extend to a height not greater than sixty (60) feet above I-95 as measured from the highway surface at the point nearest to the outdoor advertising sign.

11-7-12 Civic Uses: Notwithstanding Sections 11-7 and 11-7-11, signs on civic uses shall be permitted under the following conditions:

a. **Maximum Number** of signs allowed per use is two (2), composed of wall and monument signs.

b. **Maximum Sign Area:** 80 square feet per sign.

c. **Maximum Height**: 14’-0” for a free-standing sign.

d. **Measurement Points:** the area shall be measured by the outer limits of the advertising space.

e. Fixed awnings may not be used as signs.

11-7-13 Outdoor Advertising Signs: By special permit, outdoor advertising signs (commonly known as billboards) may be erected only in the OR, OR-G, OR-R, I-H, I-L, MU-EM, MU-W, MU-LI, PDD, and Zoological Park (ZP) zones and Downtown Village Districts. Marquee signs must meet the definition in these regulations of an on-premise sign. Signs are not permitted in residential zones or in Historic Overlay Districts, with the exception of Office/Retail Zones with Historic District Overlays (see Section 11-7-7). All signs are restricted to the area, height, length, number of faces, spacing and distances set forth in these regulations, except for directional or official signs placed in the Public-Right-of-Way. The area of outdoor advertising signs shall not be included in the maximum total area of all signs allowed for any use in a zone.

a. **Spacing:** Spacing between outdoor advertising signs shall be one thousand five hundred (1,500) feet from any other outdoor advertising sign located along interstate or limited access highways as defined by state statute, and along all other streets and highways.

b. **Distances:** All distances for spacing of signs shall be measured along the center line of the street or highway between two vertical planes which are normal or perpendicular to and intersect the center line of the highway and which pass through the terminal of the measured distance.

c. **Multiple Sign Faces:** A sign may contain one or two advertisements facing in the same direction, provided that the total area does not exceed the maximum area allowed. Double-sided (back-to-back) or V-type sign structures shall be considered one sign and shall be permitted provided that the maximum area allowed for each face is not exceeded.

d. **Sign Dimensions:**

1. **Outdoor Advertising Sign:** Unless otherwise provided in these regulations, no outdoor advertising sign shall exceed the following:

i. **Maximum Area:** Nine Hundred (900) square feet, including design cutouts and/or embellishments along any Interstate or Limited Access Highway and shall not exceed the dimensions set forth in these regulations for other locations;

ii. **Maximum Length:** Sixty (60) feet.

e. **Maximum Height:** Outdoor advertising signs erected to be visible from any interstate or limited access highway, may extend to a height not greater than twenty-five (25) feet above such highway as measured from the highway surface at the point nearest to the outdoor advertising sign.

f. **Environmental Impact:** No proposed outdoor advertising sign location may be approved if the erection of the proposed sign at such location would

adversely impact the view of any significant natural or local feature. A proposed location will be deemed to have an adverse impact on the view of a significant natural or local feature if it is determined that the proposed sign at such location, when viewed from a distance of one-thousand five-hundred (1,500) feet to one-half mile from such proposed location, would eliminate or reduce by more than twenty-five (25) percent the view of such significant natural or local feature. The Planning and Zoning Commission shall determine what constitutes a significant natural or local feature and may include in such determination recognition of the horizon, the Long Island Sound, harbors, parks, reservoirs, ponds, and historic buildings and monuments.

g. **Legal-Nonconforming Signs:** Any outdoor advertising sign legally in existence at the time of the adoption of these regulations is hereby declared to be in conformance with the requirements of this Subsection, provided that if such outdoor advertising sign or its structural support is voluntarily dismantled by its owner due to wear caused by age or exposure, or is otherwise destroyed by accident, fire, explosion, act of God or act of public enemy to an extent exceeding fifty (50) percent of its fair market value, it shall not be repaired, reconstructed or replaced.

h. No outdoor advertising or roof signs shall be altered, replaced or relocated without a Special Permit.

Section 11-8 General Performance Standards

11-8-1 Illumination: Glare from any lot may not directly or indirectly from reflection cause illumination on any other lot in excess of 0.5 foot-candles of light.

11-8-2 Vibration:

a. **All Uses:** Every use shall be operated so that continuous, frequent or repetitive vibrations inherently or recurrently generated may not be perceptible to a person of normal sensitivities on any point of any property line of the Lot on which the use is located.

b. **Exemptions:** Vibrations from temporary construction work and vehicles which leave the Lot (such as trucks, trains and helicopters) are exempt from Subsection a., above. Vibrations lasting less than five minutes per day are also exempt. Vibrations from primarily on-site vehicles and equipment are not exempt.

11-8-3 Fences:

a. **Types of Fences:** These standards apply to walls, fences and screens of all types whether open, solid, wood, metal, wire, masonry, or other material.

b. **Location and Height:**

1. The maximum height for fence and all supports in required front Building Setbacks is forty-eight (48) inches, with the exception of industrial uses in any Industrial Zones where a fence in the front Building Setback may be no higher than eight (8)

feet and shall have a five-foot landscaped buffer between the fence and the street line.

2. The maximum height for fences in required side or rear Building Setbacks is eight (8) feet.

3. The maximum height for fences that are not in required Building Setbacks is ten (10) feet.

c. **Prohibitions:** The use of razor wire is prohibited in all zones. Barbed wire or its equivalent shall be prohibited in all residential zones.

d. **Outdoor Storage in Industrial Zones and MU-LI:** Where an allowed use has outdoor uncovered storage, the area devoted to such use shall be completely screened from neighboring street(s) and properties to the satisfaction of the approving agency or the Building Official, as appropriate. Any material stored outdoors shall be enclosed by an approved fence, and no material shall be stored higher than the height of such fence. If the owner or tenant can demonstrate to the Planning and Zoning Commission that stored material has to be stored higher than the allowed fence height, the Commission may require the material to be fully enclosed so that airborne particles are minimized.

11-8-4 Garbage Collection and Recycling Areas: With the exception of all R zones (residential zones), but not excepting the R-C zone, all outdoor garbage cans and garbage collection and recycling areas shall be screened from all public rights of way other than alleys, and from any adjacent properties, to the L3 or F2 standards. Trash receptacles for pedestrian use are exempt.

11-8-5 Mechanical Equipment: Mechanical equipment located on the ground, such as cooling or heating equipment, pumps or generators, shall be screened from the street and any abutting R, or MU-zoned properties to the L3 or F2 standards. Mechanical equipment on roofs shall be completely screened from the ground level of any abutting Residential-Zoned Lots and substantially screened from all adjacent properties at any level. Residential rooftop solar panels exempt (max. height 35').

11-8-6 Debris and Litter: No person owning or occupying land in the city shall place either on land owned or occupied by such person or on the land of another, or permit or suffer to remain on land owned or occupied by such person, debris and/or litter of any kind whatsoever which is offensive or unsanitary or which is likely to be carried by the wind into the streets or onto the land of others. No facility shall be used as a dumping or transfer area for refuse or as a place for the burning or disposal of trash.

11-8-7 Airborne Particles and Pollution: In Industrial Zones, no use shall result in pollution and/or airborne particles, as defined by the State Department of Environmental Protection, migrating to any property in any zone which is within five-hundred (500) feet of the property line or migrating within one-third (1/3) mile from the property line to a residential unit, hospital, nursing home, school, or house of worship.

11-8-8 Particulate Matter and Visible Emissions:

a. **Prohibitions:** Particulate matter and visible emissions emitted from unenclosed operations, as listed below, shall be unlawful and deemed a nuisance beyond the lot line of the property on which the emissions or particulate matter originate. In no case shall such particulate matter or visible emissions obstruct or interfere with the reasonable and comfortable use and enjoyment of property.

b. **Potential Sources:** The following are deemed potential sources of particulate matter and visible emissions:

1. uncovered storage piles

2. construction and demolition sites

3. track-out of mud or dirt from construction site onto paved roads

4. unpaved vehicle traffic roads, parking, and other areas

5. quarrying and processing of sand, gravel, or rock, explosive detonation, earth moving, and/or excavation

6. bulk material handling, storage, and transport

7. grit blasting

8. road repairs

9. vehicle movement

10. other similar commercial or industrial activities

c. **Abatement and Prevention:**

1. Particulate matter containment, abatement and preventive measures shall be implemented. The owner or tenant shall provide to the relevant City of Bridgeport permitting agency a description of any monitoring or sampling methods used for recording and reporting data to the City and of any control measures.

2. Abatement and preventive measures shall be approved by the City of Bridgeport. These may include but shall be limited to covering of storage piles, water suppression, non-toxic dust suppressants, gravelling, detouring, paving, closure, vehicle speed control, mechanical sweeping of paved roads, surface treatment with non-toxic chemicals or asphalt, hoods, fans, scrubbers, fabric filters or other devices to capture, contain, and vent, or any other means of equal or greater effectiveness as is practicable.

3. Long-term storage piles shall be stabilized by vegetation, appropriate chemicals, or contained within a three-sided and covered structure.

4. Haul trucks shall not be overloaded. The trucks shall be washed or wetted down, treated, or covered when necessary to minimize particulates emitted in transit and in loading. The interior of cargo compartments on emptied haul trucks shall be

cleaned prior to leaving the site. The use of front-end loaders to handle dry dusty materials is discouraged. Track-out shall be cleaned up once a day.

5. Any material prohibited for use as dust suppressant, surface treatment, or other means of abatement and prevention by CT DEP or federal EPA, or other applicable law, rule, or regulation is deemed prohibited under this section.

d. **Emission Factors:** From time to time published emission factors are changed based on new or improved data. For any operating permit or special permit, the emission factors or emission factor equations cited in the permit are considered to be fixed until changed by the permit. It is the responsibility of the permittee to be aware of changes in the factors and to notify the City of Bridgeport permitting agency in writing of impacts on the permit requirements when there is a change in factors.

e. **CT DEP Regulations:** In addition to the controls cited herein, no use shall result in visible emissions or particulate matter, as defined and controlled by CT Department of Environmental Protection (CT DEP) Regulation Section 22a-174-18, Control of particulate matter and visible emissions.

f. **Violations:** Violations of this section shall result in fines and administration action.

Section 11-9 Public Access Easement

The Planning and Zoning Commission may require an applicant to establish a Public Access Easement on any property or properties abutting a waterway that is (are) in a zone(s) other than R-A, R-AA, R-B, R-BB or R-C. In such case, a dedicated open space area shall be established from the top of the embankment and for twenty (20) feet inland.

Section 11-10 Storage and the Use of Vehicles

The following are prohibited:

a. Use of trailers, boats, boat trailers, or motor vehicles for human habitation or any accessory use, except use incidental to construction or emergency shelter for up to 30 (thirty) days by persons whose dwelling has been made uninhabitable by fire or other casualty and except as provided under Section 8-2 of the General Statutes.

b. Outside storage of inoperative or unregistered motor vehicles for more than 30 (thirty) days.

ARTICLE 12 SPECIAL PERMIT AND ADMINISTRATIVE REVIEW USES

Section 12-1 Accessory Apartments

Where accessory apartments, as defined in Article 2, Definitions, are permitted the use must conform to Section 14-2 and the following conditions:

a. **Size of Structure:** A single-family dwelling with an accessory apartment must have at least 1,400 square feet of floor area used exclusively for the primary dwelling. The floor area of the attached garage or other non-living space, such as an unfinished basement, shall not be included in the total.

b. **Location:** An accessory apartment may be created only through an internal conversion of existing living area, basement, attic, or the space above an existing attached garage. An accessory apartment may not be created through the conversion of floor area currently used or designed for the parking of cars.

c. **Location of Entrances:** Only one entrance to the residential structure may be located at the front of the residential structure, unless the structure contained additional front doors before the conversion.

d. **Other Uses:** An accessory apartment is not permitted where the primary dwelling is used for a home business.

Section 12-2 Automobile Sales and Service

In areas where retail automotive sales and vehicle service are a special permit use, the use must conform to the following conditions. These conditions are in addition to Section 14-4 and any applicable special permit standards set forth in Section 14 -3, Coastal Site Plan Review and Approval.

a. **Appearance of Structure:** where an automobile sales establishment includes a repair service operation, service bays shall be located so as not to be visible from the surrounding streets providing access to the site.

b. **Landscaping:** Minimum landscaped area shall be increased to 1.5 times the amount required in the Base Zone.

c. **Automobile Display Areas:** Display areas (7.5 x 18) must be striped and shall be adequately screened by permitted landscaping to the L-2 standard.

d. **Automobile Storage Areas:** Automobile storage areas shall be screened by permitted fencing to the F-2 standard. Such storage area shall not be the same as employee and customer parking or parking for customer cars awaiting service or sale.

Section 12-3 Commercial Outdoor Recreation Facility

Where commercial outdoor recreation facilities are permitted and are adjacent to a residential zone, the facility's hours of operation shall not exceed 9:00 a.m. to 8:00 p.m. The proposed use shall comply with Section 14-4.

Section 12-4 Community Residential Facility

Where Community Residential Facilities are permitted, no such use shall be established within one-thousand feet (1,000) of any other Community Residential Facility. The proposed use shall comply with Section 14-4.

Section 12-5 Drive-Through Facilities

All drive-through facilities whether a primary use or accessory to a primary use, must comply with Section 14-4 and the following conditions:

a. **Setbacks and Landscaping:** Service areas and stacking lanes for a drive -through facility must be set back at least five (5) feet from all lot lines. In all zones other than residential zones, the setback must be landscaped to at least the L-2 standard. Where the setback abuts a residential zone, the setback must be landscaped to at least the L-3 standard.

b. **Design and Layout:** Stacking lanes and service areas must be designed so that there is adequate on-site maneuvering, queuing and circulation area, so that stacking vehicles will not impede traffic on abutting streets, and so that stacking lanes do not interfere with vehicle circulation.

12-5-1: Urban Design Guidelines

Intent: Reinforce pedestrian activity, orientation to ground floor activities and enhance the liveliness of the street through building, parking and vehicular access location; to minimize the impact on the surrounding properties.

a. **Building Siting:**

1. Buildings with a drive-through must be compatible with a street-side, storefront character and aligned to the sidewalk. The principal building entrance and front building façade shall face the primary street frontage and sidewalk, and not be oriented toward a parking lot. A building on a corner lot shall have its principal entrance facing the primary street with a wraparound façade on the secondary street. Where parking is located to the side on a non-corner parcel or rear of a building, a secondary

entrance may be provided for direct access to the parking area or a walkway should lead to the primary entrance at the street (See Figure 12-A).

2. To accommodate outdoor seating an additional 5 feet of front setback is allowed.

3. Parking shall be located preferably to the rear and/or side of the building (non-corner property), with suitable landscaped islands and perimeter landscaped screening (See Section 11-1-13, Table 8A and Table 8B) In compliance with the minimum parking stall dimensions, vehicle maneuvering space and aisle dimensions (See Figure 11-A).

4. Locate stacking lanes out of view of the public street and/or sidewalk, at the rear and/or side of the building.

5. Provide a minimum of 8 stacking spaces on site for restaurant and food sale use. Provide a minimum of 4 stacking spaces on site for banking, pharmacies and similar non-food related use drive-through facilities. Stacking lanes or driveways in the setback area between the building and the street are not allowed.

6. Parking spaces on street corners are not allowed.

7. **Lighting** shall be provided to ensure adequate and safe lighting of all pedestrian sidewalks, walkways and parking areas within the site and along the property frontage to the curb line. Lighting fixtures shall be appropriately shielded to prevent trespass lighting onto adjoining private property.

8. **Trash receptacles and mechanical equipment** shall be located away from streets and suitably screened by means of solid fencing or landscaping, or a combination of both. Landscape screening is encouraged (See Section 11-8-4 and Section 11-8-5).

9. **Screening & Fencing** along side or rear yards or within a lot may be wood, steel pickets or any other approved fence type. Chain link, barbed wire or razor wire fencing shall not be permitted. The use of dense landscaping instead of fencing is encouraged (See Section 11-1-13 and Section 11-3).

b. Architectural Design Standards:

1. The architectural design of a new building with a drive-through facility shall be coordinated and compatible with the architectural context of the site and character of the surrounding areas and be responsive to pedestrian scale and the public aspect of the street. Design compatibility includes forms, size, complementary building style, colors and materials.

2. **Building facades** shall be articulated by using color,

arrangement, or change in materials to emphasize the façade elements. All entries should be well lit and shall include architectural treatment that heightens their visibility. The principal entrance of the building should be more articulated and highlighted (size, material, recessed, lighting, etc) than secondary entrances.

3. **Wall Material:** Buildings shall be constructed with high quality, durable and innovative exterior materials and shall be extended around building corners to a logical break in plane. Use of lesser quality materials, such as, but not limited to, masonite paneling, sheet tile, simulated brick, pegboard, vinyl and aluminum siding, external insulation and finish systems, plastic laminate and canopies and awnings made of vinyl are discouraged.

4. **Required Amounts of Window Area:** In all drive-through facilities, exterior walls on the primary street frontages, ground level, must contain windows of two-way (non-mirrored) glass for a minimum of 75 percent of the building length (length x 0.75) with window coverage at 50 percent of street wall area [(length x height) x 0.5]. Side/Secondary street windows must contain a minimum of 50 percent of building length (length x 0.5) with window coverage at 40 percent of street wall area [(length x height) x 0.4] (See Figure 6-B).

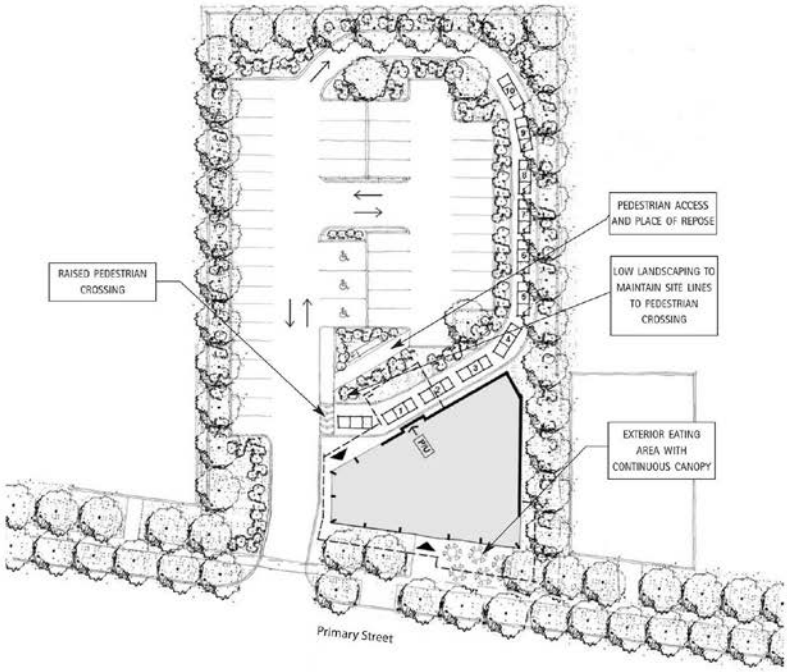
5. **Roofs:** Maximize the height of the building or facades facing the street by maximizing ceiling height, parapet height and through roof design.

6. Rooflines shall be emphasized, for example with gabled or other pitched roof forms, parapets, balustrades, and/or cornices. Buildings shall have varied roof lines and materials. Flat roofs should be topped with cornices or decorative parapets. Green Roofs are encouraged.

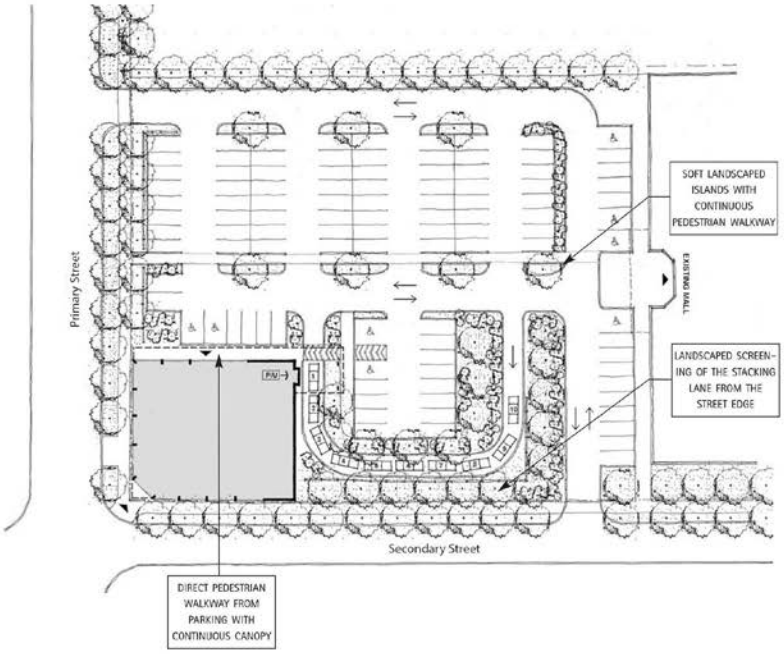
7. **Rooftop mechanical equipment** shall be integrated into the design of the building and set back at least 15 feet from all upper-level building facades, and must be effectively screened from view from street level.

Figure 12-A BUILDING SITING

Midblock Lot Preferred Layout



Corner Lot Preferred Layout



Section 12-6 Group Living

Where group living uses are permitted as a special permit use, all structures and parking areas shall conform to Section 14-4 and shall be set back a minimum of 10 feet from lot lines adjacent to residential zones. This 10 - foot setback shall include no less than eight (8) feet landscaped to the L -3 standard. This condition is in addition to any applicable Special Permit standards, as set forth in Article 14 and regular Base Zone Development Standards for the use and zone.

Section 12-7 Home Occupations

Home Occupations are those uses traditionally not permitted in residential zones. In general these are activities carried out for financial gain and that are home based, but that do not materially change the residential nature of the neighborhood in which they are permitted. The uses can include but are not limited to professional offices, independent contractors, artisans and craftsman, dressmakers and tailors. Two categories of Home Occupations are established, each having standards and criteria intended to reduce the impact on neighboring residences.

a. **Prohibited Uses:** Repair or assembly of vehicles or equipment with internal combustion engines (such as automobiles, motorcycles, scooters, snowmobiles, outboard marine engines, lawnmowers, chainsaws and other engines) and repair or assembly of large appliances (such as washing machines, clothes dryers and refrigerators) or any other work related to the sale or service of such vehicles described above and their parts is prohibited. Use of the premises as a headquarters of dispatch center where employees come to the premises and are dispatched to other locations is also prohibited.

b. **Home Office and Home Business:** Two categories of home occupations are established, each having standards and criteria intended to reduce impact on neighborhood residences. A Home Occupation shall be classified as either a Home Office or a Home Business. A Home Office shall require an Administrative Review Permit; see Section 12-20. A Home Business shall require a special use permit, and shall be subject to Section 14-4.

12-7-1 Home Office:

a. **Purpose:** The purpose of this regulation is to recognize that the resident of a dwelling in a residential zone has a right to conduct an office (or a similar use) where such use has no external evidence or creates an impact that alters the residential character of the dwelling, lot or neighborhood.

b. **Permits:** A Home Office use is permitted in all residential zones, and shall be granted an Administrative Review Permit, as per Section 12-20, if all conditions below are met.

c. **Conditions:** To be considered a Home Office, the use must meet the following conditions:

1. There shall be no change in the exterior of the residence; no outside display or storage of materials, goods, supplies or equipment; nor is there any exterior visible evidence of home office use.

2. Only household members residing in the dwelling shall be employed in the Home Office use.

3. The Home Office use shall be confined to structures that are clearly incidental to the use of a property for a residence.

4. No business shall be conducted from the Home Office except by mail or electronic medium.

5. There shall be no traffic, noise, or electrical interference associated with the Home Office use that exceeds that normally associated with a residence.

6. There shall be no hazardous, flammable or combustible liquids, materials and/or wastes located, stored, used, or displayed in association with uses as a Home Office other than that normally associated with a residence.

7. All activities related to a Home Office must be in completely enclosed structures. The Outdoor Storage or Outdoor Display of goods or equipment is prohibited.

8. The dwelling and site must remain residential in appearance. Interior or exterior changes which will make the dwelling appear less residential in nature or function are prohibited. Examples of such prohibited alterations include construction of parking lots, paving of required setbacks or adding commercial - like exterior lighting or signage.

9. No more than one truck may be parked at the site. See Section 11-1.

10. Truck deliveries or pickups of supplies or products associated with business activities are allowed at the home only between 8:00 a.m. and 5:00 p.m. Vehicles used for delivery and pickup are limited to those normally servicing residential neighborhoods.

12-7-2 Home Business:

a. **Purpose:** The purpose of this regulation for a Home Business is to provide the opportunity for the resident of a home to use the property for limited business purposes, subject to conditions designed to maintain the residential character of the existing dwelling 'and the neighborhood, to minimize the conflict of such use with surrounding residential uses, and to protect residential property values.

b. **Permits:** A Home Business use is permitted as a special permit use in certain residential zones. The Commission may grant the special permit if the proposed use conforms to Section 14-4 and all conditions below are met.

c. **Conditions:** To be considered a Home Business, the use must meet the following conditions:

1. Proposed property for a home business use shall have at least the minimum lot area required in the zone district.

2. The Home Business use shall be clearly secondary to the residential use of the property, and shall not change the residential appearance of the lot nor the residential character of the neighborhood.

3. The Home Business use may occupy an accessory building provided that the location and appearance of the accessory building is consistent with the residential character of the existing dwelling and of the neighborhood.

4. The Home Business shall not occupy more square footage than 50% of the gross floor area of the primary residence, whether in the residence, an accessory structure, or both.

5. The Home Business use shall not employ more than two persons other than resident family members.

6. The appearance of the lot and of the structures on the lot shall not be altered in a manner that would cause the residence to differ from its residential character by the use of materials, construction, lighting, and signs, nor by the emission of sounds, vibrations, or electrical interference.

7. There shall be no exterior storage of goods, supplies, or materials associated with the Home Business.

8. There shall be no hazardous materials stored, used, or displayed in association with use as a Home Business other than that normally associated with a residence.

9. On-site parking shall be provided to accommodate the parking needs of the home business in accordance with Section 11-1. L4 landscaping and screening shall be provided along boundaries of adjoining property used for residential purposes.

10. **Hours:** Customers may visit the premises only during the hours of 7:00 a.m. to 6:00 p.m.

11. **Customers:** No more than eight customers or clients may visit the site in a day.

12. **Retail Sales:** Retail sales of goods must be entirely accessory to any services provided on the site (such as hair care products sold as an accessory to hair cutting or styling).

13. **Number of Accessory Uses:** A home business is prohibited in a residence with an accessory apartment and no more than one home occupation is permitted per dwelling unit.

d. **Renewal:** A Home Business permit must be renewed yearly on or before the anniversary date of the issuance of the initial permit. The Zoning Enforcement Officer will authorize the renewal of the permit if he determines that the requirements of this regulation are still being met.

Section 12-8 Institutional Uses

In areas where institutional uses are allowed only as a special permit use, the proposed use shall conform to Section 14-4 and all following conditions. These conditions shall apply to new development, exterior alterations, and conversions to institutional uses. These conditions shall be in addition to any Base Zone Development Standards and Special Permit standards. Where a condition of this Section 12-8 conflicts with a Base Zone Development Standard, the more stringent standard shall apply.

a. **Outdoor Storage:** Outdoor storage of materials or equipment is prohibited.

b. **Outdoor Activity Facilities:** Outdoor activity facilities such as swimming pools, basketball courts, tennis courts, baseball diamonds, and playground facilities, must be set back 50 feet from an abutting residential zoned property.

c. **Mechanical Equipment:** Mechanical equipment located on the ground such as heating or cooling equipment or generators must be screened. Mechanical equipment on roofs must be screened from the ground level of any abutting residential zoned properties.

d. **Electrical Substations:** The entire perimeter of electrical substations, including the Street Lot Line (except for the access point), must be landscaped to the L-3 standard stated in Section 11-3. Required landscaping must be planted on the outside of any security fence.

e. **Maximum Building Coverage:** Building coverage shall not exceed 50 percent of the site area.

f. **Minimum Landscape Area:** No less than 25 percent of the site area shall be landscaped.

g. **Buffering from Abutting Residential Zone:** Landscaping setbacks abutting a residential R-zoned lot shall include no less than a 15 - foot wide buffer landscaped to the L-3 standard.

h. **Buffering across a Street from a Residential Zone:** Institutional uses on lots across a street from residential zoned property must contain a 15-foot deep Frontage area landscaped to the L-1 standard.

i. **Setbacks for Accessory Structures:** All detached accessory structures except fences shall be set back a minimum of 10 feet from any lot line.

j. **Temporary Educational Facilities:** The Bridgeport Board of Education shall be exempt from any Zone Development Standards found in any applicable zone within the city of Bridgeport and the standards found in Section 12-7 involving only City-owned parcels used by the BOE for a school building except that each temporary educational facility proposal shall appear before the Planning and Zoning Commission for Site Plan Review. Temporary shall be defined as being less than 12 consecutive calendar months in duration from the date of approval however; the Board of Education may request extensions of time in one year increments by petitioning the Planning and Zoning Commission no less than 90 days prior to the expiration of the previous approval.

Section 12-9 Major Entertainment Facility

In addition to special permit standards set forth in Section 14 -4, an applicant for a Major Entertainment Facility shall submit an application, a Transportation Management Plan (TMP), and a traffic impact analysis. The TMP shall address:

a. Projected traffic volumes of the proposed facility.

b. Primary routes for access to and from the facility.

c. Secondary and emergency routes.

d. Capacity of area roads and public transportation.

e. Impact of the proposed use on levels of service on area streets.

f. Relationship of facility traffic to existing area traffic.

g. Other appropriate information, as requested by the Planning and Zoning Commission, designed to accurately determine the traffic impact of the use on the neighboring areas.

Section 12-10 Liquor Control Regulation

A use involving the sale of alcohol shall comply with the conditions below in addition to any other local or State Liquor Control Standards regarding the type of liquor control permit set forth for the sale of alcoholic liquor and shall require a State of Connecticut Liquor Permit to be endorsed by the Zoning Enforcement Officer.

a. **Approval of Location:** All uses involving the sale of alcohol, including patio liquor permits, with the exception of full service restaurants as defined by the State Liquor Control Commission, shall receive a certificate of approval of location from

the Planning and Zoning Commission. An application shall be submitted to the Planning and Zoning Commission by the owner of the property, a holder of the legal interest in the property, or the owner's or holder's agent and shall include the requisite fee in that amount established for a special permit and site plan review. The application shall contain the legal data set forth in §14-2-3a.1 and 2; a site plan containing the requirements of §14-2-3b.1 through 6 and 8; and a class A-2 survey of the property which survey will also show all houses of worship, schools, hospitals and commercial day care centers located within the city of Bridgeport within a 750-foot radius from the main entrance to the building containing the foregoing uses to the main entrance to the building containing the proposed liquor sale uses seeking the certificate of approval of location. No application for an approval of location shall be granted until the Planning and Zoning Commission has held a public hearing pursuant to the procedures set forth in 14-4-2 and until the Planning and Zoning Commission has made the following findings:

1. The use is compatible with and implements the objectives and policies of Bridgeport's Master Plan of Conservation and Development;

2. The use will not impair the future development of the surrounding area;

3. The proposal includes adequate safeguards to protect adjacent property and the neighborhood in general from any detrimental impacts the proposed use might otherwise have;

4. In the case of any proposed use located in, or directly adjacent to, a residential district, the location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, its site layout and its relation to access streets shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be incongruous with residential uses, and will not present an undue hazard or inconvenience to residents;

5. The proposed use will not adversely impact property values and the character and extent of development of adjoining properties; and

6. The use will not be disruptive to or cause conflicts with existing uses within the immediate vicinity.

b. **Package Stores and Grocery Beer Permits:**

1. No use for which a package store or grocery beer permit is required under Chapter 545, of the Connecticut General Statutes, as amended may be located so that the entrance main entrance to the building containing such proposed liquor sales use use is within a 750-foot radius of the entrance of a building located within the City of Bridgeport containing a house of worship, school, or hospital, or a commercial day care center. Notwithstanding this limitation, a use for which a package store permit was issued and valid at the time of the adoption of these Regulations may move to another building or premises within a 750-foot radius of the building or

premises containing the use for which the package store permit was issued, per CGS Sec. 30-52, as amended.

2. Uses for which a package store or grocery store beer permit are required are exempt from the 750 foot rule within all DVD and NCVD zones.

c. **Separation of Liquor Permits:** No building with an on-premises alcohol consumption liquor permit issued by the State Liquor Control Commission, other than a full service restaurant as defined by the State Liquor Control Commission, shall be used either in whole or in part for the sale of alcoholic liquor if the main entrance to the building containing such proposed on-premises alcohol use is within a 750-foot radius from the main entrance of any other building located within the City of Bridgeport which shall be used for the sale of alcoholic liquor whether it is of the same or of a different class or permit.

d. **Change in Liquor Permit Type:** Any requested change in the type of on-premises alcohol consumption liquor permit shall be subject to review by the Planning and Zoning Commission.

e. **Liquor Use of Certain Nonconforming Premises:** No building or premises devoted to a nonconforming use in any residence zone shall be used for the sale of alcoholic liquor under any tavern, restaurant, or alcoholic liquor package store permit issued by said Liquor Control Commission. No building or premises in any residence zone which shall be used in whole or in part for the sale of alcoholic liquor under any grocery store or package store beer permit shall be used for the sale of alcoholic liquor under any tavern, restaurant, or all-alcoholic liquor package store permit issued by said Liquor Control Commission. No building or premises in any residence zone which shall be used for the sale of alcoholic liquor under any tavern or limited restaurant permit shall be used for the sale of alcoholic liquor under any restaurant or package store permit issued by said Liquor Control Commission which authorizes the sale of additional kinds of alcoholic liquor. No building or premises in any residence zone which shall be used for the sale of alcoholic liquor under any all-alcoholic liquor package store permit shall be used for the sale of alcoholic liquor under any tavern or restaurant permit issued by said Liquor Control Commission.

f. **Remonstrance:** The general public may, per CGS 30-39, voice objections to new liquor permit applications or the renewal of an existing liquor permit. Any ten persons who are at least eighteen years of age, and residents of Bridgeport, may file a petition of remonstrance with the Connecticut Department of Consumer Protection within prescribed timeframes. The website for said department outlines details for filing a remonstrance, as well as reasons for permit denial or revocation that will be taken into consideration by the Liquor Control Commission.

Amended to February 25, 2019

Section 12-11 Resource Production/Extraction

In industrial zones where resource production and/or extraction is allowed only as a special permit use, the following development conditions must be complied with. These conditions shall be in addition to any applicable Special Permit standards, as set forth in Section 14-4. These conditions shall apply to resource production and/or extraction not otherwise necessary for the development of an approved Site Plan or subdivision. Resource production and/or extraction includes, but is not limited to, excavation, removal and processing of sand, gravel or stone for use and sale as construction materials, and the construction of ponds, lakes, or stormwater detention facilities. This section does not regulate the removal of rock and other resources necessitated by the preparation of the site for an approved development.

a. **Public Health Safety and Welfare:** Applicants shall demonstrate that the proposed resource production and/or extraction activity will not be detrimental to the public health, safety and general welfare, that the activity complies with Section 4-13, Stormwater Management Regulations and with Section 11-8, General Performance Standards, and that no dangerous slopes, nuisances, or permanent damage to landscapes will be created.

b. **Truck Route:** Applicant shall document a reasonable truck route to the satisfaction of the Planning and Zoning Commission.

c. **Setbacks and Slopes:** No resource production or excavation may take place within 50 feet of abutting properties (100 feet if adjacent to a residential zone) or within 50 feet of the abutting street lot line. Finished grade shall not exceed a slope of 25 percent or less as necessary to stabilize the slope to allow for reasonable reuse of the land.

d. **Fencing:** To the extent possible, resource production and/or extraction areas shall be enclosed by a fence for safety purposes. See Section 11-3-1, Landscaping and Screening. Vehicular access points shall include a gate, which shall be locked while the operation is not in progress.

e. **Spillage:** It shall be the responsibility of the applicant, owner or operator of the facility to clean up any spillage of material that occurs off-site on area streets within 24 hours.

f. **Restoration Plan:** When resource production and/or extraction operations are complete, the applicant shall restore the site consistent with a restoration plan submitted at the time of application prior to commencement of any activity. This restoration plan shall include final grading plans, bank stabilization plans, drainage plans, or other information necessary for the maintenance of the facility in a safe condition.

Section 12-12 Social Service Providers

In the OR, OR-G, OR-R, MU-LI and MU-EM, a social service provider facility may only operate between the hours of 7:00 a.m. to 9:00 p.m. daily. This restriction does not apply to shelters. The use shall comply with Section 14-4.

Section 12-13 Vehicle Service Facilities

Where vehicle repair facilities are permitted as a special permit use, the use must comply with Section 14-4 and the following conditions.

a. **Vehicle Repairs:** All repairs of vehicles must occur inside a building.

b. **Outdoor Storage:** Outdoor storage areas shall be limited to an area equal to the square footage of the principal building on-site. All stored vehicles shall be registered.

c. **Screening of Outdoor Storage Areas:** The minimum screening for outdoor storage areas shall be a fence meeting the F - 2 fence standard. When adjacent to residential zones, screening requirements shall include the L- 3 landscape standard between the residential lot line and the fence enclosing the outdoor storage area.

Section 12-14 Telecommunications Facility

a. **Site Plan Review Required:** An application for a Site Plan Review of the installation of telecommunications' antenna(s) and associated equipment on, over or in a building located within the city of Bridgeport, and on the adjoining property when applicable, shall be filed jointly by the property owner and by an telecommunications entity licensed by the Federal Communications Commission (FCC), and the Department of Public Utility Control when applicable. Site Plan review and approval is required prior to installation of antennas and equipment to insure compliance with all FCC Electronic Magnetic Field (EMF) Emission Standards, and to evaluate the impact of said installations in light of the City's need to protect the natural, social, and cultural environment in accordance with the Master Plan, and that adverse development impacts will be minimized. Applications for the installation of a telecommunications tower shall be filed only with the State of Connecticut Siting Council.

b. **Submittal Requirements:** Telecommunication Site Plan applications shall be accompanied by the requirements as set forth below. In addition, a drawing showing the proposed antennas and equipment installed on, over or in the structure location shall be filed to demonstrate the impact of installation on the environment, and to ensure safeguards have been taken to insure the public safety.

   1. **Other Properties Affected:** A list of the names and addresses of all property owners within 100 feet of all property lines of the subject property.

   2. **Site Plan:** A Site Plan prepared, signed and sealed by an engineer, architect or landscape architect registered and licensed to conduct business in the State of Connecticut, dated and meeting the following requirements:

      i. The Site Plan must be drawn to a scale of 100 feet or less to the inch.

      ii. Proposed and existing structures and amenities, including but not limited to, footprints of foundations, porches, decks, walkways, travel lanes and parking areas, shall be indicated. Dimensions to property lines from structures and overall building dimensions shall also be shown.

iii. Zone Development Standards shall be indicated, including street and lot lines, setback lines, building heights and roof profiles. Outdoor illumination and landscaping (including trees and/or shrubs, lawn, other landscape features and natural terrain not to be disturbed) shall also be indicated.

iv. Existing proposed grades shall be shown at two (2) foot intervals.

v. One or more benchmarks that can be used in the field to verify conditions shall be indicated.

3. **Phasing Plan:** When development is proposed to be undertaken in stages, the applicant must submit a phasing plan indicating the extent of development proposed for each phase.

4. **Additional Information:** The following may also be required at the discretion of the Planning and Zoning Commission:

i. **Survey:** A class A-2 survey of the property, improvements and easements.

ii. **Architectural Plans:** Preliminary architectural plans, sections and/or elevations of %" or 1/8" = 1' showing exterior wall elevations, roof lines, facade materials or other features of proposed buildings or structures.

iii. **Models:** Site or building models may be required when extensive construction is proposed; when the relationship to existing buildings is considered critical; when views or important landmarks or natural features may be affected; when the bulk, configuration, or scale of proposed buildings is questions; or when otherwise deemed necessary by the Planning and Zoning Commission. Models may be simple in technique but must be accurate as to contours, detail and scale.

iv. **Analysis:** An impact analysis of the development upon the horizon, storm drainage, sanitary sewerage, traffic, site conditions and/or environmental resources, including environmental impacts to coastal resources and the ecosystems and habitats of Long Island Sound, shall be demonstrated with the submission of photo simulation indicating the site before and after the proposed installation of antenna(s) and associated equipment.

v. **Licenses and Approvals:** A copy of the applicant's FCC license, and approval from the DPUC where applicable, to provide telecommunications services in Connecticut, and a copy of the Certificate of Incorporation, Company or Partnership from the governing authority, shall accompany the application.

vi. **Other Information:** Any other such information, including off-site information, as may be requested by the Planning and Zoning Commission to facilitate its review, or as may be requested by the Zoning Enforcement Officer to confirm conformity with or enforcement of the provisions, goals or policies of these Regulations.

c. **Site Plan Review Standards:** In reviewing Telecommunications Site Plan Applications, the Planning & Zoning Commission shall take into consideration the goals and policies of the Master Plan; the health, safety, general welfare and convenience of the public in general, and of the residents of the neighborhood in particular; any environmental impacts the proposed installation would have on Long Island Sound; and the maintenance of property values. In its review, the Planning & Zoning Commission may require a modification or attach reasonable conditions and safeguards as a precondition to approval of a site plan. The Planning & Zoning Commission shall consider the following specific standards and objectives:

1. **Public Convenience and Necessity:** That the Telecommunications antenna(s) and associated equipment are necessary to provide telecommunication services to the residents and businesses of the city of Bridgeport.

2. **Design:** The Design requirements as set forth below:

   i. **Walls, Fences and Hedges:** The location, height, design and materials of walls, fences, hedges and plantings shall be appropriate to the vicinity and shall suitably screen the proposed installations and other such features. Such landscaping shall be appropriate to the general character of the vicinity and consider the proximity and nature of abutting uses and the level of use of adjoining public streets and walkways.

   ii. **Landscaping:** In addition to requirements for minimum landscaped areas, all open space areas, exclusive of undisturbed natural areas, shall be suitably landscaped to the satisfaction of the Planning and Zoning Commission.

   iii. **Condition of Improvements:** All buildings and grounds and other structures shall be maintained in good repair and in safe, clean and sanitary condition. All improvements shall be suitably landscaped to the satisfaction of the Planning and Zoning Commission and shall thereafter be maintained in accordance with an agreement to be made part of the application of record, which agreement shall be enforced by the Zoning Enforcement Officer.

   iv. **Federal Aviation Requirements:** Verification as to whether or not the proposed structure will be in a clear zone and a light will be required by the Regulations of the Federal Aviation Administration.

3. **Environmental and Other Impacts:**

   i. **EMF Emissions:** Verification shall be submitted that the combined total impact of all telecommunication antenna(s) and equipment at this location are within the guidelines established by the FCC for EMF Emissions.

   ii. **Construction Controls:** Soil erosion, sedimentation and the release of excessive dust shall be controlled through implementation of suitable short term controls in accordance with the standards and procedures of Section 4-13, Stormwater Management Regulations.

iii. **Preservation of Natural Features:** Site design and development shall seek to preserve existing specimen trees, historic structures and other significant features of the site. Premature demolition or clearance of prospective development sites, whether recent or previously conducted, may be taken into consideration in subsequent site plan review, and approval may be conditioned on restoration.

iv. **Impact on Nearby Properties:** Lighting and noise, odors, particles and other disturbances shall be controlled to avoid interference with the use and enjoyment of nearby properties. The location, height, design and arrangement of outside lighting shall be consistent with safety and shall avoid glare and hazards to traffic.

v. **Impermeable Surfaces and Stormwater Runoff:** Surface water drainage facilities shall be adequate to safely drain the site while minimizing the risk of downstream flooding, erosion and pollution. Site development shall maximize the amount of storm water that can directly precipitate on or percolate into the soil. The proposed use shall conform to Section 4-13, Stormwater Management Regulations.

d. **Bonding Requirements:** As a condition of Site Plan approval, the Planning and Zoning Commission shall require that applicant to post a surety removal bond to insure the future removal of the antenna(s), associate equipment and any accompanying debris from the approved location in the antenna(s) and/or equipment installed are taken out of service and/or remain unused for a period of six (6) months. The amount of the surety bond shall be set by the Office of the City Attorney based on a review of the estimated cost of installation and removal of antenna(s) and equipment.

e. **Amendments:** All site improvements shall be carried out in strict compliance with the Site Plan approved by the Planning & Zoning Commission. All amendments and modifications, including the transfer of an approved plan from the original applicant to another telecommunications entity, shall require the approval of the Planning & Zoning Commission.

f. **Expiration of Site Plan Approval:** Site Plan approval shall expire five (5) years from the date of approval or within the time frame authorized by the General Statutes of Connecticut unless construction has commenced and is diligently pursued, or an application for extension of approval is received and approved by the Planning & Zoning Commission prior to the expiration of the time frame set forth herein.

g. **Continuing Nature of Obligation:** All conditions and improvements shown on the approved Site Plan shall continue in force as long as the use indicated on the approved Site Plan shall be in operation, regardless of any change in the ownership of the property on, over or in which the antenna(s) and associated equipment are located.

Section 12-15 Adaptive Reuse

Any proposal for the adaptive reuse of a structure or group of contiguous structures, whether or not the proposal involves one or more nonconforming uses, nonconforming structures, and/or nonconforming lots, shall be required to meet all the conditions listed in

"a" through "d" below in order for the Planning and Zoning Commission to review the proposed development and use as per Section 14-4. The Planning and Zoning Commission is authorized to modify any otherwise applicable Zone Development Standards, Development Standards set forth in Article 11 (Supplemental Standards), and/or standards set forth in this Article at its sole discretion.

a. The proposed use may be a use not otherwise allowed in the zone. Such use may be residential, office, and/or retail, and shall require a special permit.

b. The structure or group of structures proposed for adaptive reuse shall be certified as historic or architecturally significant by or shall be deemed eligible for inclusion in the National Historic Register, the State of Connecticut, or identified as locally historic within the Bridgeport Historic Properties Report.

c. The applicant shall demonstrate to the Planning and Zoning Commission's satisfaction that potential negative impacts on the neighborhood of the proposed adaptive reuse have been mitigated. Such impacts shall include, at minimum, traffic generation, hours and nature of operation, and compatibility of proposed uses with existing uses.

d. The renovation and remodeling of structures for adaptive reuse may not destroy or obscure essential architectural features. In addition, such architectural features must be enhanced to the extent that it is feasible and prudent to do so.

Section 12-16 Downtown Village Districts Signs

a. In the DVD-TOD district, all signs are subject to special use permit review by the Planning and Zoning Commission (refer to Section 11-7-8).

b. *[Reserved for additional regulations]*

Section 12-17 Temporary Zoning Permit for Annual, Seasonal or Special Event

The Planning and Zoning Commission or the Zoning Department may grant a zoning permit upon application for a temporary non-conforming use, as defined and covered by these regulations. A temporary zoning permit may be granted for an annual, seasonal, or special event open to the public in any zoning district if the public health, safety, and welfare are protected.

a. **Conditions:** The following conditions must be met:

1. The event shall last no more than forty-five (45) days.

2. The event shall largely occur inside the main structure.

3. The event shall have limited hours of operation, which do not exceed 8:30 a.m. to 10:00 p.m.

4. The event shall have adequate on-site parking or a demonstrated alternate method of accommodating visitor parking.

5. The event shall not emanate objectionable light, noise, odor or other nuisances.

6. No temporary structure, such as a tent, shall extend into the required zoning setbacks.

7. Temporary signs and banners may be allowed.

8. Pre-event set-up and post-event breakdown shall occur within the 45-day timeframe, and within the hours of operation. All trucks, vehicles, storage containers, and the like shall be accommodated on site and shall not constitute a nuisance to the adjacent neighbors.

9. The applicant may be required to post a bond to cover restoring the property, and removing all temporary signs and structures, of an amount and method to be determined by the Planning and Zoning Commission on a case-by-case basis.

10. The applicant shall post the permit prominently near the front entrance of the main structure.

b. **Application:** The application shall conform to the following:

1. The applicant shall first obtain an approved and signed Special Events Permit from the City of Bridgeport's Police Department, if such is needed. The permit details shall address parking, traffic, any need for police officers to be hired on an outside overtime basis by the applicant, and proof of notification to the relevant emergency and transportation services in the affected area. The Planning and Zoning Commission or its duly authorized staff will not accept an application for a Temporary Special Event Permit, under these regulations, unless the Police Department permit has been obtained and attached to the application.

2. A completed application shall be made on the approved Temporary Zoning Permit form, and shall adhere to the application procedure and requirements stated here.

3. The application shall have attached to it a site plan, showing the existing site and any temporary improvements that are proposed in support of the planned event. At a minimum, the site plan shall clearly show the streets, the affected lot, all proposed and existing structures, the required setbacks, and parking areas, and shall be accompanied by a list of the names and addresses of all property owners within one-hundred (100) feet of all property lines of the subject property.

4. The completed application shall be accompanied by the required fee, which shall be the established Special Events Fee plus any other relevant State and City fees.

5. The completed application shall be accompanied by proof of any required bond.

Section 12-18 Temporary Zoning Permit for Seasonal Outdoor Dining

The Planning and Zoning Commission or the Zoning Department may grant a zoning permit upon application for seasonal outdoor dining space. Such use shall be considered a seasonal use that is accessory to the applicant's restaurant or other retail food establishment shall demonstrate that the public health, safety, and welfare are protected.

a. **Conditions:** All following conditions shall be met:

1. The outdoor dining area shall not extend beyond the building frontage, and shall occupy only that part of the sidewalk that touches the building wall. No dining area may be set up curbside.

2. The outdoor dining area shall occupy the sidewalk such that there will be a minimum of six (6) unobstructed feet between the dining area railing (or separation) and the curb.

3. The outdoor dining area shall have a railing or other continuous separation between the tables and chairs and the open area of the sidewalk. The wait staff shall serve inside the railing, not from the open sidewalk.

4. The outdoor dining area shall have the same hours of operation as the main dining room, and in no event shall be open later.

5. The outdoor dining area shall have tables and chairs for patrons, and shall be used only for the purpose of consuming food and not as a waiting area or bar area. Patrons must be seated at a table setting. No standing consumption of food or liquids is allowed.

6. Clearly posted inside the front door of the establishment there shall be an officially-issued statement, stating 1) the name of the restaurateur or owner, 2) the approved number of tables and chairs, and 3) the expiration date of the permit.

7. The permit shall be for April 1 through October 31.

8. Such permit may be renewed annually, subject to review, and will in no case be granted for more than one season.

9. Such permit is not assignable.

10. The outdoor dining area and its patrons shall not constitute a nuisance to surrounding properties or neighborhood.

11. The permit may be revoked by the Zoning Enforcement Officer if upon investigation and a determination that any of the conditions of approval have not been adhered to.

b. **Application:** The application shall conform to the following:

1. The application shall have two parts: 1) an application for a temporary zoning permit for an outdoor dining area, and 2) an application for a franchise or concession to use the public sidewalk.

2. A completed application shall be made on the approved Temporary Zoning Permit form, and shall adhere to the application procedure and requirements.

3. The completed application shall be accompanied by the required fee, which shall be the established Seasonal Dining Fee plus any other relevant State and City fees.

4. The completed application shall be accompanied by proof of any required bond.

5. An approval is required from the Planning and Zoning Commission for outdoor liquor service in all zones. The application shall conform to all relevant requirements of the State of Connecticut Liquor Commission.

Section 12-19 Temporary Parking Permits

The Planning and Zoning Commission may grant a permit for temporary parking when such parking is the proposed principal use on a lot, on a case-by-case basis, but not including municipally-owned parking lots which shall be exempt from this permit requirement. The Commission shall condition each such permit with an expiration date, at which date the temporary parking shall cease.

Section 12-20 Administrative Review Uses and Consent Agendas

a. **Administrative Review Uses:** Certain uses indicated as a P (principal permitted) use in a Zone Development Table and not subject to a public hearing shall be subject to site plan review by staff for compliance with these Regulations, which review shall be known as Administrative Review. Examples of such uses are:

1. Home Office.

2. Temporary Zoning Permit for Seasonal Outdoor Dining.

3. Temporary Zoning Permit for Annual, Seasonal, or Special Event.

4. Subdivision as per Section 14-11-2(a)(1), also known commonly as "first allowable cut."

5. Change in occupancy from one permitted non-residential use to another permitted non-residential use within the same use group as found in Table 6.

6. [reserved]

b. **Consent Agenda Action:** Staff may place on a Consent Agenda Administrative Review applications and additional applications listed below in (c) and (d). Items on a Consent Agenda are grouped together as a single motion to approve by the reviewing board without discussion or individual motion. No item on a Consent Agenda shall require a public hearing; however, upon request(s) by the applicant or member of the

reviewing board, any item may be removed from the Consent Agenda and placed on the full agenda.

c. **Planning and Zoning Commission Consent Agenda:** In addition to any Administrative Review item, the following may be placed on a Consent Agenda:

1. Any application requiring Planning and Zoning Commission review due to variance(s) granted by the Zoning Board of Appeals.

2. Any 8-24 referral regarding City business which is routine in nature.

3. Any request for a re-hearing.

4. Any motor vehicle permit application.

5. [reserved]

d. **Zoning Board of Appeals Consent Agenda:** In addition to any Administrative Review item, the following may be placed on a Consent Agenda:

1. Any liquor permit variance application.

2. Any request to re-open an establishment with a liquor permit that has been closed for more than the allowed time.

3. Any request for a re-hearing.

4. [reserved]

ARTICLE 13 ADMINISTRATION

Section 13-1 Interpretation of this Article

This Article 13 describes certain administrative items and the powers and duties of administrative bodies and officers. As indicated, some of the powers and duties described are not controlled by these regulations but are established by City Ordinance or state statute. Furthermore, the descriptions of the powers and duties provided in this Article 13 are not meant to be exhaustive, but are meant instead to be descriptions of those primary duties that are relevant to the application, administration and enforcement of these regulations.

Section 13-2 Zoning Board of Appeals

13-2-1 Composition: Pursuant to Section 8-5 of the General Statutes, the Zoning Board of Appeals for the City consists of five regular members and three alternate members. The terms of office of members and filling of vacancies are as provided by Chapter 19, Section 5 of the 1992 Charter, as revised.

13-2-2 Powers and Duties:

a. As provided by Section 8-6 of the General Statutes, the Zoning Board of Appeals has the power to:

   1. Hear and decide appeals where it is alleged that there is an error in any order, requirement or decision made by any official charged with the enforcement of these Regulations;

   2. Hear and decide matters on which it is required to pass by the terms of these Regulations;

   3. Determine and vary the application of the terms of these Regulations in harmony with their general purpose and intent and in conformity with Section 8-6 of the General Statues and Section 14-5, Variances of these Regulations.

Section 13-3 Planning and Zoning Commission

13-3-1 Composition: As provided by Chapter 19, Section 5 of the 1992 Charter, as revised, the Planning and Zoning Commission is composed of nine members. The terms of office of members and filling of vacancies are as provided by Chapter 19, Section 5, of the 1992 Charter, as revised.

13-3-2 Powers and Duties:

a. As provided by Chapter 19, Section 6 of the 1992 Charter, as revised, the zoning authority of the City is vested in the Planning and Zoning Commission, and said Planning and Zoning Commission is vested with all rights, powers and duties provided to zoning commissions under Chapter 124 of the General Statutes. Such powers include, but are not limited to, the power to adopt and amend the Zoning Regulations, including the zone boundaries established by the zoning map; the power to provide for the manner in which the zoning regulations will be enforced; and the power to grant or deny special permits, or site plan approvals consistent with the Zoning Regulations.

b. Pursuant to Section 4-2 of the Bridgeport Code of Ordinances, every application to the Liquor Control Commission of the State of Connecticut, for a permit for the manufacture or sale of alcoholic liquor and requiring an endorsement thereon as to the status of the premises and the intended use thereof with respect to zones and zoning regulations of the City, shall be so endorsed solely by the Planning and Zoning Commission, acting through its duly authorized agent. Upon the presentation of each such application for such endorsement, there shall be paid to the Planning and Zoning Commission a fee for the necessary examination of records and making of endorsements, which sums shall be paid by it to the City Treasurer for the use of the City.

c. **Rules and Procedures:** The Commission may adopt administrative rules and procedures necessary to enforce the Zoning Regulations.

Section 13-4 Enforcement

13-4-1 Enforcement Authority: These Regulations shall be administered and enforced by the Planning and Zoning Commission. The Commission shall appoint an administrative agent, with the title of Zoning Official, with full power to administer and enforce these Regulations on behalf of the Commission. The Commission or the Official or one of his agents may file information with the prosecuting authority upon violation of any of these Regulations.

13-4-2 Zoning Enforcement Officer: The Zoning Official of the City of Bridgeport and his designees shall be the Zoning Enforcement Officers of the City and shall have the enforcement powers and duties described in this Section 13-4. In the event of the Zoning Official's absence from duty, that City official designated as the Assistant Zoning Official shall possess the powers and duties described in this Section 13-4.

13-4-3 Powers and Duties:

a. The Zoning Enforcement Officer shall have the responsibility and authority to enforce the provisions of these Regulations in accordance with administrative rules and procedures established by the Commission.

b. The Zoning Enforcement Officer is authorized to cause any building, structure, place, premises, use of any land or any work upon any building or structure being erected or altered, whether or not such work is being done under authority of a Zoning Permit, to be inspected at any time; to assess fines and issue notices pursuant to Section 13-5 of these Regulations; and to order the discontinuance of any violations of these Regulations or the remedying of any condition found to be in violation of these Regulations.

c. The Zoning Enforcement Officer shall have the authority and responsibility to review requests for certifications as to zoning compliance, including Certificates of Zoning Compliance, and to issue or deny issuance of the same pursuant to Section 14-1 of these Regulations.

d. The Zoning Enforcement Officer is authorized to remove and confiscate or cause such removal and confiscation of any sign, object and other obstruction placed on any property, public lands or within the lines of public roads and rights-of-way, or erected on, attached to, maintained on or displayed on any such location in any zone where no permit has been issued or where such sign is in violation of any provision of these Regulations.

13-4-4 Violations and Penalties: Violation of these Regulations including violation of any condition or requirement attached to the granting of a Special Permit or variance shall be subject to the procedures and full range of penalties provided below.

a. The owner or agent of any building or premises where a violation of any provision of such regulations has been committed or exists, or the lessee or tenant of an entire building or entire premises where such violation has been committed or exists, or the owner, agent, lessee or tenant of any part of the building or premises in which such violation has been committed or exists, or the agent, architect, builder, contractor or any other person who commits, takes part or assists in any such violation or who maintains any building or premises in which any such violation exists, shall be subject to the fines, injunctive procedures, and any other penalties prescribed by Chapter 124 of the Connecticut General Statutes, as amended, including, when warranted, a separate violation for each day that a violation exists.

b. The superior court shall have jurisdiction of all such offenses, subject to appeal as in other cases.

c. Any person who, having been served with an order to discontinue any such violation, fails to comply with such order within ten days after such service, or having been served with a cease and desist order with respect to a violation involving grading of land, removal of earth or soil erosion and sediment control, or other stormwater management regulation fails to comply with such order immediately, or continues to violate any provision of the regulations made under authority of the provisions of this chapter specified in such order shall be subject to a civil penalty payable to the Treasurer of the City of Bridgeport.

Section 13-5 Fees, Charges, and Expenses

a. Pursuant to Section 8-1c of the General Statutes, application fees and other fees necessary in connection with the procedures set forth in these Regulations, including fees for the preparation of the hearing transcript upon any appeal filed in Court, shall be as established and revised from time to time by ordinance adopted by the Common Council and published in the office of the City Clerk.

b. The Planning and Zoning Commission may establish and revise from time to time a schedule of fees, charges and expenses and a procedure for applications, petitions, site, architectural and other plans, maps, Certificates of Zoning Compliance, permits, inspections, the giving and mailing of notices and the publication thereof, and such other items as are deemed appropriate by the Commission, pertaining to the Zoning Regulations. Until all applicable fees have been paid, no application shall be deemed complete.

ARTICLE 14 PROCEDURES

Section 14-1 Certificate of Zoning Compliance

14-1-1 Certificate of Zoning Compliance Required: No vacant land or any unoccupied portion thereof shall be occupied or used, except for farming or gardening purposes, and no building or structure hereafter erected, reconstructed or structurally altered shall be occupied or used for any purpose whatever and no certificate of occupancy shall be issued unless and until a Certificate of Zoning Compliance is issued stating that the land, building and/or structure and the use(s) to be made of the land, building and/or structure comply in all respects with the provisions of these regulations and the requirements or conditions of any approvals granted under these regulations.

14-1-2 Certificate of Zoning Compliance as to Nonconforming Uses: No nonconforming use shall be extended, enlarged or changed and no alteration shall be made in any nonconforming use or premises unless and until a Certificate of Zoning Compliance is issued stating that the extension, enlargement, change or alteration of such nonconforming use or premises complies in all respects with the provisions of these regulations.

14-1-3 Application for Certificate of Zoning Compliance: Application for a Certificate of Zoning Compliance shall be submitted to the Zoning Enforcement Officer by a party having a legal interest in the property, or by the agent of such a party, on forms provided by the Officer, together with the pertinent application fee.

14-1-4 Submittal Requirements: The application shall be accompanied by the following:

a. Plot plan of the proposed building, structure or use drawn to scale with sufficient clarity to show the lot boundaries; minimum setback lines; the nature of the work to be performed, including off-street parking and buffers, if required; the location of new and existing construction; and the distance of same from the lot lines;

b. Letters from all utilities confirming that any necessary hookups can be made;

c. All approvals or variances granted by the Planning and Zoning Commission, the Zoning Board of Appeals, Historic District Commission, and the Inland Wetlands and Watercourses Agency as required by these Regulations, including any site plans, architectural plans, and/or engineering plans pertinent to such approvals; and

d. Such other information as may be required by the Zoning Enforcement Officer to indicate compliance with these Regulations and to aid in the enforcement of these Regulations.

14-1-5 Review and Disposition: Within 15 days of receiving a complete application, the Zoning Enforcement Officer shall determine whether the proposed development has received all required approvals and/or otherwise conforms to the Regulations and any other pertinent law or regulation, and shall approve or deny the application accordingly in writing. If the application is denied, the writing shall state the reasons for the denial. The writing shall also inform the applicant that the disposition may be appealed to the Zoning Board of Appeals.

14-1-6 Administrative Site Plan Review Requirements:

Certain uses indicated as a P (principal permitted) use in a Zone Development Table and not subject to a public hearing shall be subject to site plan review (Section 14-2-5) by staff for compliance with these regulations, which review shall be known as Administrative Review (Section 12-20a).

Applications for Certificate of Zoning Approval will be reviewed for use and compliance with the Zoning Standards and any additional standards and requirements as set forth in the COB's 2010 Zoning Regulations. The application should not be confused with the final "Certificate" which will be issued upon final review, inspection & approval.

Within **15 days** of receiving a complete application, a Zoning Official shall determine whether the proposed development has received all required approvals and/or otherwise conforms to these regulations and any other pertinent law or regulation, and shall approve or deny the application accordingly in writing (Section 14-1-5).

Changes to the site plan, floor plans or elevations made at the request of the Building Department, Engineering Department, Fire Marshall or WPCA will require subsequent review and approval by the Zoning Department.

- List of required items would include at the minimum:
- Completed "Application for Certificate of Zoning Compliance"
- Completed "Application for a Building Permit"
- Site Development Plan
- Landscape Plan
- Floor Plans
- Elevations

Other items that may be pertinent to the project such as:

- Topographic Plan
- Drainage Plan
- Utility Plan
- Soil Erosion & Sedimentation Plan

And any additional information that may be required to process the applications.

14-1-7 Certificate of Zoning Compliance:

a. **Application:** A true copy of the Application For Certificate of Zoning Compliance shall be kept on site and available for public inspection during the course of construction and until completion.

b. **Certificate Revocation:** The Zoning Enforcement Officer shall revoke a Certificate of Zoning Compliance upon a finding that the Certificate application contained material misrepresentations of fact or a finding that the parameters of the permit are materially violated by work or activity that does not conform to the approved plans for which the Certificate has been issued.

c. **Certificate Expiration:** The Application For Certificate of Zoning Compliance acceptance shall expire twelve (12) months from the date of acceptance unless a

building permit has been issued and construction has commenced and is being diligently pursued.

14-1-8 Issuance of Building Permits: No building permit for the erection, reconstruction or structural alterations of any building or structure shall be issued until:

a. The permit applicant applies for a Certificate of Zoning Compliance;

b. A Zoning Enforcement Officer completes an endorsement on the application that an application has been made for a Certificate of Zoning Compliance; and

c. The Zoning Enforcement Officer certifies on the application for the building permit that the work described in the building permit application and shown on any accompanying plans and specifications will comply with the requirements of these Regulations or any approvals granted under the authority of these Regulations.

14-1-9 Records: The Zoning Enforcement Officer shall keep accurate records of all Certificates of Zoning Compliance issued indicating plat/lot, new construction, additions or modifications and building type. In addition, records are to be kept of all site visits, actions taken and the time and issue date of all permits, certificates, and cease and desist orders. The Officer shall record the conditions warranting a cease and desist order by taking photographs and providing a written description of the non-conforming elements.

14-1-10 Final As-Built Drawings: For new construction, commercial or residential, and the footprint is increased greater than 100 sq. ft., an As-Built Drawing (A-2 Survey) to be recorded on the City's land records and a digitized copy on CD or Memory Stick shall be required of the applicant to receive a Certificate of Zoning Compliance. The staff reserves the right to request an A-2 survey for an Application For Certificate Of Zoning Compliance if there is a question of setback or site coverage.

Section 14-2 Site Plan

14-2-1 Purpose: The purpose of this Section is to ensure that designated categories of development are comprehensively reviewed for compliance with the requirements of these Regulations and for adequate provision of vehicular and pedestrian circulation, parking, landscaping, buffers, signage, lighting, drainage, utilities and other needs produced by the proposed development. It is also intended that through the procedures established under this Section, development impacts will be evaluated by the Planning & Zoning Commission in light of the City's need to protect its natural, social, and cultural environment in accordance with the adopted Comprehensive Plan, and that adverse development impacts will be minimized.

14-2-2 Site Plan Review Required: Site Plan Review is the standards-based process by which development applications are examined for consistency with the requirements of these Regulations. Site plan review shall be required if:

a. An application involves a variance of use (Section 14-7-1-b),

b. An application involves a special permit (Section 14-4-1-a),

c. An application involves a Coastal Site Plan approval, with exceptions (Section 14-3-3), or

d. An application involves a subdivision, with exceptions (Section 14-11-2-a).

e. If the following uses do not meet any of the five above-listed criteria, the use shall not be subject to a land use board review:

1. One-family and two-family dwelling, except where a two-family dwelling is located in a Coastal Zone; see Section 14-3.

2. Community garden

3. Administrative Review uses as listed and regulated in Article 12

14-2-3 Submittal Requirements: An application for Site Plan approval may only be submitted by the owner of the property, a holder of a legal interest in the subject property, or the owner's or holder's agent. The application shall be submitted to the Planning and Zoning Commission on a form provided by the Zoning Office and shall include the requisite fee for review of the site plan application, as set and amended by the City Council, and the following information:

a. **Legal Data:**

1. A list of the names and addresses of all property owners of record as per the Tax Assessor's records within one hundred (100) feet of all property lines of the subject property.

2. Lot dimensions and survey data, and section and lot numbers of the subject property.3. Reservations, easements, and areas dedicated to public use, if known, shall be shown.

b. Site Plan: A Site Plan prepared, signed and sealed by an engineer, architect or landscape architect registered and licensed to conduct business in the State of Connecticut, dated and meeting the following requirements:

1. The Site Plan must be drawn to a scale of forty (40) feet to one inch and shall include the subject site and the adjacent street(s) to the near curb line and, as may be relevant to the application, adjacent streets and the closest fifty (50) feet of adjacent lots.

2. Proposed and existing structures and amenities, including but not limited to, footprints of foundations, porches, decks, walkways, travel lanes, and parking areas, shall be indicated. Sufficient dimensions shall be shown to allow all zoning requirements to be confirmed.

3. Existing natural features, such as watercourses, wetlands, and trees of two (2) inch caliper and larger, including street trees, shall be indicated. Proposed landscaping (including trees and/or shrubs, lawn, other landscape features and natural terrain not to be disturbed) shall be indicated.

4. Zone Development Standards required and proposed shall be indicated in a table. Existing and proposed street and lot lines, setback lines, building heights, roof profiles, amounts of floor area by use, amounts of lot area by open use, amounts of parking required and provided, and outdoor illumination shall be indicated.

5. Existing and proposed grades shall be shown at two (2) foot intervals.

6. One or more benchmarks that can be used in the field to verify conditions shall be indicated.

7. **Survey:** A class A-2 survey of the property, improvements and easements.

8. **Architectural Plans:** Preliminary architectural plans, sections, and/or elevations at 1/4" or 1/8" = 1' showing exterior wall elevations, roof lines, facade materials or other features of proposed buildings or structures.

9. The applicant shall show on the site plan a Public Access Easement as per standards set forth in Tables 4.A and 4.B, Zone Development Standards.

c. Utility Plan: A written and drawn plan (at a scale of 100 feet or less to the inch) indicating how all utility needs (including storm drainage, sewage disposal, and water supply facilities) will be met.

d. Phasing Plan: When development is proposed to be undertaken in stages, the applicant must submit a phasing plan indicating the extent of development proposed for each phase.

e. Corporations and/or LLCs: If the petitioner is a corporation or a limited liability corporation, a copy of the "Certificate of Corporation" and "Organization and First Report" as filed with the Office of the Secretary of the State of Connecticut must be filed with the petition.

f. Discretionary Requirements: The following may be required at the discretion of the Planning and Zoning Commission:

1. **Photo Elevations:** Photographs of buildings to either side of and across the street from the site at the same scale as an incorporated in elevations of the proposed development of the site so as to show the building in its context.

2. **Models:** Site or building models may be required when extensive construction is proposed; when the relationship to existing buildings is considered critical; when views of important landmarks or natural features may be affected; when the bulk, configuration, or scale of proposed buildings is questioned; or when otherwise deemed necessary by the Planning and Zoning Commission. Models may be simple in technique but must be accurate as to contours, detail, and scale.

3. **Impact Analysis:** An impact analysis of the development upon storm drainage, sanitary sewerage, traffic, site conditions and/or environmental resources, including environmental impacts to coastal resources and the ecosystems and habitats of Long Island Sound.

4. **Open Space Management Plan:** A management plan indicating how all open space will be maintained, used, and managed.

5. **Signs:** All proposed signs shall conform to these Regulations, as set forth in Section 11-7. The Planning and Zoning Commission may request a sign plan as part of the application site plan package.

6. **Other Information:** Any other such information, including off-site information, as may be requested by the Planning and Zoning Commission to facilitate its review, or as may be requested by the Zoning Enforcement Officer to confirm conformity with or enforcement of the provisions, goals or policies of these Regulations.

14-2-4 Procedures and Public Hearing: Site Plan review shall be conducted pursuant to the requirements of Section 8-3(g) of the General Statutes. In addition, the Planning and Zoning Commission may hold a public hearing in accordance with the following:

a. **Receipt and Completeness:** Upon a finding at any time that an application is incomplete, the Planning and Zoning Commission shall notify the applicant of the manner in which the application is incomplete. The Commission may return an incomplete application or waive the requirement under which the application was found lacking.

b. **Referrals:** To assist with its consideration of an application, the Planning and Zoning Commission may refer the application to any department, agency or official it deems appropriate, to review and comment upon those matters which are the concern or responsibility of such department, agency or official.

c. **Public Hearing Required:** Prior to the disposition of an application by the Planning and Zoning Commission, a public hearing noticed in accordance with the requirements of Section 8-3(g) of the General Statutes shall be held. At the public hearing all interested persons shall be given the opportunity to be heard on the proposal. Notice of the public hearing on the application shall be sent by the applicant by <u>certified mail</u> return receipt requested to all abutting property owners at least **ten** days prior to the public hearing thereon. Applicant shall submit proof of mailing at the time of the public hearing.

d. **Review and Disposition:** Following the close of the public hearing on an application, the Planning and Zoning Commission shall deliberate at a meeting open to the public as to whether the proposed development meets all applicable standards. Following deliberation, the Commission shall approve, approve with conditions, or deny the application. The Commission shall act upon the application in accordance with the timing requirements of Section 8-7d of the General Statutes. The decision of the Commission shall be in writing and shall set forth the reasons for any condition imposed or for a denial.

14-2-5 Site Plan Review Standards: In reviewing an application for approval of a site plan, the Planning and Zoning Commission shall consider the purposes of these Regulations, including the purposes of the base zone, any applicable overlay zone, development standards, the specific standards listed below, as applicable, as well as the goals and policies of the adopted Comprehensive Plan; the health, safety, general welfare and convenience of the public in general and of the residents of the neighborhood in particular;

any environmental impacts the proposed development would have on Long Island Sound; and the maintenance of property values.

a. **Design:** The site plan shall consider the arrangement of buildings and landscape as they relate to each other, to adjacent streets and other public areas, and to adjacent lots.

1. **Prevailing Setbacks:** Buildings shall be set back a similar distance from a street line as other buildings on the street.

2. **Building-Street Interaction:** There shall be design interaction between buildings and streets, using the following components:

i. **Walls and Streets:** Building entrances shall face the street. Residential entrances and stoops shall face the street. Where buildings face more than one street, each building side shall interact with its street. Lobby walls shall be transparent to the street. Street-facing walls shall not be blank (windowless or featureless).

ii. **Landscaping and Hardscaping:** Plantings, fences and walls shall not obstruct buildings and sidewalks.

iii. **Use of Building Rear and Sides:** Locate parking, loading, and service areas away from sidewalks, toward the side and rear of a building, and with vehicular access from a secondary street.

iv. **Open Space:** 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 side and rear yard areas, and to the existing physical conditions of the site. In multifamily dwelling developments, open space shall be designed to provide functional outdoor living and/or play areas meeting the needs of intended residents.

3. **Frontage:** There shall be coordinated frontage of stores on retail streets.

i. New or altered storefronts shall be aligned with existing storefronts.

ii. Storefront transparency shall be maximized.

iii. Security grills shall be located on the interior of doors and windows and shall be an open design (not fully-obscuring shutters).

iv. Where multiple storefronts are proposed for one building, store floor-plates shall be narrow relative to the building depth, to establish visual variety.

v. There shall be no projections into the public right of way which divert pedestrians from being able to pass directly adjacent to storefronts.

vi. Recesses in building facades that might allow security or sanitation problems shall not be allowed.

vii. Signs shall comply with these Regulations and shall be well designed and consistent in scale and location with neighboring signs.

4. **Scale and Proportion:** Any new building shall be similar in scale and proportion to existing buildings when the new building is in-filling an established streetscape.

i. The height and width of a new building or enlargement shall be similar to neighboring buildings.

ii. Window and door openings of a new building or enlargement shall be similar in size and proportions to those in neighboring buildings.

iii. Porches, stoops, dormers, sloped or flat roofs, and other features that are characteristic of the neighborhood shall be incorporated into the new building or enlargement.

iv. Architectural styles and building materials that are of good quality and compatible with the character of the surrounding area shall be required of new buildings or enlargements.

5. **Landscaping:** On-site landscaping shall knit together the urban fabric.

i. Landscape buffers shall separate incompatible activities, such as a parking lot and a residential back yard or a trash storage area and a street. However, landscape buffers are to be avoided where they would unnecessarily compartmentalized open areas.

ii. Planted ground cover and shade trees consistent with the programmed use of open spaces shall be provided.

iii. On-site landscaping shall contribute to an overall consistent landscape in the neighborhood.

6. **Screening:** On-site screening shall minimize the visual intrusion of mechanical services and trash and recyclables containers.

i. Lighting shall be adequate for safety and security and designed to minimize glare, unnecessary illumination, and visibility of the light source.

ii. Equipment, including air conditioners, heat pumps, antennas, satellite dishes, utility meters, transformers, and ventilation ducts and fans, shall be screened from view.

iii. Utility lines and building service connections shall be placed underground.

iv. Trash and recyclables containers shall be screened from view.

b. **Circulation:** The site plan shall accommodate all circulation modes including pedestrians, bicycles, automobiles, trucks, and buses.

1. Configure on-site vehicular access so as to minimize on-street congestion and conflicts.

   i. Vehicle-queuing and movement. Site layout shall minimize conflicting entering and exiting turns against street traffic, and shall avoid making vehicles reverse into the street in order to leave the site or maneuver on the site. Site layout shall not induce cars to exit the site to the street, and then reenter the site.

   ii. Access between parking areas of adjacent lots shall be required through a system of cross-access easements.

2. Ensure access for emergency vehicles, including police, fire, and medical.

3. Provide for safety among vehicles and between vehicles and pedestrians.

   i. Curb cuts. Complex access between streets and driveways shall be avoided. The width and quantity of curb cuts shall be minimized. Curb cuts shall be located away from street intersections. Adequate sight lines shall be provided.

   ii. Pedestrian walkways through parking areas and between sidewalks and building entrances shall be provided.

   iii. On large sites, traffic calming measures shall be used, such as narrow travel lanes and small radius turns.

   iv. Parking and pedestrian ramps shall be provided for persons with disabilities.

c. **Environment:** The site plan shall retain existing natural and historic features and promote measures to conserve water, energy, and habitat.

1. Coastal, wetlands, and watercourses resources, ecology, and habitats shall be protected.

2. Significant natural features, such as mature trees and substantial rocks shall be retained.

   i. Historic and archeological resources shall be protected. Existing structures to the extent feasible and consistent with other public goals shall be adaptively re-used.

3. Energy conservation is encouraged.

   i. Landscaping. Topography or evergreen buffers to shelter buildings from heat loss during winter shall be used. Deciduous trees to shelter buildings and parking and recreation areas from heat gain during summer and to allow heat gain during winter shall be used. New landscaping shall complement and connect existing natural areas.

ii. Buildings shall be oriented and designed to encourage natural ventilation.

iii. Renewable energy, including solar panels and geothermal systems, is encouraged.

4. Storm water management is required. See Section 4-13.

5. Access to natural amenities shall be provided.

i. Locate structures and design landscape to promote visual access to Long Island Sound and to rivers, watercourses, and wetlands.

ii. Provide public access to and along the waterfront, except where public safety would be at risk or where public access would unreasonably conflict with a water-dependent use or the preservation or enhancement of significant waterfront resources.

14-2-6 Conditions: In granting approval of a site plan the Planning and Zoning Commission may prescribe appropriate conditions to protect the public interest and promote the general intentions of these Regulations and the Master Plan.

a. The applicant may be required to modify the site plan so that it is more in keeping with the standards outlined above.

b. The applicant shall be required to post a performance bond, escrow account, or other surety upon the applicants applying for the Application For Certificate Of Zoning Compliance to secure compliance with the approved Site Plan with respect to, at minimum, landscaping, stormwater management, and off-street parking and loading. One, two & three family dwellings exempted.

14-2-7 Amendments: All site improvements shall be carried out in strict compliance with the site plan approved by the Planning and Zoning Commission. All amendments or modifications to the site plan shall require the approval of the Planning and Zoning Commission.

14-2-8 Expiration of Site Plan Approval: Site plan approval shall expire five (5) years from the date of the approval, as provided by Section 8-3(i) of the General Statutes, unless all work required by the site plan has been completed or an application for extension of the approval has been approved by the Planning and Zoning Commission.

14-2-9 Continuing Nature of Obligation: All conditions and improvements shown on the approved Site Plan shall continue in force as long as the use indicated on the approved Site Plan shall be in operation, regardless of any change in ownership of the property.

Section 14-3 Coastal Zone Management

14-3-1 Purpose: Coastal Site Plan Review and Approval under this Section is intended to fulfill the requirements of Sections 22a-105 through 22a-109 of the General Statutes; to ensure that activities contemplated in the Coastal Boundary will satisfy all lawful requirements; and to ensure that within the Coastal Boundary the potential adverse impacts of proposed activities on both coastal resources and future water-dependent development activities are acceptable.

14-3-2 Applicability:

a. Applications for activities or projects must conform to the minimum requirements set forth in Section 22a-105(c) of the General Statutes. Such applications are subject to the Coastal Site Plan Review requirements of this Section if:

1. The site covered by the application is located fully or partially within the Coastal Boundary as defined by Section 22a-94 of the Connecticut General Statutes and as delineated on the Coastal Boundary Map for the City of Bridgeport; and

2. The application is for a special permit, a variance, a site plan, a subdivision or re-subdivision, or a referral of a proposed municipal project to the Planning and Zoning Commission in accordance with Section 8-24 of the General Statutes; and

3. The application is for an activity or use, which is not specifically listed in Section 14-3-3 as exempt from this Section.

b. Site work includes the installation of rip rap, change or enlargement of existing rip rap.

14-3-3 Exemptions and Prohibitions: As permitted under Section 22a-109 of the General Statutes, the following uses which are not also Shoreline Flood and Erosion Control Structures shall be exempt from the Coastal Site Plan Review Requirements of this Section:

a. Gardening, grazing and the harvesting of crops.

b. Construction or enlargement of a single family dwelling where the dwelling's lot line closest to the coastal resource is at least one hundred feet from coastal resources, including tidal wetlands, beaches, dunes, bluffs, and escarpments.

c. Additions or modifications to an existing residential structure where the lot line is within 100 feet of the coastal resource and which additions or modifications do not expand the footprint or floor area of the structure by more than 20 percent of the structure's footprint or floor area as of the adoption of the Coastal Management Act of 1980.

d. Construction or modification of fences, walks, pedestrian walks, and terraces, utility service lines and underground connections, signs permitted under Section 11-7, and such other minor structures as will not substantially alter the natural character of coastal resources or restrict access along public beach, shorefront or near shore waters.

e. Construction of or modification of a structure accessory to a residential use that does not exceed 400 square feet in area.

f. Activities conducted for the specific purpose of conserving or preserving soil, vegetation, water, fish, shellfish, wildlife and other coastal land and water resources.

g. Interior modification of buildings.

h. On sites not immediately adjacent or abutting coastal waters, additions to or changes of use involving a non-residential structure or property that cumulatively requires fewer than four parking spaces, less than 500 square feet of floor area, and less than 500 square feet of building coverage (including awnings and exterior staircases or elevators).

i. **Prohibited Uses:** Outdoor storage is prohibited within designated Coastal Boundaries unless such storage is part of a water-dependent use. Wholesale trade is prohibited within designated Coastal Boundaries.

14-3-4 Procedure:

a. **Receipt and Completeness:** An application for a Coastal Site Plan Approval shall be submitted to the Planning and Zoning Commission or the Zoning Board of Appeals by the owner of the property, a holder of a legal interest in the subject property, or the owner's or holder's agent, on a form provided by the Zoning Office.

The reviewing body shall review the coastal site plan application as a Site Plan pursuant to Section 14-2. Upon a finding at any time that an application is incomplete, the reviewing body shall notify the applicant of the manner in which the application is incomplete. The reviewing body may return an incomplete application or waive the requirement under which the application was found lacking.

b. **Referral and Additional Information:** The reviewing body may require additional supporting facts or documentation necessary to assist in its consideration of an application, including requiring the applicant to provide the rationale for a non-water-dependent use, if such a use is proposed. The reviewing body may refer the application to any department, agency or official for review and recommendations where required by statute and/or these regulations, to review and comment upon those matters which are the concern or responsibility of such department, agency or official. Applications covering Shoreline Flood and Erosion Control Structures shall be referred to the

commissioner of environmental protection as required by Section 22a-109(d) of the General Statutes.

c. **Public Hearing:** Pursuant to Section 22a-109(e) of the General Statutes, the reviewing body may at its discretion hold a public hearing on any application for Coastal Site Plan Approval. Public hearings shall conform to the timing requirements of Section 8-7d of the General Statutes. Notice of the public hearing on an application for a Coastal Site Plan Review shall be sent by the applicant by certified mail return receipt requested to all abutting property owners at least **ten** days prior to the public hearing thereon. Applicant shall submit proof of mailing at the time of the public hearing.

d. **Review and Disposition:** Following the close of the public hearing on an application, the reviewing body shall deliberate at a meeting open to the public as to whether the proposed development meets all applicable standards. Following deliberation, the reviewing body may approve, modify, condition or deny a Coastal Site Plan based on the criteria found or referenced in Section 14-2-5 of these Regulations. The reviewing body must issue its findings and reasons for actions in writing, and shall publish notices of approvals or denials pursuant to the requirements of Section 22a-109(f) of the General Statutes. Issuance of Coastal Site Plan Approval shall be deemed to authorize only the buildings, landscaping, uses and other features shown on the site plan and described in the application, subject to such conditions that may be imposed by the body granting the Site Plan approval. Any changes to approved plans shall require further approval of the reviewing body unless exempted by these Regulations. The applicant shall be required to post a performance bond, escrow account, or other surety upon the applicants applying for the Application For Certificate Of Zoning Compliance to secure compliance with the approved Coastal Site Plan with respect to, at minimum, landscaping, stormwater management, and off-street parking and loading. One, two & three family dwellings exempted.

e. **Expiration:** Any Coastal Site Plan Approval shall expire twelve (12) months from the date of approval, unless a full building permit has been issued and construction has commenced and is being diligently pursued, or an application for an extension has been received by the Planning and Zoning Commission prior to expiration. The Planning and Zoning Commission may grant, at their sole discretion, up to four (4) annual extensions of such period, subject to appropriate conditions and safeguards.

Applies to application filed on or after July 1, 2012 and prior to the expiration of Coastal Site Plan approval.

Section 14-4 Special Permit

14-4-1 Submittal Requirements:

a. **General:** An application for Special Permit approval may be submitted by the owner of the property, a holder of a legal interest in the subject property, or the owner's or holder's agent. The application shall be submitted to the Planning and Zoning Commission on a form provided by the Commission, together with: (1) all submittal requirements for Site Plan review as set forth in Section 14-2, Site Plan Review; (2) the requisite filing fee for review of the special permit application, as set and amended by the City Council; and (3) any other information that the Commission may request and deem necessary for a proper view of the application.

b. **Location of Structures:** The submission of a view shed analysis which indicates the visual impact of the placement of the proposed structure by indicating what view would be blocked when the structure is viewed within a one-half mile radius of the proposed location shall be required for any application to site an outdoor advertising sign or on-premise sign that measures a minimum of three-hundred (300) square feet.

14-4-2 Procedures:

Application review and disposition shall be conducted by the Planning and Zoning Commission in accordance with the following:

a. **Receipt and Completeness:** Upon a finding at any time that an application is incomplete, the Planning and Zoning Commission shall notify the applicant of the manner in which the application is incomplete. The Commission may return an incomplete application or waive the requirement under which the application was found lacking.

b. **Referrals:** To assist with its consideration of an application, the Planning and Zoning Commission may refer the application to any department, agency or official it deems appropriate, to review and comment upon those matters which are the concern or responsibility of such department, agency or official.

c. **Public Hearing Required:** Prior to the disposition of an application by the Planning and Zoning Commission, a public hearing noticed in accordance with the requirements of Section 8-3 of the General Statutes shall be held. At the public hearing all interested persons shall be given the opportunity to be heard on the proposed special permit. Notice of the public hearing on an application for a special permit shall be sent by the applicant by <u>certified mail</u> return receipt requested to all abutting property owners at least **ten** days prior to the public hearing thereon. Applicant shall submit proof of mailing at the time of the public hearing.

d. **Review and Disposition:** Following the close of the public hearing on an application, the Planning and Zoning Commission shall deliberate at a meeting open to the public as to whether the proposed development meets all applicable standards. Following deliberation, the Commission shall approve, approve with conditions, or deny the application. The Commission shall act upon the application in accordance with the timing requirements of Section 8-7d of the General Statutes. The decision of the Commission shall be in writing and shall set forth the reasons for any condition imposed or for a denial.

14-4-3 **Conditions:** In granting a Special Permit, the Planning and Zoning Commission may impose such additional conditions on the proposed development as it deems necessary to conform to the requirements of Section 14-4-4, Special Permit Standards. The applicant shall be required to post a performance bond, escrow account, or other surety upon the applicants applying for the Application For Certificate Of Zoning Compliance to secure compliance with the approved Special Permit with respect to, at minimum, landscaping, stormwater management, and off-street parking and loading. One, two & three family dwellings exempted.

14-4-4 **Special Permit Standards:** No application for a special permit shall be granted until the Planning and Zoning Commission has made the following findings:

a. The Special Permit use(s) and Site Plan are compatible with and implement the objectives and policies of Bridgeport's Master Plan of Conservation and Development;

b. The Special Permit use(s) and Site Plan will not impair the future development of the surrounding area;

c. The height and bulk of buildings in the application proposal are consistent with the Master Plan and applicable Development Standards, internally compatible, and compatible with other structures in the vicinity and the character of the surrounding area;

d. The proposal includes adequate safeguards to protect adjacent property and the neighborhood in general from any detrimental impacts the proposed use might otherwise have;

e. Any environmental impacts to Long Island Sound are appropriately mitigated;

f. In the case of any proposed special permit use located in, or directly adjacent to, a residential district, the location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, its site layout and its relation to access streets shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be incongruous with residential uses, and will not present an undue hazard or inconvenience to residents;

g. In the case of the siting of a new outdoor advertising sign or on-premises roof sign, or the relocation or replacement of an existing outdoor advertising sign or on-premises roof sign, the proposed sign at the proposed location, when viewed from any residentially zoned property within a one-half mile radius of the proposed sign location will not eliminate or reduce by more than twenty-five (25) percent the view of a significant natural or local feature, as set forth in Section 11-7-3;

h. The proposed use will not tend to depreciate property values and the character and extent of development of adjoining properties; and

i. The special permit use will not be disruptive to or cause conflicts with existing uses within the immediate vicinity.

j. In the case of the height of a new on-premises wall sign as set forth in Section 11-7-3(e), the proposed sign:

i. shall comply with all applicable provisions of Section 11-7 except for maximum height,
ii. shall be in keeping with the scale and massing of the building upon which it is mounted and of nearby structures and/or geographical features,
iii. shall be compatible with the character of the surrounding area and shall not conflict with existing structures, signs or cultural and historic resources,
iv. shall not cause glare or otherwise be detrimental to any residential zone,
v. shall not result in the removal or trimming of existing trees, and
vi. shall not conflict with Bridgeport's Master Plan of Conservation and Development.

14-4-5 Expiration of Special Permit Approval: Special permit approval, with or without modifications or conditions, shall expire twelve (12) months from the date of approval unless a full building permit has been issued and construction has commenced and is being diligently pursued, or an application for extension has been received by the Planning and Zoning Commission. Denial of an application for the extension of a special permit approval shall result in termination of the special permit approval.

Applies to application filed on or after July 1, 2012 and prior to the expiration of Special Permit approval.

14-4-6 Time Limit for Special Permits and Coastal Approval: Upon failure to obtain a full building permit and commence and diligently pursue construction within such twelve month period or any approved annual extension, the approval shall become null and void, unless an appeal to court is filed within such period, whereupon the twelve month period shall commence from the date of the final judicial determination of such appeal. Up to four (4) annual extensions of such period may be granted subject to appropriate conditions and safeguards necessary to conserve the public health, safety, convenience, welfare and property values in the neighborhood. However, as to any approvals relating to subdivisions, the Commission may grant such extensions as it deems necessary, subject to the aforesaid conditions and safeguards.

Applies to applications filed on or after July 1, 2012 and prior to the expiration of Coastal Site Plan or Special Permit.

14-4-7 Special Exception in the Residential High Density (R-C) Zone: The Commission may grant a Special Exception to allow greater density than would otherwise be permitted in the R-C Zone in accordance with these regulations. All requirements of this section are in addition to all other requirements applicable to the R-C Zone. A Special Exception is allowed only under the following circumstances:

1. **Minimum size parcel in R-C Zone:** The parcel must have a minimum of 200 feet (approximately the length of one side of a square acre) of street frontage contiguous to one of the four major traffic arteries named in Subsection (2);

2. Special Exception may be granted only for parcels zoned R-C which are located on the following major traffic arteries:

   a. Broad Street (from the railroad tracks to University Ave.);

   b. Fairfield Ave. (from State St./Commerce Dr. to the Route #8 overpass);

   c. North Ave. (from the Fairfield Town Line to Clinton Ave.);

   d. Park Ave. (from Geduldig St. to Rooster River Blvd.); or

   e. Park Ave. (from Thorme St. to Capitol Ave.); and

3 The Commission must find that:

   a. The location, type, character, size, use of buildings and structures shall be in harmony with and conform to appropriate and orderly development and the neighborhood and not hinder or discourage appropriate development and use of adjacent property or impair value;

   b. The proposed development will have adequate access for fire protection;

   c. The proposed use shall be in conformity with the Master Plan of Conservation and Development.

4 If the Commission determines that the parcel complies with Subsection 1, 2 and 3 above and is therefore eligible to apply for a Special Exception, the Commission may consider granting any of the following Special Exceptions:

   a. **Lot Area Per Dwelling Unit, Minimum**: Waive 2,700 square foot minimum lot area per dwelling unit.

   b. **Height restriction**: "Height" limitation may be increased from 45 feet to 60 feet if the "Setback" from another residential zone is no less than the maximum height of the primary building(s) on the site.

   c. Parking would not be allowed within the area between the face of the building and the street; however it would be allowed within the side and rear yard setbacks with the appropriate landscaping buffers.

   d. **Front and Rear Setbacks:** Front lot line to allow building to be closer to the road. Rear lot line to allow parking to be closer to rear with appropriate landscape buffers.

Section 14-5 General Development Plan (GDP)

14-5-1 Purpose: The purpose of this section is to establish the zoning criteria, standards, and design parameters for a Planned Development District (PDD), including the Site Plan, general development standards, proposed uses, and phasing.

14-5-2 General Development Plan Review Required:

a. GDP review by the Planning and Zoning Commission is required for all applications made in accordance with Section 9-3. The GDP for the subject

property shall be sufficiently detailed to permit the Commission to make the findings required by Section 9-3-3b in re-zoning the property to PDD and together with the application of the PDD regulations to an Eligible Property, constitutes the change of zone request.

b. GDP review shall constitute the site plan review procedures contained in Section 14-2-4, Site Plan Review Procedures, unless the proposed GDP is located within 100 feet of an R-A or R-AA zone, in which case standards in Section 14-2-5 would prevail.

14-5-3 Submittal Requirements: An application for a GDP approval within a PDD shall be submitted on a form as required by the Planning and Zoning Commission with the number of copies as determined by the Zoning Office, together with: (1) the appropriate filing fee; and (2) any other information that the Commission may request and deem necessary for a proper review of the application including but not limited to, copies of the following:

a. **Existing Conditions Map:** Location and size of property including a boundary map with an accuracy meeting or exceeding the standards for a Class A-2 survey. Said map is to show the precise boundaries of the PDD as well as the boundaries of any designated wetlands areas, or other significant environmental features, all present land uses and improvements, and all present roads and/or rights-of-way, and all FEMA Flood Insurance Rate Map ("FEMA FIRM") coastal flood designations;

b. **Conceptual Land Use Plan:** Proposed uses, proposed locations of any and all buildings, parking lots, miscellaneous structures, and other uses as required, and the acreage dedicated to the specific uses. The establishment of these uses will act to cluster compatible land uses and coordinate internal traffic flow and service;

c. **Land Use Intensity Plan and Impact Analysis:** The land use intensity plan shall set forth the proposed density for the PDD, and for each of the land use types. Intensity shall be indicated by floor area ratios for each land use type and proportions of each land use type within the overall program. The plan shall have text and maps or other graphics. The impact analysis shall pertain to the entire development designed to the maximum proposed density, and shall demonstrate the potential impacts upon storm water drainage, flooding, sanitary sewerage, and traffic. A storm water management plan shall be part of the impact analysis.

d. **Phasing Plan(s):** A plan, which identifies the proposed phasing of the development within the PDD and the extent of development proposed for each phase. The developer at his discretion may amend said phasing by providing a copy of said amendment to the appropriate regulatory and economic development offices of the City.

e. **Design and Development Standards:** A chart, text, and necessary graphics setting forth the design standards established, where applicable, for intensity ratios among proposed land use types, floor area ratios (FAR) of each land use type, perimeter setbacks, buffers, heights, open space, parks, and/or recreation (both public and private). These standards, as submitted by the applicant and approved by the Planning and Zoning Commission shall be in

lieu of the General Development Standards set forth in Article 4 of these Regulations and the Supplemental Standards set forth in Article 11.

f. **Other Properties Affected:** A list of the names and addresses as shown on the Tax Assessor's records of the owners of all lots, or portions thereof, within two-hundred and fifty (250) feet of all property lines of the subject property as shown on the Tax Assessor's maps (which owners shall be known as the "Noticed Abutters"). The applicant shall send notice of the public hearing on an application by certified mail return receipt requested to Noticed Abutters at least **ten** days prior to the public hearing.

g. **Circulation and Parking Plan:** A conceptual plan which shall address minimum parking ratios for each use, joint use parking operational plans, the areas of off-street parking, general circulation, and phasing of the traffic network, landscaping concept for parking areas, connections to external street network, truck and equipment parking and storage, off-street loading, and pedestrian circulation.

h. **Traffic Impact Study:** A preliminary traffic impact study shall be required to address the impacts of the site's proposed traffic circulation and generation on the existing external street network, in compliance with State Traffic Commission procedures.

14-5-4 Procedures: The Planning and Zoning Commission shall review and dispose of the application in accordance with the following:

a. **Preliminary Review Conference:** To assist with its consideration of a proposed application, the developer will submit all applications of a GDP for preliminary review to the Design Review Committee and its staff. Such application may be incomplete at this stage. The meeting will be primarily an information exchange allowing the applicant/developer an opportunity to discuss the development proposal with planning staff and local officials from related departments and agencies.

b. **Receipt and Completeness:** Applications submitted at least thirty (30) calendar days prior to a regularly scheduled meeting of the Planning and Zoning Commission shall be received at said meeting. Upon a finding at any time that an application is incomplete, the Commission shall notify the applicant of the manner in which the application is incomplete. The Commission may return an incomplete application, permit a continuance for thirty-five days to allow the applicant to provide the necessary incomplete information, or waive the requirement under which the application was found lacking.

c. **Referrals:** To assist with its consideration of an application, the Planning and Zoning Commission may refer the application to any department, agency, or official it deems appropriate, to review and comment on those matters which are the concern or responsibility of such department, agency, or official.

d. **Public Hearing Required:** Pursuant to Section 8-3c of the General Statutes, prior to the disposition of an application by the Planning and Zoning Commission, a public hearing noticed in accordance with the requirements of

Section 8-3 of the General Statutes shall be held. At the public hearing all interested persons shall be given the opportunity to be heard on the proposal.

e. **Review and Disposition:** Following the close of the public hearing on the GDP application, the Planning and Zoning Commission shall deliberate at a meeting open to the public. Following deliberation, the Commission shall approve, approve with conditions, or deny the application. The Commission shall act upon the application in accordance with the timing requirements of Section 8-7d of the General Statutes. The decision of the Commission shall be in writing and shall set forth the reasons for its decision for any conditions imposed or for a denial. The effective approval date of the GDP shall be midnight of the day after the publication of the Commission's decision.

14-5-5 Conditions: In approving a GDP, the Planning and Zoning Commission may impose such additional conditions on the proposed development, as it deems necessary to conform to the requirements of Section 14-5-6, GDP Findings.

14-5-6 General Development Plan Findings: No application for a GDP shall be granted until the Planning and Zoning Commission has made the following findings:

a. The GDP is compatible with the Bridgeport Master Plan.

b. The GDP demonstrates respect for environmental qualities of the site, addresses the water dependent uses, if any, addresses flood management concerns, and provides open space for the proposed use(s) where applicable.

c. The GDP promotes the public health, safety, and general welfare.

d. The GDP demonstrates respect for the surrounding properties through appropriate setbacks or other design controls.

e. The GDP promotes the economic well being of the city.

f. The GDP is for a tract of land, which meets the eligibility requirements of Section 9-3-3.

14-5-7 Duration of General Development Plan Approval:

a. GDP approval shall run with the land and shall be binding on the applicant and its successors, assigns and heirs subject to the rights of the applicant under Section 14-5-8 and subject to the right of the applicant, its successors, assigns, and heirs, and upon request to the Planning and Zoning Commission, to abandon the approval.

b. The applicant shall be required to file the approved GDP, and any subsequent amendments, in the Land Records. Evidence of the applicant's actions in the form of a copy of the documentation filed and the date, volume, and page numbers identifying this action shall be supplied to the Clerk of the Planning and Zoning Commission at the time of filing.

14-5-8 Amendment(s) to GDP: Any modifications, amendments or changes to the range of development standards established under the GDP after its initial approval shall be reviewed and approved by the Planning and Zoning Commission. The Commission may require additional information from the applicant during the course of its review of the request for a modification or amendment of the GDP. Modifications to increase the approved density, or add uses within the PDD not permitted by the approved GDP shall, at the Commission's discretion, be required to be processed in accordance with the provisions required for a new GDP application and may require a public hearing. The Commission at its discretion may waive any GDP application requirements in the amendment process that it deems prudent, with written findings or explanation of the rationale for such waiver. An applicant who has what it determines to be a minor modification may submit such for approval to the next regularly scheduled hearing of the Commission which the Commission shall consider whether approval will be given absent the requirement of a public hearing.

14-5-9 Subdivision of Property: Subject to the approval of the Planning and Zoning Commission at the time any GDP application is made, the Detailed Development Plan portion of which will be processed under Section 14-6, the applicant may, with respect to any approved GDP plan, subdivide the tract of land that is subject to the GDP application into separate parcels of land so that each separate parcel may be separate for tax and conveyance purposes. Upon such approval by the Commission, no further subdivision application or approval shall be required under the City of Bridgeport Zoning & Subdivision Regulations.

Section 14-6 Detailed Development Plan (DDP)

14-6-1 Purpose: The purpose of this Section is to provide detailed information sufficient to allow the Zoning Enforcement Officer and/or the Planning and Zoning Commission, as specified below, to assess the proposed development's compliance with the purpose and intent of the approved General Development Plan (GDP).

14-6-2 DDP Review Required: DDP review by the Zoning Enforcement Officer is required for all applications made in accordance with Section 9-4 and Section 145.

14-6-3 Submittal Requirements: An applicant may elect to submit multiple DDPs for portions or phases of the Planned Development District (PDD). Subsequent DDPs within the PDD, (i.e. subsequent phases) shall be submitted within the time parameters, if any, established as a part of the GDP.

The submission requirements of the DDP shall include the following with respect to the portions or phases of the PDD for which DDP approval is sought to the extent not submitted or approved in connection with the GDP Application:

a. Site Development Plan showing building footprints, parking and loading areas, proposed streets, and driveways.

b. Utility Plan.

c. Existing Conditions Plan showing building footprints, parking and loading areas, streets, and driveways.

d. Architectural representations of the proposed massing and density; (although not required for DDP approval, if not provided earlier, at the time of a Building Permit filing the applicant shall provide copies of such architectural plans, sections, and elevations to the City's economic development office as filed with the Building Department.)

e. An Open Space Management Plan.

f. A Landscape Plan.

g. A Soil Erosion and Sedimentation Plan.

h. An Alcoholic Beverage Plan: Section 12-10-b through f inclusive of the Bridgeport Zoning Regulations and its subsequent revisions shall not apply to liquor establishments within a PDD. The applicant shall submit a plan or proposal outlining the placement of liquor establishments within the PDD or shall otherwise identify districts within the PDD within which liquor establishments may be located.

i. A plan showing the design of streets, drainage, and service areas in compliance with GDP and City standards as any such standards may have been modified by the issuance of any City, State or Federal permit.

14-6-4 Procedures: Application review and disposition shall be conducted by the Zoning Enforcement Officer in accordance with the following:

a. **Receipt and Completeness:** Complete applications for DDP review shall be processed and a decision made within thirty (30) days of submittal (the "Action Date").

b. **Referrals:** To assist with the consideration of an application, the Zoning Enforcement Officer may refer the application to any department, agency, official, or City consultant that the Officer deems appropriate to review and comment upon matters within the purview of said department, agency or official. Said referrals shall be made in a timely manner and do not extend the Action Date, unless an extension is agreed to by the applicant. If the proposed DDP varies significantly from the approved GDP, the Officer shall refer the proposed DDP to the Planning and Zoning Commission for its review.

c. **Review and Disposition:**

1. The Zoning Enforcement Officer shall approve, approve with conditions, or deny the application and said decision shall be in writing and shall set forth the reasons for any conditions imposed or for a denial. Any conditions imposed shall be solely to make the proposed DDP conform to the approved GDP.

2. If the proposed DDP does not conform to the approved GDP whether due to a change in land use category or an increase of more than five percent in square footage or residential density, the applicant may revise the

proposed DDP. If the plan is not revised, the Zoning Enforcement Officer shall refer such changes as amendments to the DDP to the Planning and Zoning Commission for their consideration and decision. See Section 146-7, Amendments to DDP.

d. **Standards for Approval:** The Zoning Enforcement Officer shall approve the DDP if the development standards, uses, and proposed improvements comply with the approved GDP.

1. Conditions: In granting a DDP, the Zoning Enforcement Officer may impose such additional conditions on the proposed development, as the Officer deems necessary to conform to the requirements of Section 14-6-4-c, Review and Disposition and Section 14-6-4-d-2, DDP Findings.

2. Detailed Development Plan Findings: In approving a DDP, the Zoning Enforcement Officer must find that the proposed DDP:

i. Accomplishes the purpose of the approved GDP;

ii. Complies with the general development standards set forth in the GDP;

iii. Proposes internal streets and drives in a detailed plan which will be suitable for their proposed function and adequate to accommodate anticipated traffic and that the projected development intensity will generate traffic impacts that conform to (or are less than) the findings of the Traffic Impact Study submitted as part of the GDP review.

14-6-5 Subdivision of Property within a PDD: As part of the DDP application, the applicant may propose, and the Planning and Zoning Commission may approve, a subdivision of any part of the PDD so that each separate parcel may be separate for tax and conveyance purposes. Upon such approval by the Commission, no further subdivision application or approval shall be required under City of Bridgeport Land Subdivision Regulations.

14-6-6 Duration of Detailed Development Plan: DDP approval for such improvements for which a building permit has not been issued shall expire on the latest of the following: i) fifteen (15) years from the date of DDP approval; ii) such later date set forth in the GDP or DDP approval; or iii) such date to which the approval shall be extended, provided said extension is applied for before expiration of the DDP approval, except with respect to existing improvements or replacements thereof for which DDP approval shall not expire.

14-6-7 Amendment(s) to DDP: Any amendments to the approved DDP shall be granted by the Zoning Enforcement Officer; provided such modifications meet the standards set forth above in Section 14-6-4-c, Review and Disposition, and Section 14-6-4-d, Standards for Approval. Under Section 14-6-4-c, Review and Disposition, if the Zoning Enforcement Officer determines that a given proposed amendment to the DDP does not meet such standards as set forth above in Section 14-6-4-c, Review and Disposition, and Section 14-6-4-d, Standards for Approval, the applicant may elect to revise the plans or shall be required to present such proposed amendments to the DDP to the Planning and Zoning Commission. The

Commission shall have the authority to require amended permits and approvals, under Section 9-4-3-3-c, if necessary.

Section 14-7 Variance

14-7-1 Purpose; Variances Restricted or Prohibited:

a. **Purpose:** This section is intended to allow for variances from the provisions of these Regulations, pursuant to Section 8-6 of the General Statutes, in circumstances where owing to conditions especially affecting a parcel of land, but not affecting generally the zone in which such parcel is located, a literal enforcement of these Regulations would result in exceptional difficulty or unusual hardship and the variance if granted will be in harmony with these Regulations and their general purpose and intent.

b. **Site Plan Review Required:** Applications which have been granted a use variance by the Zoning Board of Appeals must thereafter receive site plan approval from the Planning and Zoning Commission. The Commission shall review the plan for compliance with these Regulations, as set forth in Section 14-2, to determine if the minimum standards have been complied with. Absent such compliance, the Commission shall deny the application.

14-7-2 Submittal Requirements: An application for a variance shall include the requisite fee for variance review and approval as set and amended by City Council and the following information:

a. The names and addresses of all property owners of record as per the Tax Assessor's records within one hundred (100) feet of all boundaries of the subject property.

b. A letter from the applicant stating the specific provision(s) of the Regulations from which the variance is sought.

c. The justification for the variance in light of the standards set forth in Section 14-7-4.

d. How the granting of the requested variance relates to the intent and purposes of these Regulations and the adopted Comprehensive Plan.

14-7-3 Procedures: Review of an application for variance shall be conducted by the Zoning Board of Appeals (the "Board") and shall be in accordance with the following:

a. **Application:** An application for variance shall be submitted to the Zoning Board of Appeals by the owner of the property, a holder of a legal interest in the subject property, or the owner's or holder's agent, on forms provided by the Board, together with all submittal requirements set forth in this Section. The Board shall review applications so submitted at its next regularly scheduled

meeting following submittal. Applications must be submitted a full five weeks prior to the regularly scheduled meeting of the Board in order to be on the public hearing agenda of said meeting. Upon review of the application, the Board shall either accept the same as complete or return an incomplete application to the applicant with an explanation of the submittal requirements not met.

b. **Public Hearing Required:** Prior to disposition of an application for a variance by the Zoning Board of Appeals, a public hearing noticed in accordance with the requirements for appeals under Section 8-7 of the General Statutes shall be held. At the public hearing, all interested persons shall be given the opportunity to be heard on the proposed variance. Notice of the public hearing on an application for a variance shall be sent by the applicant by <u>certified mail</u> return receipt requested to all abutting property owners at least **ten** days prior to the public hearing thereon. Applicant shall submit proof of mailing at the time of the public hearing.

c. **Review and Disposition:** The Zoning Board of Appeals shall act upon all applications for a variance in accordance with the timing requirements for public hearings set forth in Section 8-7d of the General Statutes.

14-7-4 **Findings:** Pursuant to Section 8-6 of the General Statutes, a variance shall be granted only if all the following standards are met:

a. The literal enforcement of the provisions of these Regulations would result in exceptional difficulty or unusual hardship because of unique physical conditions of the parcel of land;

b. The exceptional difficulty or unusual hardship claimed results from conditions especially affecting the parcel of land but not affecting other properties in the neighborhood or zone in which it is situated;

c. The exceptional difficulty or unusual hardship has not been created by the owner or a previous owner;

d. The variance granted is the least deviation from the provisions of the Regulations sufficient to reduce the exceptional difficulty or unusual hardship such that the owner can make reasonable use of the parcel of land; and

e. The variance granted will not diminish the essential character of the neighborhood, will not impair the appropriate use or development of adjacent property, will maintain the public welfare, and will be consistent with the general intent of these Regulations and the Master Plan.

14-7-5 **Conditions and Recording:** In granting a variance the Zoning Board of Appeals may prescribe appropriate conditions to protect the public interest and promote the general intentions of these regulations and the Master Plan. Upon approval of a variance the applicant has six (6) months to record said variance on the City's Land Records and to provide documentation to the zoning staff of said recording. A variance will be null and void if not recorded within this time frame. The applicant shall be required to post a performance bond, escrow account, or other surety upon the applicants applying for the <u>Application For Certificate Of Zoning Compliance</u> to secure compliance with the approved Variance with respect to, at minimum,

landscaping, stormwater management, and off-street parking and loading. One, two & three family dwellings exempted.

14-7-6 **Application after Denial:** Pursuant to Section 8-6 of the General Statutes, once an application for a variance is denied by the Zoning Board of Appeals, the Board may decline to consider an application that is substantially the same for a period of six months after a decision by the Board or court on the earlier application.

Section 14-8 General Procedures

14-8-1 **Applicant's Participation:** At any hearing of the Planning and Zoning Commission or the Zoning Board of Appeals before which an application is pending, it is encouraged that the applicant or his agent appear and stand ready to answer questions regarding the proposal submitted.

14-8-2 **Notice of Hearing:** Notice of any public hearing on an application before the Planning and Zoning Commission or the Zoning Board of Appeals shall be in accordance with the following:

a. **Publication:** Pursuant to the General Statutes, notice of said hearing shall be published in a newspaper of general circulation within the city in accordance with the applicable provisions of Chapter 124 of the General Statutes, including but not limited to Sections 8-3, 8-3c and 8-7.

b. **Notice to Adjoining Municipalities:** Notice to adjoining municipalities and/or the regional planning agency shall be provided as required by Sections 8-3b, 8-3h, 8-7b, 8-7c or other applicable sections of the General Statutes.

c. **Sign Posting:** The applicant shall display a Public Information Notice Sign on the site giving notice that an application is pending before the Planning and Zoning Commission or the Zoning Board of Appeals. The sign shall be in a manner and form as prescribed by the Commission or Board and shall be provided by the Commission or Board to the applicant. It shall be displayed in a highly visible place at each location on the site where the property line abuts a public or private street or at a visible location nearest the site. It shall be the responsibility of the applicant to ensure that the signs remain on display for a period of **seven** days prior to the public hearing and are removed within seven days following the close of the public hearing.

14-8-3 **Fees:** Fees for Certificates of Zoning Compliance, and for all applications before the Planning and Zoning Commission and the Zoning Board of Appeals shall be established by the City Council and shall include the estimated cost of any publication.

14-8-4 **Submittal:** All applications are considered final once submitted with the requisite fee and shall not be materially modified.

Section 14-9 Amendments to the Zoning Regulations

14-9-1 General: These Regulations and/or the Zoning Map may be amended from time to time by the Planning and Zoning Commission on its own initiative; by an application from the Zoning Administrator, Director of Planning, or Director of Planning & Economic Development; or by a private application made by any person having a legal property interest, including but not limit to owners, lessees, and holders of development rights, in property located within the city. All text amendments shall be reviewed by the Planning Department, and any Text Amendment Committee as applicable, prior to submission to the Planning and Zoning Commission. A report from the reviewing entity shall be submitted with the formal application.

14-9-2 Submittal Requirements: Private applications to amend the Zoning Regulations shall be accompanied by the following:

a. **Amendments:** All applications for amendments to these Regulations shall include:

1. A description, with any appropriate supporting documentation, of how the proposed amendment relates to the needs of the City, the Master Plan, and the intents and purposes of these Regulations; and

2. Such other information as is requested by the Planning and Zoning Commission to facilitate its review of the proposed amendment in light of the standards of applicable enabling legislation.

b. **Boundary Change:** All applications for a boundary change shall include:

1. A survey showing the parcel of land to be rezoned, and the existing zone(s) of the subject property and of all abutting properties.

2. A list of the names and addresses of all property owners of record within 100 feet of all property lines of the subject property, and proof that all such property owners were properly notified.

14-9-3 Procedures: Submittal, review, and disposition of an application to amend these Regulations shall be conducted as follows:

a. **Application:** An application to amend the Regulations shall be submitted to the Planning and Zoning Commission on a form provided by the Commission together with the appropriate filing fee.

b. **Public Hearing Required:** Pursuant to Section 8-3 of the General Statutes, prior to disposition of an application to amend the Regulations by the Planning and Zoning Commission, a duly noticed public hearing shall be held at which opportunity shall be given all interested persons to be heard on the proposed amendment.

c. **Notice of Public Hearing:** Notice of public hearings on amendments to these Regulations shall be provided as follows:

1. **All Amendments:** On all amendments to these Regulations the Planning and Zoning Commission shall cause notice to be published pursuant to the requirements of Section 8-3 of the General Statutes.

2. **Amendments Affecting Parcels within 500 feet of the City Line:** For proposed amendments affecting parcels within five-hundred (500) feet of the municipal boundary, the Planning and Zoning Commission shall provide written notice to the Regional Planning Agency as required by Section 8-3b of the General Statutes.

3. **Amendments Affecting Adjoining Municipalities:** For amendments potentially affecting adjoining municipalities, as set forth in Section 3h of the General Statutes, the Planning and Zoning Commission shall provide written notice as required by that statute.

4. **Private Applications:** For all amendments initiated by private application the applicant shall be required to meet the requirements of Subpart c, Sign Posting, of Section 14-8-2 of these Regulations.

d. **Review and Disposition:** Pursuant to Section 8-3 of the General Statutes, following the close of the public hearing, the Planning and Zoning Commission shall adopt or deny the changes requested and shall state upon the record the reason for the disposition. The Commission may decline to consider any application relating to the same changes or substantially the same changes more than once in a period of twelve (12) months.

e. **Effective Date:** Unless otherwise provided by the Planning and Zoning Commission, any approved change in a regulation or boundary shall become effective ten (10) days following publication of notice of the Commission's action, including notice of the effective date of the amendment, in a newspaper of substantial circulation in the city, provided a copy of the amendment is filed in the office of the City Clerk. Pursuant to Section 8-3 of the General Statutes, the Commission shall cause such notice to be published within a fifteen (15) day period after the amendment has been adopted. If the Commission fails to cause notice to be published within the fifteen (15) day period, any applicant or petitioner may cause such notice to be published within ten (10) days thereafter.

Section 14-10 Appeals

14-10-1 Appeals from Zoning Enforcement Officer: Decisions by the Zoning Enforcement Officer may be appealed to the Zoning Board of Appeals within a thirty (30) day period commencing on day of decision, notification or publication, pursuant to Section 8-7 of the General Statutes. At a public hearing, all interested parties shall be given the opportunity to be heard.

14-10-2 Appeals from Decisions of the Zoning Board of Appeals: Appeals to the Superior Court may be taken by any party aggrieved by a decision of the Zoning Board of Appeals, in accordance with state law and in particular Section 8-8 of the General Statutes.

14-10-3 Appeals from Decisions of the Planning and Zoning Commission: Appeals to the Superior Court may be taken by any party aggrieved by a decision of the Planning and Zoning Commission in accordance with state law and in particular Section 8-9 of the General Statutes.

Section 14-11 Subdivision

14-11-1 Purpose: The purpose of this Section is to allow for subdivision of land that:

a. Is in the best interests of the City.

b. Is in keeping with a policy of considering subdivisions as a living part of the community and as a part of a plan for the orderly development and growth of the city rather than as a mere isolated aggregation of lots.

c. Provides for the proper arrangement and development of streets, open spaces, recreation, light and air, the avoidance of undue density of population, access for utilities, access for emergency services, proper drainage and sewerage, good environmental practice, and energy efficiency.

14-11-2 Procedure: Subdivision of land shall be subject to this Section 14-11.

a. **Site Plan Review:** A subdivision requires a site plan review subject to Section 14-2 if any of the following apply:

1. It causes a lot existing in 1948 to be divided into three or more lots. If such lot is proposed for subdivision into no more than one additional lot, such application shall be subject to Administrative Review (Section 12-20).

2. It creates one or more lots that do not have frontage on a public street at least equal to the minimum lot width of the district in which the lot is located.

3. It creates one or more lots with less than the minimum area or dimensions required by the district in which they are located (See Section 14-11-4 for modifications by special permit).

4. It creates or extends a street.

b. **Application:** An application for a subdivision shall be submitted to the Planning and Zoning Commission by the owner of the property, a holder of a legal interest in the subject property, or the owner's or holder's agent, on a form provided by the Zoning Department.

1. The application shall include a subdivision site plan at a scale of forty feet to one inch prepared, signed, and sealed by a surveyor, engineer, architect, or landscape architect licensed to conduct business in the State of Connecticut. The subdivision site plan shall show:

i. Location and dimensions of the property lines of the land to be subdivided as well as adjacent streets and the closest one hundred (100) feet of adjacent lots.

ii. Location and dimensions of all lots, streets, and other areas to be created by the subdivision, including existing and proposed block and lot numbers.

iii. All areas proposed to be dedicated to the City as streets, parks, or for other purposes.

iv. Any easements for public circulation, for utilities, or for other purposes.

2. The application shall include drawings of all site improvements including streets, drainage, and landscape. Improvements proposed for dedication to the City shall be designed to current City standards.

3. The application shall include such other information as the Planning and Zoning Commission requires to properly review the application.

c. **Review:** A subdivision application that requires a site plan review shall be reviewed according to the procedures of Section 14-2. A subdivision application that does not require a site plan review shall be approved or disapproved by the Zoning Officer. No subdivision of land shall be made until a plan for such subdivision has been approved by the Planning and Zoning Commission.

d. **Recordation:** When all site improvements required by the subdivision plan have been completed and any streets or other areas proposed for dedication to the City have been offered to the City, the Planning and Zoning Commission shall certify completion of the approved subdivision plan and cause it to be filed with and recorded by the Town Clerk. Lots created by the subdivision may not be transferred to separate owners until the subdivision has been recorded.

e. **Expiration:** Any person, firm or corporation making any subdivision of land shall complete all work in connection with such subdivision within five (5) years after the approval of the plan for such subdivision; the Planning and Zoning Commission's endorsement of approval on the plan shall state the date on which such five-year period expires. The subdivider or his successor in interest may apply for and the Commission may grant one or more extensions of the time to complete all or part of the work in connection with such subdivision, provided the time for all extensions under this subsection shall not exceed ten (10) years from the date the subdivision was approved.

14-11-3 Standards: Subdivisions shall be subject to the following standards:

a. **Master Plan:** Subdivisions shall be consistent with the City's Master Plan.

b. **Health and Public Safety:** Lots, streets, and open spaces created by a subdivision shall be of a character that they can be developed and used consistent with public health and safety. Lots shall conform to the standards of the district in which they are located, unless modified by the Planning and Zoning Commission to allow better overall design of the subdivision.

c. **Utilities:** Subdivisions shall provide space for all necessary utilities, including but not limited to energy, communications, water, sewage, and drainage.

d. **Drainage:** Subdivisions are subject to Section 4-13, Stormwater Management Regulations, and shall provide for retention and recharging of storm water.

e. **Streets:** Streets shall be designed to current City standards. Streets shall generally continue the adjoining street network in order to provide a fine-grained circulation system that spreads traffic, instead of concentrating it on major streets and intersections, minimizes the length of trips, and encourages modes other than automobiles.

1. Streets shall be of standard widths but no larger than necessary so as to minimize impervious surface.

2. Streets shall generally include curbs, planting strips for trees, and sidewalks.

3. Dead-end streets shall provide space for vehicles to turn around. Where a street might be extended in the future it shall be designed to facilitate its extension and the removal of the turn-around space.

4. Where terrain or other constraints would prevent continuity consider non-traditional streets, including stairs and pedestrian and bike ramps.

f. **Open Spaces:** Adequate space shall be provided for local parks and playgrounds and dedicated to the City or reserved by covenant for common use and subject to the control of the City.

g. **Energy Efficiency:** Subdivisions shall be designed to encourage energy-efficient patterns of development and land use, the use of solar and other renewable forms of energy, and energy conservation.

1. Include space for landscaping to reduce solar gain of buildings and paved areas during hot weather and allow solar gain during cold weather.

2. Configure and orient lots to allow development to use solar energy and natural ventilation.

3. Design the circulation system to encourage walking, biking, and the use of transit and to minimize the frequency and length of trips by automobile.

14-11-4 Modifications: To better serve the purposes of this Section the Planning and Zoning Commission may, by special permit subject to Section 14-4, modify the provisions of these Regulations as follows:

a. Without increasing the density allowed by the district in which the subdivision is located, the Planning and Zoning Commission may modify the minimum area and dimensions of lots and the minimum setbacks of buildings in order to cluster development, group public open space, and accommodate the retention of existing slopes, trees, wetlands, other natural features, and historic resources.

b. Provided that adequate access is provided for emergency services the Planning and Zoning Commission may allow lots to have less than standard frontage on a street and to share driveways in order to make a better site plan, to more efficiently use the land of the subdivision, to reduce impermeable surface, and to provide more open space.

Section 14-12 Conceptual Urban Design and Technical Reviews

14-12-1 General: Prior to formal submission of a development proposal, the applicant shall be subjected to a two (2) step review process: Conceptual Urban Design Review, followed by Technical Review. The intent of these reviews is to ensure all design and development standards are properly addressed in the proposal prior to submitting a formal application to the Planning and Zoning Commission, Zoning Board of Appeals, or Zoning Office. The Zoning Official will coordinate these review meetings as necessary.

The first review will be to discuss Conceptual Urban Design goals and parameters regarding how the building and site relate to the area. Items for discussion include building massing, building placement on site, parking location, driveways, landscaping, access to and visibility of main living units or commercial units to street, sidewalks, and street trees.

The second review, Technical Review, will occur with departments such as Fire, Engineering, WPCA, and Building. discussion at this stage will include site plan, utilities, landscaping, parking calculations, floor plans, and elevations indicating materials and color samples. The Table comparing Development Standards per Zoning Regulations shall be included in this submission.

14-12-2 Thresholds Requiring Conceptual Urban Design and Technical Reviews: Development activities which meet <u>any</u> of the following criteria shall be subject to Conceptual Urban Design Review and Technical Review meetings:

a. New construction or exterior rehabilitation of any size within any of the following zones: OR, OR-G, OR-R, MU-LI, MU-EM, DVD-CORE, DVD-TOD, DVD-CIVIC, DVD-BLVD, DVD-WF, NCVD, or R-CC.

b. New construction, rehabilitation, or change of use of 5,000 sq.ft. or more for a commercial or industrial use.

c. New construction, rehabilitation, or change of use of four (4) or more residential units on a single parcel.

d. Requires a Special Permit.

e. Zone Change

14-12-3 Submittal Requirements:

a. Conceptual Urban Design Review – Proposed development projects shall submit five (5) copies of schematic plans and building elevations indicating the following, at the scales indicated. One (1) set of plans is to remain unfolded (rolled). The City may recommend design and layout modifications during this conceptual review meeting. *NOTE: These drawings may likely fit onto 11”x17” pages.*

1. Site Plan. Show building footprint, parking layout, driveway and landscaping. Scale: 1” = 40’.

2. Area Site Plan. Indicate how the site plan for the proposed development relates to the neighborhood, Show an area of approximately 800’ x 1000’ with the site in the center of the map. Color gray or cross-hatch the building footprints of the proposed development. Scale: 1” = 100’.

3. Building Elevations, reflecting proposed site grading, depicting roof, windows, doors, exterior cladding, and any architectural features – porches, stairs, bay windows, dormers, columns, pergolas, etc. Drawings shall be simple line drawings: no color or texture indicated. Scale: 1” = 1/8”.

4. Street Elevations. Show proposed building facades and include at a minimum two buildings to each side of site, Scale: 1” = 10’.

5. Photographs of neighboring buildings. On one or two standard letter size pages, show the front view of neighboring buildings (two minimum) to either side of proposed development site and across the street, for a total length of 200’ minimum or four (4) buildings per street side, whichever is greater. Include street name and addresses under each row of photographs.

   Note: Screen shots from online street photos will meet this requirement. Photo size of approximately 1”x2” is ideal. Individual photos are not acceptable.

b. Technical Review – Following Conceptual Urban Design Review, and any modifications the applicant chooses to incorporate, an application for a Technical Review meeting shall be submitted. The submission shall include the following information and 11 copies:

1. Site Plan, as further outlined in Section 14-2-3b.

2. Utility Plan, as further outlined in Section 14-2-3c.

3. Phasing Plan, as further outlined in Section 14-2-3d.

4. Landscaping Plan.

5. Elevations. Include Plan notations of finishing materials and provide material and color samples.

6. Floor Plans.

7. Parking calculations.

8. Development standards chart.

9. Photographs of neighboring buildings. On one or two standard letter size pages, show the front view of neighboring buildings (two minimum) to either side of proposed development site and across the street, for a total length of 200’ minimum or four (4) buildings

per street side, whichever is greater. Include street name and addresses under each row of photographs.

Note: Screen shots from online street photos will meet this requirement. Photo size of approximately 1"x2" is ideal. Individual photos are not acceptable.

ARTICLE 15 AMENDMENTS

[reserved]

USE SCHEDULE - RESIDENTIAL ZONE
TABLE 1

NOTE: For each listed use, refer also to Table 5 and Table 6, Use Classifications.

PRINCIPAL PERMITTED and SPECIAL PERMIT USES	ZONES					
	R-AA	R-A	R-B	R-BB	R-C	R-CC
RESIDENTIAL						
Single family dwelling	P	P	P	P	P	P
Two family dwelling	N	N	P	P	P	P
Three family dwelling	N	N	N	P	P	P
Multi-family dwelling	N	N	N	N	SP	P
Rooming or boarding house	N	N	N	N	SP	N
Residential only in adaptive reuse	SP	SP	SP	SP	SP	N
COMMERCIAL AND RETAIL						**Note 7**
Entertainment, recreation trade	N	N	N	N	SP	SP
Restaurant	N	N	N	N	SP	P
Entertainment Live	N	N	N	N	SP	SP
Mixed uses in adaptive reuse	N	N	N	N	SP	SP
Office	N	N	SP	SP	SP	P
Retail Sales and Services - Non Auto	N	N	SP	SP	SP	P
Café Liquor	N	N	N	N	N	SP
Marina	N	N	N	N	N	SP
Outdoor Recreation, Commercial	N	N	N	N	N	SP
Commercial Parking	N	N	N	N	N	P
Marine Craft Sales & Storage	N	N	N	N	N	SP
Short term Lodging	N	N	N	N	N	P
INSTITUTIONAL, PUBLIC & QUASI-PUBLIC						
Community facility	SP	SP	SP	SP	SP	P
Community residential facility (1)	P	P	P	P	P	P
Congregate housing (3)	N	N	N	N	P	N
Daycare center	N	N	SP	SP	P	P
Group living (6)	N	N	N	SP	SP	N
Medical center	N	N	N	N	SP	N
Membership club	N	N	N	N	SP	SP
Public interdisctrict multi-magnet school ≥ 200,000 s.f. (5)	N	P	N	N	N	N
Religious institution; house of worship	SP	SP	SP	SP	SP	SP
School	SP	SP	SP	SP	SP	P
Passenger Terminal	N	N	N	N	N	P
Public Facility & Service, Government	N	N	N	N	N	P
Public Safety & Emergency Service	N	N	N	N	N	P
Rail line and utility Corridor	N	N	N	N	N	P
Utility Services	N	N	N	N	N	P
Social service provider	N	N	N	N	SP	N
PUBLIC OR MUNICIPAL						
Basic utility	P	P	P	P	P	P
Essential public service	P	P	P	P	P	P
Park and open area (4)	P	P	P	P	P	P
ACCESSORY USES						
Accessory apartment in single-family house	P	P	N	N	N	N
Home office	P	P	P	P	P	P
Home business	SP	SP	SP	SP	SP	N
Stacked parking (2)	P	P	P	P	P	P

NOTES

1 Community residential facility does not include single-room occupancy facility, and all such facilities. facilities shall conform to Connecticut General Statutes Section 8-3e(a).

2 For single and two-family dwellings, stacked parking shall be allowed as a standard accessory use, if no more than two cars are so parked for each driveway serving the structure. See Section 11-1-7 and Table 7.

3 Including nursing home, convalescent homes, and assisted living facilities. (Effective April 2, 2012)

4 The provisions of Section 11-7-5 notwithstanding, exterior sign(s) for identification of any public park, aggregating twelve (12) square feet or less, are allowed.

5 Table 6.4.6

6 Does not include Halfway Houses.

7 First floor may be commercial, Second plus shall be residential.

PROPOSED USE SCHEDULE - RESIDENTIAL ZONES
City of Bridgeport

PRINCIPAL PERMITTED AND SPECIAL AND CONDITIONAL USES	DISTRICTS				
	R-AA	R-A	R-B	R-BB	R-C
Residential Uses					
Single family dwelling	P	P	P	P	P
Two family dwelling	N	N	P	P	P
Three family dwelling	N	N	N	P	P
Multi-family dwelling	N	N	N	N	SP
Community residential facility	C	C	C	C	C
Group living	N	N	N	N	C/SP
Rooming house	N	N	N	N	C/SP
Residential use solely, in adaptive reuse bldg	C/SP	C/SP	SP	SP	SP

NOTES:
Multi-family to explicitly cover building types (townhouses, apt. bldgs, rowhouses).
Community residential facility is found on Code page 76.
Adaptive re-use section of code: clean up section 3-9.

Commercial and Retail Uses					
Office	N	N	C/SP	C/SP	C/SP
Retail sales and services	N	N	C/SP	C/SP	C/SP
Entertainment, restaurant and recreation trade	N	N	N	N	SP
Mixed uses in adaptive reuse building	N	N	N	N	C/SP
Institutional, Public, and Quasi-Public Uses					
College or university	N	N	N	N	N
Medical center	N	N	N	N	SP
Community facility	SP	SP	SP	SP	SP
Religious institution	SP	SP	SP	SP	SP
School	SP	SP	SP	SP	SP
Daycare center	N	N	SP	SP	P
Social service provider	N	N	N	N	C/SP

NOTES:
Define religious institution

Public or Municipal Uses					
Basic utility	P	P	P	P	P
Essential public service	P	P	P	P	P
Park and open area	P	P	P	P	P

NOTES:
Define open area

ACCESSORY USES	R-AA	R-A	R-B	R-BB	R-C
Accessory apartment in single-family dwelling	P	P	N	N	N
Home occupation: office	P	P	P	P	P
Home occupation: business	SP	SP	SP	SP	SP

NOTES:

Home office to be over-the-counter action (p.121)

Home business to remain site plan action, reviewed by P&Z (p.122)

KEY: *P* *Principal permitted use* *N* *Not allowed*

C *Conditional Use*

SP *Special Permit Use*

USE SCHEDULE - NON-RESIDENTIAL ZONES
TABLE 2.A

NOTE: For each listed use, refer also to Table 5 and Table 6, Use Classifications.

PRINCIPAL PERMITTED and SPECIAL PERMIT USES	ZONES									
	OR	OR-G	OR-R	I-H	I-L	MU-EM	MU-W	MU-LI	ZP	PDD
OFFICE										
Up to 5,000 sf	P	P	P (1)	P	P	P	P	P	N	P
5,001 to 10,000 sf	P	P	P (1)	SP	SP	SP	P	P	N	P
10,001 to 20,000 sf	SP	P	P (1)	N	SP	SP	P	P	N	P
NOTE: Office use that is accessory to other principal uses on site is not subject to the square footage limits above.										
COMMERCIAL AND RETAIL										
Adult entertainment	N	P (6)	N	P (6)	P (6)	N	N	P (6)	N	N
Commercial parking	SP	SP	SP	N	N	P	P	SP	N	N
Entertainment, recreation trade	SP	SP	SP	SP	SP	SP	P	SP	N	P
Restaurant	SP	SP	SP	SP	SP	SP	P	SP	N	P
Entertainment Live	SP	SP	SP	SP	SP	SP	P	SP	N	P
Major entertainment facility	N	SP	SP	SP	SP	N	N	N	N	N
Marine Craft and Marinas	N	N	N (2)	P	P	N	P	P	N	P
Membership club	P	P	P	P	P	P	P	P	N	P
Outdoor recreation, commercial	N	P	P	N	SP	N	SP	N	N	P
Radio and TV broadcast facility	N	N	SP	N	N	N	SP	P	N	N
Trade Uses:										
General sales & services, non-automotive:										
Up to 10,000 sf	P	P	P	SP	SP	SP	P	P	N	P
10,001 sf and above	SP	SP	SP	SP	SP	SP	P	P	N	P
Automotive sales and service	N	SP	SP	P	P	N	N	P	N	N
Marine craft: sales, leasing, service, upland storage	N	N	SP	P	P	N	SP	P	N	P
Short-term lodging	N	SP	SP	N	N	SP	P	SP	N	N
Vehicle repair facility	N	SP	SP	P	P	N	N	SP	N	N
Vehicle service facility	N	SP	SP	P	P	N	N	P	N	P
Wholesale trade	N	SP	P	P	P	N	N	P	N	N
INSTITUTIONAL, PUBLIC AND QUASI-PUBLIC										
College and university	N	SP	SP	N	N	P	N	N	N	N
Communication facility or use	N	N	N	P	P	N	N	P	N	P
Community facility	P	P	P	N	N	P	P	N	N	P
Day care center	P	P	P	N	N	P	P	SP	N	N
Detention facility	N	N	SP	P	SP	N	N	N	N	N
Medical center	N	SP	SP	N	N	P	N	N	N	N
Museum	N	N	N	N	N	N	SP	P	P	P
Park and open area	P	P	P	N	N	P	P	P	P	N
Passenger terminal	N	N	SP	SP	SP	N	SP	P (7)	N	N
Public facility and service, government-owned	P	P	P	N	N	N	P	P	N	N
Public safety and emergency service	P	P	P	P	P	P	P	P	N	P
Rail line and utility corridor	SP	P	P	N	N	P	N	P	N	N
Railroad yard	N	N	N	N	N	N	N	N	N	N
Religious institution; house of worship	SP	P	P	N	N	P	N	SP	N	N
School	P	P	P	N	N	P	N	N	N	N
Social service provider	SP	SP	SP	N	N	SP	N	SP	N	N
Transportation	N	N	N	P	P	N	N	N	N	P
Utility services	P	P	P	P	P	P	SP	P	N	N

CONTINUED ON NEXT PAGE

USE SCHEDULE - NON-RESIDENTIAL ZONES (continued)

TABLE 2.A

NOTE:

For each listed use, refer also to Table 5 and Table 6, Use Classifications.

For I-H and I-L zones, industrial uses are further specified as high or low impact.

See Table 6.3.7, Industrial Use Classification: High Impact and Low Impact Uses.

PRINCIPAL PERMITTED and SPECIAL PERMIT USES	ZONES									
	OR	OR-G	OR-R	I-H	I-L	MU-EM	MU-W	MU-LI	ZP	PDD
INDUSTRIAL										
Agriculture/Farming	SP	SP	SP	P	P	SP	SP	P	SP	N
Industry	N	N	N	N	N	N	N (3)	N	N	P
Industrial service	N	N	N	P	SP	N	N	SP	N	N
Manufacturing/Processing										
High impact	N	N	N	SP	SP	N	N	N	N	N
Low impact	N	N	N	SP	SP	N	N	SP	N	N
Resource production/extraction										
High impact	N	N	N	SP	N	N	N	N	N	N
Low impact	N	N	N	SP	SP	N	N	N	N	N
Warehousing/freight storage										
High impact	N	N	N	P	SP	N	N	SP	N	N
Low impact	N	N	N	P	SP	N	N	SP	N	N
Waste-processing and transfer										
High impact	N	N	N	N	N	N	N	N	N	N
Low impact	N	N	N	SP	SP	N	N	N	N	N
Use with heavy trucks or equipment	N	N	SP (4)	N	N	N	N	N	N	N
RESIDENTIAL										
Group living	SP	SP	SP	N	N	SP	N	N	N	n.a.
Household living	P (5)	P (5)	P (5, 8)	N	N	P	P	SP(5)	N	P
ACCESSORY										
Customary accessory uses	A	A	A	A	A	A	A	A	A	A
Food service establishment for staff	A	A	A	A	A	A	A	A	A	A
Shared Use Commercial Kitchen	SP	SP	SP	N	N	N	N	N	N	N

NOTES:

1 Retail shall be required on the ground floor of all primary frontages, not to the exclusion of lobbies and entrances.

2 If property abuts waterfront, a marina may be allowed by special permit.

3 Water-dependent uses shall be allowed, along with their upland support (such as restrooms, parking, and marine retail.)

4 Heavy truck or equipment use requires a special permit.

5 One-, two-, and three-family structures are not allowed. Upper floor residential units and multi-family structures of four or more units are allowed.

6 Subject to Site Plan Review.

7 Only permitted on a property with direct water front access within and along Bridgeport Harbor. The Site Plan for any such facility shall include a suitable location for public or private water taxi service and reasonable public access.

8 Subject to 4-10-2

KEY: P Principal permitted use N Use is prohibited SP Special Permit Use A Accessory

PROPOSED USE SCHEDULE - RESIDENTIAL ZONES
City of Bridgeport

PRINCIPAL PERMITTED AND SPECIAL AND CONDITIONAL USES	DISTRICTS				
	R-AA	R-A	R-B	R-BB	R-C
Residential Uses					
Single family dwelling	P	P	P	P	P
Two family dwelling	N	N	P	P	P
Three family dwelling	N	N	N	P	P
Multi-family dwelling	N	N	N	N	SP
Community residential facility	C	C	C	C	C
Group living	N	N	N	N	C/SP
Rooming house	N	N	N	N	C/SP
Residential use solely, in adaptive reuse bldg	C/SP	C/SP	SP	SP	SP

NOTES:
Multi-family to explicitly cover building types (townhouses, apt. bldgs, rowhouses).
Community residential facility is found on Code page 76.
Adaptive re-use section of code: clean up section 3-9.

Commercial and Retail Uses					
Office	N	N	C/SP	C/SP	C/SP
Retail sales and services	N	N	C/SP	C/SP	C/SP
Entertainment, restaurant and recreation trade	N	N	N	N	SP
Mixed uses in adaptive reuse building	N	N	N	N	C/SP
Institutional, Public, and Quasi-Public Uses					
College or university	N	N	N	N	N
Medical center	N	N	N	N	SP
Community facility	SP	SP	SP	SP	SP
Religious institution	SP	SP	SP	SP	SP
School	SP	SP	SP	SP	SP
Daycare center	N	N	SP	SP	P
Social service provider	N	N	N	N	C/SP

NOTES:
Define religious institution

Public or Municipal Uses					
Basic utility	P	P	P	P	P
Essential public service	P	P	P	P	P
Park and open area	P	P	P	P	P

NOTES:
Define open area

ACCESSORY USES	R-AA	R-A	R-B	R-BB	R-C
Accessory apartment in single-family dwelling	P	P	N	N	N
Home occupation: office	P	P	P	P	P
Home occupation: business	SP	SP	SP	SP	SP

NOTES:

Home office to be over-the-counter action (p.121)

Home business to remain site plan action, reviewed by P&Z (p.122)

KEY: *P* *Principal permitted use* *N* *Not allowed*

C *Conditional Use*

SP *Special Permit Use*

USE SCHEDULE - DOWNTOWN VILLAGE DISTRICTS
TABLE 2.B

NOTE:
For each listed use, refer also to Table 5 and Table 6, Use Classifications.

PRINCIPAL PERMITTED AND SPECIAL PERMIT USES	DVD					
	CORE	CIVIC	BLVD	TOD	WF	NCVD
OFFICE	P	P	P	P	P	P
COMMERCIAL AND RETAIL						
Commercial parking	P	SP	P	P	P	P
Entertainment, recreation trade	P	P	P	P	P	P
Restaurant	P	P	P	P	P	P
Entertainment Live	P	P	P	P	P	SP
Café-Liquor	SP	SP	SP	SP	SP	SP
Major entertainment facility	SP	N	SP	SP	SP	SP
Marina	N	N	N	N	SP	N
Outdoor recreation, commercial	SP	N	N	SP	SP	SP
Radio and TV broadcast facility	SP	SP	SP	SP	SP	SP
Trade Uses:						
General sales and services, non-automotive	P	SP (1)	SP (2)	SP (2)	SP (2)	SP (2)
Automotive sales and service	N	N	N	N	P	N
Marine craft: sales, leasing, service, upland storage	N	N	N	N	P	N
Short-term lodging	P	P	P	P	P	P
Vehicle repair facility	N	N	N	N	N	N
Vehicle service facility	N	N	N	N	N	N
Wholesale trade	SP	N	SP	SP	SP	SP
INSTITUTIONAL, PUBLIC, AND QUASI-PUBLIC						
College and university	P	P	P	P	P	P
Community facility	P	P	P	P	P	P
Day care center	SP	P	SP (3)	SP (3)	N	SP (3)
Detention facility	N	N	N	SP	SP	N
Medical center	SP	SP	SP	SP	N	SP
Park and open area	P	P	P	P	P	P
Passenger terminal	SP	N	N	SP	SP	SP
Public facility and service, government-owned	P	P	P	P	P	P
Public safety and emergency service	P	P	P	P	P	P
Rail line and utility corridor	N	N	N	P	P	P
Religious institution; house of worship	P	P	P	P	N	P
School	P	P	P	P	N	P
Utility services	P	P	P	P	P	P
INDUSTRIAL						
Manufacturing/Processing - Artisanal	P	P	N	P	N	N
RESIDENTIAL						
Group living	SP	SP	SP	SP	SP	SP
Household living	P	P	SP	P	P	P
ACCESSORY						
Customary accessory uses	A	A	A	A	A	A
Shared Use Commercial Kitchen	SP	SP	SP	SP	SP	SP
Food service establishment for staff	A	A	A	A	A	A

NOTES:

1 Maximum footprint is fifteen hundred (1,500) square feet.
2 Use may not occupy more than 25 (twenty-five) percent of the principal building.
3 Use may not occupy more than 20 (twenty) percent of the principal building.

KEY:

P Principal Permitted Use
SP Special Permit Use
N Use is prohibited

ZONE DEVELOPMENT STANDARDS FOR RESIDENTIAL ZONE
TABLE 3

DEVELOPMENT STANDARDS	RESIDENTIAL ZONES									
	R-AA	R-A	R-A	R-A Pre-Existing	R-B	R-B	R-BB	R-BB	R-C	R-CC
		Note 7	Note 7	Note 3						
LOT										
Lot area minimum	11,250 sf	9,000 sf	7,500 sf	5,000 sf	9,000 sf	7,500 sf	9,000 sf	7,500 sf	9,000 sf	10,000 sf
Frontage, minimum	90 ft	60 ft	75 ft	50 ft	60 ft	75 ft	60 ft	75 ft	60 ft	75 ft
Depth, minimum	100 ft	100 ft	n.a.	100 ft	n.a.	100 ft	n.a.	100 ft	n.a.	100 ft
Lot area per dwelling unit, minimum	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	2,700 sf	n.a.
PRINCIPAL BUILDING SETBACK										
Front lot line, minimum from	20 ft	20 ft	20 ft	20 ft	15 ft	15 ft	15 ft or Prevailing	15 ft or Prevailing	15 ft or Prevailing	0-10 ft or Prevailing
Side lot line, minimum from	10 ft	6 ft	6 ft	6 ft	6 ft	6 ft	6 ft	6 ft	10 ft (1)	10 ft (9)
One side	10 ft	6 ft	6 ft	6 ft	6 ft	6 ft	6 ft	6 ft	Note 1	10 ft
Both sides shall add up to	20 ft	20 ft	20 ft	20 ft	20% of lot width	20% of lot width	20% of lot width	20% of lot width	Note 1	20 ft
Rear lot line	20 ft	20% of lot depth	20% of lot depth	20% of lot depth	20% of lot depth	20% of lot depth	20% of lot depth	20% of lot depth	The lesser of	10 ft
Maximum	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20% of lot depth or 50 Ft.	n.a.
ACCESSORY STRUCTURE										
Setback minimum:										
Front lot line	The lesser of 50% of lot depth or 75 ft	The lesser of 50% of lot depth or 75 ft	The lesser of 50% of lot depth or 75 ft	The lesser of 50% of lot depth or 75 ft	The lesser of 50% of lot depth or 75 ft	The lesser of 50% of lot depth or 75 ft	The lesser of 50% of lot depth or 75 ft	The lesser of 50% of lot depth or 75 ft	The lesser of 50% of lot depth or 75 ft	The lesser of 50% of lot depth or 75 ft
Side lot line	10 ft	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft
Rear lot line	5 ft	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft
Corner lot	Note 2	Note 2	Note 2	Note 2	Note 2	Note 2	Note 2	Note 2	Note 2	Note 2
Floor area maximum	Note 4	Note 4	Note 4	Note 4	Note 4	Note 4	Note 4	Note 4	Note 4	Note 4
COVERAGE									Note 5	
Building coverage, maximum	35%	40%	40%	40%	45%	45%	55%	55%	60%	75%
Site coverage, maximum	60%	60%	60%	60%	65%	65%	70%	70%	70%	80%
LANDSCAPED AREA										
Minimum	40%	40%	40%	40%	35%	35%	30%	30%	30%	20%
HEIGHT	Note 8 & 10	Note 8 & 10	Note 8 & 10	Note 8 & 10	Note 8 & 10	Note 8 & 10	Note 8 & 10	Note 8 & 10	Note 6 & 8	Note 8
Principal building, maximum	28' to mid-point of highest roof; 35' max to ridge	28' to mid-point of highest roof; 35' max to ridge	28' to mid-point of highest roof; 35' max to ridge	28' to mid-point of highest roof; 35' max to ridge	28' to mid-point of highest roof; 35' max to ridge	28' to mid-point of highest roof; 35' max to ridge	3 1/2 Stories and 38'	3 1/2 Stories and 38'	4 stories or 45'	6 Stories or 65'
Accessory structure, maximum										
Flat or rounded roof	12 ft	12 ft	12 ft	12 ft	12 ft	12 ft	12 ft	12 ft	12 ft	12 ft
To ridge	15 ft	15 ft	15 ft	15 ft	15 ft	15 ft	15 ft	15 ft	15 ft	15 ft

NOTES:

1 Side setback shall be either ten (10) ft minimum or forty (40) percent of the principal building height, whichever is greater.
2 Corner lots are required to provide two front yards and two side yards.
3 R-A 5,000 sf lot minimum shall apply only to lawfully created lots that pre-exist the effective date of these Regulations. No new such lots shall be created.
4 See Section 4-9-1(c)(2).
5 On lots of five (5) acres or more, building coverage shall not exceed 60% and site coverage shall not exceed 70%.
6 For nursing homes, convalescent homes, assisted living facility or congregate housing, maximum allowable height of a principal building shall be 6-stories or 60 feet and the lot size is at least five (5) acres. (Dormitories excluded)
7 For public interdistrict multi-magnet schools with 200,000 square feet or more of floor area in the R-A zone, see Table 3.A. All other schools, see Table 3.
8 In flood plain areas where the lowest floor of the building is elevated to meet the flood damage prevention standards, the maximum total building height shall be measured from the Base Flood Elevation (BFE)+1' elevation.
9 Minimum side setback along commercial corridors is 0'
10 Half Story: An attic or story immediately below a sloping roof with no more than 50% of said space having a floor to ceiling height greater than seven feet six inches (7'-6")

ZONE DEVELOPMENT STANDARDS
INTERDISTRICT MULTI-MAGNET SCHOOL ≥ 200,000 Sf. of Floor Area - R-A Zone
TABLE 3.A

LOT	**R-A ZONE**
Lot area minimum	15 Acres
Frontage, minimum	100 Ft.
Depth, minimum	800 Ft.
PRINCIPAL BUILDING SETBACK	
Front lot line, minimum from	100 Ft.
Side lot line, minimum from	50 Ft.
One side	50 Ft.
Both sides shall add up to	100 Ft.
Rear lot line	50 Ft.
ACCESSORY STRUCTURE	
(Setback minimum):	
Front lot line	100 Ft.
Side lot line	50 Ft.
Rear lot line	50 Ft.
COVERAGE	
Building coverage, maximum	25%
Site coverage, maximum	40%
Maximum Floor Area Ratio (FAR)	0.3
LANDSCAPE AREA	
Minimum	60%
HEIGHT	
Principal building, maximum	80 Ft.
Accessory structure, maximum	35 Ft.

NOTES

1. See Section 4-4, Height
2. See Section 11-3, Landscaping and Screening, Minimum Landscaped Area includes, without limitation, natural vegetation and rock outcrops, lawns, fields, wetlands and water courses, storm water retention or detention basins, rain gardens, recreational areas and amenities, including trails and bike paths.
3. Minimum Off-Street parking requirements shall be per applicable standard of the Institute of Transportation Engineers ("ITE") as published in Parking Generation. For High Schools, use highest observed parking demand ratio. Table 8 A shall not be applicable. Up to 20% of the minimum required parking spaces may be 8'x18' for compact cars. All other parking spaces shall be 9'x18', the provisions of Section 11-1-10 notwithstanding. Public parking for parks and open space need not be paved.
4. Signage. The provisions of Section 11-7-5 notwithstanding, a ground sign for identification, not to exceed 24 Sq. feet shall be allowed at each entrance to the school. A maximum of two (2) wall signs announcing the name of the school may be permitted, not to exceed 350 Sq. Ft. each. Those provisions of Section 11-7 which are not inconsistent with this provision shall also apply.

ZONE DEVELOPMENT STANDARDS FOR NON-RESIDENTIAL ZONES
TABLE 4.A

DEVELOPMENT STANDARDS	OR-R	I-H	I-L	MU-EM	MU-W	MU-LI	ZP
LOT							
Lot area, minimum	10,000 sf	n.a.	n.a	5,000 sf	10 acres	n.a.	40 acres
Frontage, minimum	60 ft	none	25 ft	60 ft	200 ft	35 ft	n.a.
Floor area ratio, maximum	2.0	n.a.	n.a	1.0 (Note 11)	n.a.	n.a.	n.a.
Principal building size, maximum	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	50,000 sf
PRINCIPAL BUILDING SETBACK							
Front lot line, minimum from	10 ft or Prevailing	n.a.	n.a.	n.a.	15 ft	n.a.	n.a.
Street lot line, minimum from	n.a.	5 ft	15 ft	0	n.a.	0 ft or prevailing setback	50 ft
Maximum setback	n.a.	n.a.	n.a.	10 ft	n.a.	10 ft or prevailing setback	n.a.
Side lot line, minimum from	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.
Rear lot line, minimum from	n.a.	n.a.	n.a.	n.a.	20% of lot depth	n.a.	n.a.
Not to exceed	n.a.	n.a.	n.a.	n.a.	20 ft	n.a.	n.a.
Minimum setback from:							
Other heavy industrial use	n.a.	10 ft	10 ft	n.a.	n.a.	n.a.	n.a.
Other use	n.a.	0	0	n.a.	n.a.	n.a.	n.a.
From lot line abutting an R zoned lot	10 ft	15 ft	15 ft		n.a.		
Side	n.a.	n.a.	n.a.	10 ft	n.a.	10 ft	50 ft
Rear	n.a.	n.a.	n.a.	15 ft	n.a.	15 ft	50 ft
From lot line abutting an MU, OR or I zoned lot	0	0	0	0	n.a.	n.a.	n.a.
Corner lot yards	Note 2	Note 2	Note 2	Note 2	Note 2	Note 2	n.a.
Mean high water, minimum from	n.a.	n.a.	n.a.	n.a.	30 ft (3)	Note 3	n.a.
ACCESSORY STRUCTURE SETBACK							
Setbacks	Note 9	Note 9	Note 9	Note 9	Note 9	Note 9	Note 9
COVERAGE							
Building coverage, maximum	50%	100%	85%	50%	70%	65%	65%
Site coverage, maximum	85%	None	85%	85%	85%	85%	85%
LANDSCAPED AREA							
Minimum	15%	None	15%	15%	15%	15%	15%
In setbacks abutting an R-zoned lot, minimum	5 ft deep at L3 (4)	10 ft deep at lot line at L4 (4)	10 ft deep at L4	5 ft deep at L3 (4)	5 ft deep at L3 (4)	10 ft deep at L4 (4)	50 ft deep at L3 (4)
HEIGHT							
Principal Building							
Maximum for principal building	45 ft	75 ft	75 ft	45 ft	50 stories or 500 ft	35 ft (Note 12)	3 stories or 35 ft (6)
Projections and features	Note 5	Note 5	Note 5	Note 5	Note 5	Note 5	Note 5
Accessory Structure							
Height, maximum	Note 7	Note 7	Note 7	Note 7	Note 7	Note 7	Note 7
Floor area, gross maximum	Note 8	Note 8	Note 8	Note 8	Note 8	Note 8	Note 8
PUBLIC ACCESS EASEMENT	Note 10	Note 10	Note 10	Note 10	Note 10	Note 10	Note 10

NOTES:

1 No maximum building setback from a street lot line shall be required for any parcel of land bounded on three or more sides by city streets and owned by a city or government agency.
2 On a corner lot in any zone, there shall be two front yards and two side yards.
3 The minimum setback from mean high water shall be thirty (30) feet except for buildings supporting water-dependent uses that may require location immediately adjacent to the water.
4 See Section 11-3, Landscaping and Screening.
5 See Section 4-4, Height.
6 Buildings proposed for more than three (3) stories shall require a special permit.
7 Any accessory structure with a flat or rounded roof shall be no higher at its highest point than twelve (12) feet and any accessory structure with a pitched roof shall be no higher than fifteen (15) feet, measured from the average level of the ground along all walls of the structure. In I-H and I-L zones, the maximum height for any accessory structure shall not exceed one-third (1/3) of the maximum height for principal structures in that zone.
8 See Section 4-9, Accessory Structures.
9 Setbacks for accessory structures shall be the same as setbacks for principal structures.
10 A public access easement may be required on any non-residential property abutting a waterway. In such a case, a dedicated open space area shall be established from the top of the embankment and for twenty (20) feet inland.
11 Parking garages shall be exempt from the Floor Area Ratio (FAR) requirement and shall not be included in the calculation of the Gross Floor Area in the MU-EM Zone
12 Maximum height for a passenger terminal shall be 60 Ft.

Not applicable: n.a.

ZONE DEVELOPMENT STANDARDS FOR DOWNTOWN VILLAGE DISTRICTS, NCVD, OR, OR-G
TABLE 4.B

DEVELOPMENT STANDARDS	DVD-CORE		DVD-CIVIC		DVD-BLVD		DVD-TOD		DVD-WF		NCVD		OR		OR-G	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
LOT																
Lot width	18 feet	None	40 feet	None	100 feet	None	80 feet	None	50 feet	None	80 feet	None	35 feet	None	60 feet	None
Lot depth	70 feet	None	90 feet	None	100 feet	None	80 feet	None	100 feet	None	80 feet	None	None	None	None	None
Lot area	1,350 sf	None	5,000 sf	None	10,000 feet	None	6,400 sf	None	5,000 sf	None	6,400 sf	None	5,000 sf	None	10,000 feet	None
Lot coverage	40%	85%	None	60%	40%	85%	40%	85%	None	60%	40%	90%	75%	None	75%	None
STREET WALL																
As a percent of frontage (Primary)	70%	None	50%	None	70%	None	70%	None	65%	None	70%	None	75%	100%	75%	100%
As a percent of frontage (Secondary)	50%	None	50%	None	50%	None	50%	None	50%	None	50%	None	30%	100%	30%	100%
As a percent of frontage (Tertiary)	None	None	None	None	None	None	None	None	None	None	None	None	N/A	N/A	N/A	N/A
											Note 5		Note 8		Note 8	
BUILDING SETBACK FROM STREET LOT LINE																
Primary frontage	5 feet or Prevailing	10 feet or Prevailing	10 feet or Prevailing	25 feet or Prevailing	15 feet or Prevailing	35 feet or Prevailing	5 feet or Prevailing	15 feet or Prevailing	5 feet or Prevailing	20 feet or Prevailing	5 feet or Prevailing	15 feet or Prevailing	0'	10'	0'	10'
Secondary frontage	0 feet or Prevailing	5 feet or Prevailing	5 feet or Prevailing	10 feet or Prevailing	5 feet or Prevailing	15 feet or Prevailing	0 feet or Prevailing	10 feet or Prevailing	0 feet or Prevailing	10 feet or Prevailing	0 feet or Prevailing	10 feet or Prevailing	0'	10'	0'	10'
tertiary frontage	0 feet	None	0 feet	None	0 feet	None	0 feet	None	0 feet	None	0 feet	None	N/A	N/A	N/A	N/A
	Note 1										Note 4, 6 & 7		Note 9 & 10		Note 10	
YARDS																
Side yard (see Note 2)	0 feet or 5 feet if side yard is utilized	1 foot for each floor of building height not to exceed 14 feet	15 feet	None	0 feet or 5 feet if side yard is utilized	1 foot for each floor of building height not to exceed 14 feet	0 feet or 5 feet if side yard is utilized	1 foot for each floor of building height not to exceed 14 feet	0 feet or 5 feet if side yard is utilized	1 foot for each floor of building height not exceed 14 feet	0 feet or 5 feet if side yard is utilized	1 foot for each floor of building height not to exceed 14 feet	0 feet or 5 feet if side yard is utilized	1 foot for each floor of building height not to exceed 14 feet	0 feet or 5 feet if side yard is utilized	1 foot for each floor of building height not to exceed 14 feet
Rear yard	0 feet OR 20 feet floor contains habitable space	None	30 feet	None	0 feet or 20 feet if floor contains habitable space	None	0 feet or 20 feet if floor contains habitable space	None	0 feet or 20 feet if floor contains habitable space	None	0 feet or 20 feet if floor contains habitable space	None	0 feet or 20 feet if floor contains habitable space	None	0 feet or 20 feet if floor contains habitable space	None
OTHER STANDARDS																
Landscaped area as a percent of lot	0%	60%	20%	None	10%	60%	10%	60%	20%	None	10%	60%	15%	25%	15%	25%
Floor to ceiling height of first story	12 feet	None	None	None	12 feet	None	12 feet	None	12 feet	None	12 feet	None	12 feet	None	12 feet	None
Public Access Easement	Note 3	Note 3	Note 3	Note 3	Note 3	Note 3	Note 3	Note 3	Note 3	Note 3	Note 3	Note 3	Note 3	Note 3	Note 3	Note 3
													Note 11		Note 11	

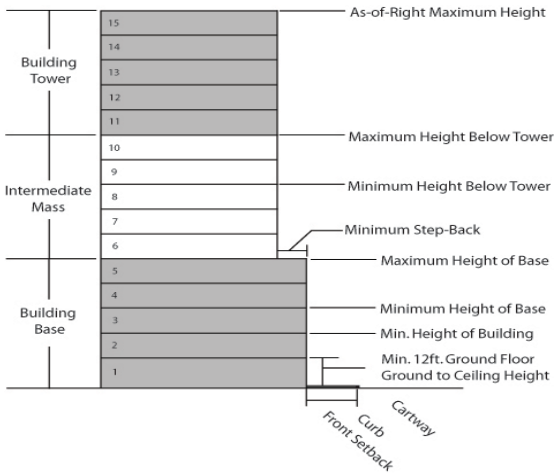
NOTES:

1. Any building setback along primary or secondary frontages in the DVD-Core must be in the form of a sidewalk easement or covered arcade.
2. Alleys between buildings created by contiguous side yard setbacks shall be covered at the street frontage by a gate or matching façade so as to maintain street line continuity.
3. A Public Access Easement may be required on any non-residential properties abutting a waterway. From the top of the embarkment and for twenty (20) feet inland, a dedicated open space area shall be established.
4. See the provisions of 10-10-4 regarding building setback in the NCVD Zone.
5. In flood plain areas where the lowest building floor is raised to meet the flood plain requirements, up to 30% of required street wall width could be recessed to accommodate ac
6. When flood resistance construction requires raising the lowest floor height, front building setbacks may be increased by up to 25 feet to provide exterior stairs and ramps
7. For Residential Use Only, the front setback may be increased up to 35 feet.
8. Large parcels with multiple buildings shall maintain street wall along at least 60% of primary street frontage.
9. Single use multifamily structures must provide a minimum setback of 10' of landscaped area.
10. Can be increased an additional 5' to accommodate outdoor seating for food establishments.
11. Landscaped area requirement may be met with one or more of the following: traditional landscaping (see Section 11-3), green façade, green roof and/or green wall.

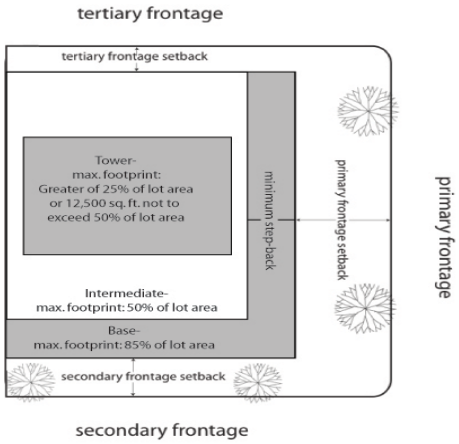
BUILDING DIMENSION STANDARDS
DOWNTOWN VILLAGE DISTRICT - CORE (DVD-CORE)
TABLE 4.C

Standards	DVD-CORE Zone	
	Minimum	Maximum
Height of Building Base from Ground Level	35 feet	65 feet
Step Back Above Building Base[1]	10 feet on primary and secondary frontages; None on tertiary frontages	None
Footprint of Intermediate Mass	None	50% of lot area
Height of Intermediate Mass from Ground Level	90 feet	120 feet
Footprint of Building Tower	None	Greater of 25% lot area or 12,500 sq. ft. not to exceed 50% lot area
Total Building Height	2 stories[2]	15 stories[3']

Cross Section



Plan View



1. A portion of the façade may continue on a common plane from sidewalk to ultimate tower height provided that it does not constitute more than twenty-five (25) percent of the linear length of the façade along either the primary or secondary frontage and occurs at depth of step back. Cornices, eaves, fireplaces, and similar architectural features (excluding flat or continuous walls or enclosures of interior space) may extend up to two (2) feet into the setback.

2. A one-story wing is permitted adjacent to a secondary or tertiary frontage or toward the rear yard relative to the main building. The wing may occupy up to fifty (50) percent of the secondary frontage and up to one-hundred (100) percent of the tertiary frontage. A one-story wing is not permitted on a primary frontage.

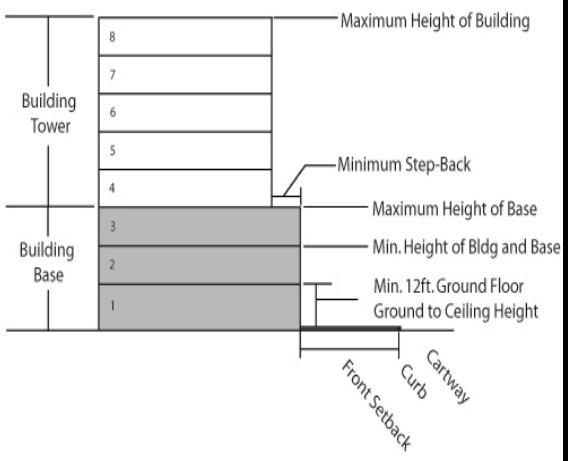
3. The height of a building in the DVD-CORE zone may be increased by utilizing development bonuses or Transfer of Air Rights. See Section 10-5 and 10- 6.

4. The height of a building in the DVD-CORE zone shall not exceed 25 (twenty-five) stories.

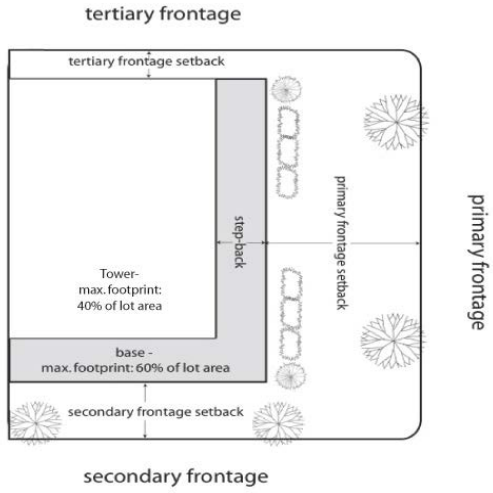
BUILDING DIMENSION STANDARDS
DOWNTOWN VILLAGE DISTRICT - CIVIC (DVD-CIVIC)
TABLE 4.D

Standards	DVD-CIVIC Zone	
	Minimum	Maximum
Height of Building Base from Ground Level	25 feet	35 feet
Step Back Above Building Base[1]	15 feet on primary and secondary frontages; None on tertiary frontages	None
Footprint of Building Tower	None	40% of lot area
Depth of Building Tower	None	None
Total Building Height	2 stories	8 stories

Cross Section



Plan View



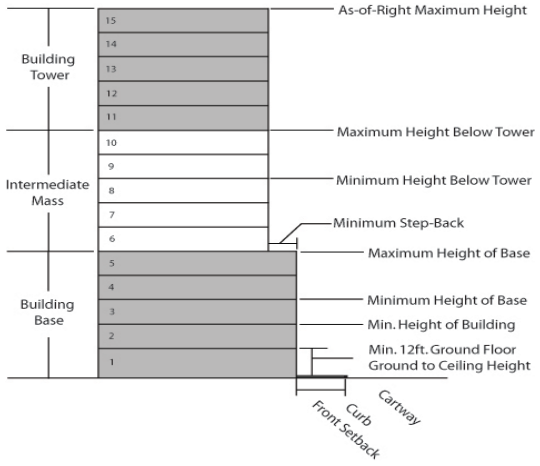
1. A portion of the façade may continue on a common plane from sidewalk to ultimate tower height provided that it does not constitute more than twenty-five (25) percent of the linear length of the façade along either the primary or secondary frontage and occurs at depth of step back.

2. Cornices, eaves, fireplaces, and similar architectural features (excluding flat or continuous walls or enclosures of interior space) may extend up to two (2) feet into the setback.

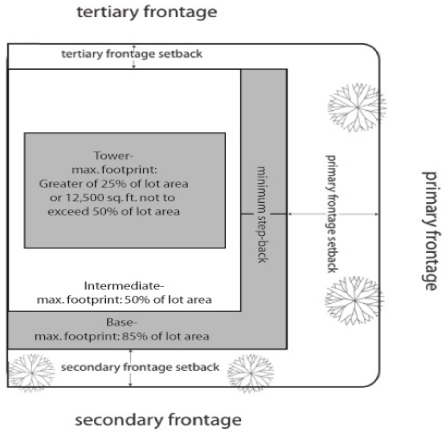
BUILDING DIMENSION STANDARDS
DOWNTOWN VILLAGE DISTRICT - BOULEVARD (DVD - BLVD)
TABLE 4.E

Standards	DVD-BLVD Zone	
	Minimum	Maximum
Height of Building Base from Ground Level	35 feet	65 Feet
Step Back Above Building Base[1]	10 feet on primary and secondary frontages; None on tertiary frontages	None
Footprint of Intermediate Mass	None	50% of lot area
Height of Intermediate Mass from Ground Level	90 feet	120 feet
Footprint of Building Tower	None	Greater of 25% lot area or 12,500 sq. ft. not to exceed 50% lot area
Depth of Building Tower	None	100 ft.
Total Building Height	2 stories[2]	20 stories[3]'

Cross Section



Plan View



1. A portion of the façade may continue on a common plane from sidewalk to ultimate tower height provided that it does not constitute more than twenty-five (25) percent of the linear length of the façade along either the primary or secondary frontage and occurs at depth of step back. Cornices, eaves, fireplaces, and similar architectural features (excluding flat or continuous walls or enclosures of interior space) may extend up to two (2) feet into the setback

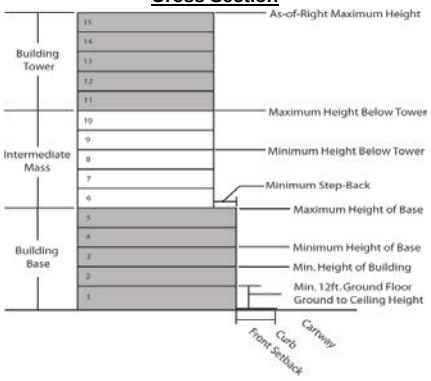
2. A one-story wing is permitted adjacent to a secondary or tertiary frontage or toward the rear yard relative to the main building. The wing may occupy up to fifty (50) percent of the secondary frontage and up to one-hundred (100) percent of the tertiary frontage. A one-story wing is not permitted on a primary frontage.

3. The height of a building in the DVD-BLVD zone may be increased by utilizing development bonuses or Transfer of Air Rights. See Section 10-5 and 10-6.
4. The height of a building in the DVD-BLVD zone shall not exceed 35 (thirty-five) stories.

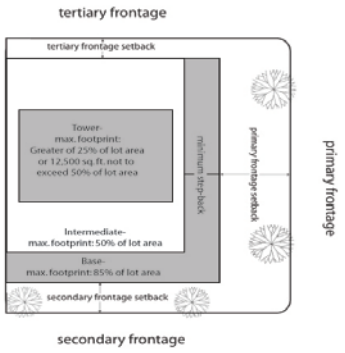
BUILDING DIMENSION STANDARDS
DOWNTOWN VILLAGE DISTRICT - TRANSIT ORIENTED DEVELOPMENT (DVD - TOD)
TABLE 4.F

Standards	DVD-TOD Zone	
	Minimum	Maximum
Height of Building Base from Ground Level	35 feet	65 feet
Step Back Above Building Base[1]	10 feet on primary and secondary frontages; None on tertiary frontages	None
Footprint of Intermediate Mass	None	50% of lot area
Height of Intermediate Mass from Ground Level	90 feet	120 feet
Footprint of Building Tower	None	Greater of 25% lot area or 12,500 sq. ft. not to exceed 50% lot area
Depth of Building Tower	None	100 feet
Total Building Height	2 stories[2]	20 stories[3]'

Cross Section



Plan View



1. A portion of the façade may continue on a common plane from sidewalk to ultimate tower height provided that it does not constitute more than 25 (twenty-five) percent of the linear length of the façade along either the primary or secondary frontage and occurs at depth of step back. Cornices, eaves, fireplaces, and similar architectural features (excluding flat or continuous walls or enclosures of interior space) may extend up to two (2) feet into the setback.

2. A one-story wing is permitted adjacent to a secondary or tertiary frontage or toward the rear yard relative to the main building. The wing may occupy up to fifty (50) percent of the secondary frontage and up to one-hundred (100) percent of the tertiary frontage. A one-story wing is not permitted on a primary frontage.

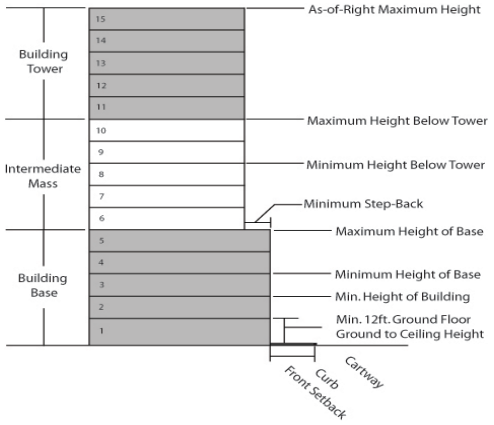
3. The height of a building in the DVD-TOD zone may be increased by utilizing development bonuses or Transfer of Air Rights. See Section 10-5 and 10-6.

4. The height of a building in the DVD-TOD zone shall not exceed twenty-five (25) stories.

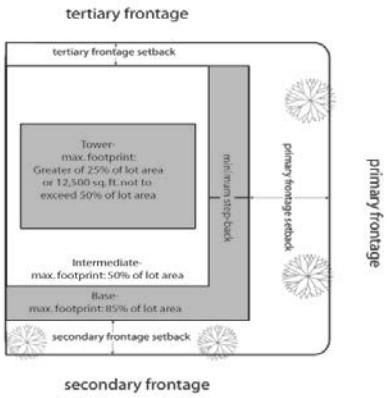
BUILDING DIMENSION STANDARDS
DOWNTOWN VILLAGE DISTRICT - WATERFRONT (DVD - WF)
TABLE 4.G

Standards	DVD-WF Zone	
	Minimum	Maximum
Height of Building Base from Ground Level	35 feet	65 feet
Step Back Above Building Base[1]	10 feet on primary and secondary frontages and on access corridors to the waterfront; None on tertiary frontages	None
Footprint of Intermediate Mass	None	50% of lot area
Height of Intermediate Mass from Ground Level	90 feet	120 feet
Footprint of Building Tower	None	Greater of 25% lot area or 12,500 sq. ft. not to exceed 50% lot area
Depth of Building Tower	None	100 feet
Total Building Height	2 stories[2]	15 stories[3,]

Cross Section



Plan View



1. A portion of the façade may continue on a common plane from sidewalk to ultimate tower height provided that it does not constitute more than twenty-five (25) percent of the linear length of the façade along either the primary or secondary frontage and occurs at depth of step back. Cornices, eaves, fireplaces, and similar architectural features (excluding flat or continuous walls or enclosures of interior space) may extend up to two (2) feet into the setback.

2. A one-story wing is permitted adjacent to a secondary or tertiary frontage or toward the rear yard relative to the main building. The wing may occupy up to fifty (50) percent of the secondary frontage and up to one-hundred (100) percent of the tertiary frontage. A one-story wing is not permitted on a primary frontage.

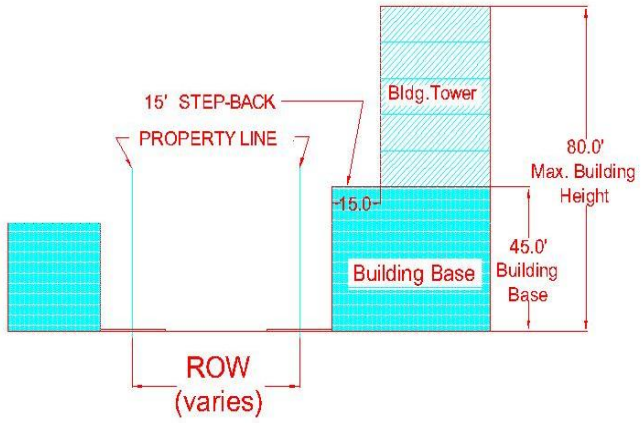
3. The height of a building in the DVD-WF zone may be increased by utilizing development bonuses or Transfer of Air Rights. See Section 10-5 and 10-6.

4. The height of a building in the DVD-WF zone shall not exceed twenty-five (25) stories.

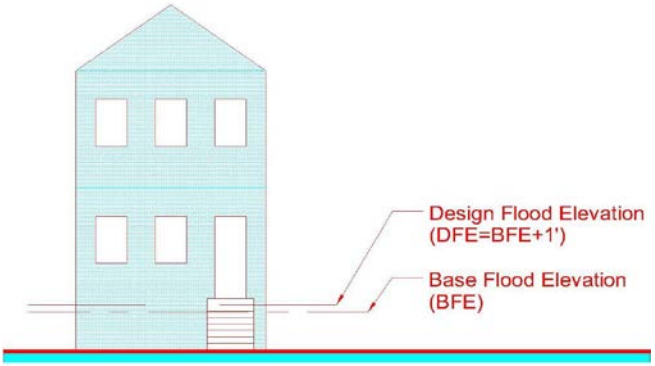
BUILDING DIMENSION STANDARDS
NEIGHBORHOOD CENTER VILLAGE DISTRICT (NCVD)
TABLE 4.H

Standards	NCVD Zone	
	Minimum	Maximum
Height of Building Base from Ground Level	25 feet	45 feet
Step Back Above Building Base (Note 1)	15 feet on primary and secondary frontages; None on tertiary frontages	None
Footprint of Building Base	None	60% of lot area
Depth of Building Tower	None	None
Total Building Height (Notes 3 & 4)	25 Feet	80 Feet (Note 4)

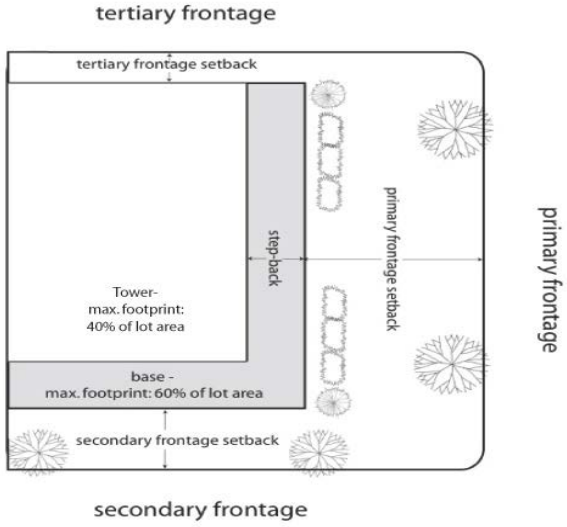
Cross Section



Within Floodplain



Plain View



NOTES

1. A portion of the façade may continue on a common plane from sidewalk to ultimate tower height provided that it does not constitute more than twenty-five (25) percent of the linear length of the façade along either the primary or secondary frontage and occurs at depth of step back.

2 Cornices, eaves, fireplaces, and similar architectural features (excluding flat or continuous walls or enclosures of interior space) may extend up to two (2) feet into the setback.

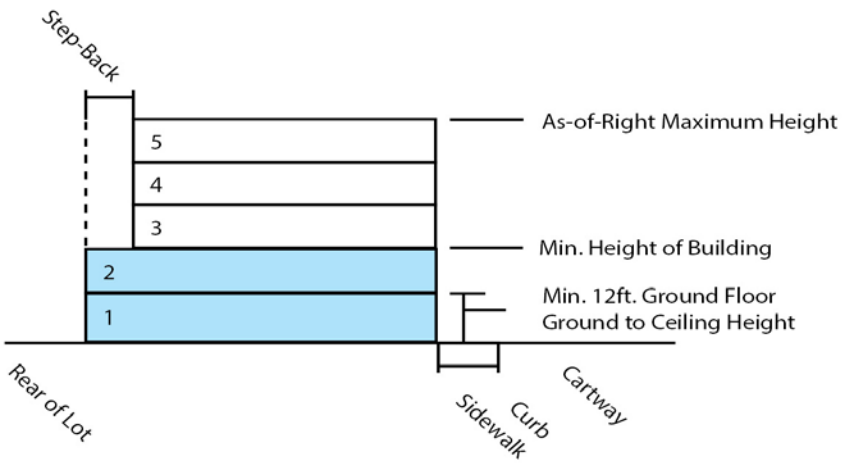
3. In floodplain areas where the lowest floor of the building is elevated to meet the flood damage prevention standards, the maximum total building height shall be measured from the Base Flood Elevation (BFE)+1' elevation.

4. Height Bonus: In the NCVD Zone, the building height may be increased above the maximum height, up to 20 additional feet when at least three (3) or more of the following are provided:
   a. Green Building Design (LEED) per Section 10-5-1
   b. New Public Open Space per Section 10-5-2
   c. Rehabilitation of Existing open Space per Section 10-5-3
   d. Green Roof, Minimum fifty percent (50%) of the total roof area
   e. Sustainable Sidewalks: Green infrastructure technologies applicable for sidewalks include curb extensions, sidewalk planters, tree trenches and porous pavements.
   f. Cultural Facilities: Consisting of space available for use by neighborhood groups and/or low-cost rental space for neighborhood-serving non-profit organizations.
   g. Public Parking: Minimum 10 parking spaces available for neighborhood use.

BUILDING DIMENSION STANDARDS
OR and OR-G
TABLE 4.I

Standards	OR and OR-G Zone	
	Minimum	Maximum
Total Building Height	25 feet [1]	65 feet [2]
Step Back Above 25 Built feet	20 feet for sides abutting residential zones [3]	None

Cross Section



1. The minimum height may be met with a parapet wall and does not need to be an occupiable second floor. The parapet wall must be built wherever the building is visible to the public (see Article 6-1-5d).
2. The height of a building in the OR zone shall not exceed five (5) stories.
3. The step back applies to any building wall that is within 20 feet of the lot line of a residentially zoned lot.

USE CATEGORIES: RESIDENTIAL
TABLE 5

5.1 GROUP LIVING

Residential occupancy of a structure by a group of people who do not meet the Household Living definition. Size is larger than the Average Household Size. Average length of stay is 60 days or longer. Structures generally have a common eating area for residents. Residents may receive any combination of care, training, or treatment, or none of these, as long as they also reside at the site.

In Residential Zones, allowed uses
Congregate Housing for senior citizens, allowed in R-C zones
Dormitories, residence halls, fraternities and sororities allowed in R-C zones
Residences for the physically disabled, intellectually disabled, or emotionally disturbed which do not meet the definition of Community Residential Facility, allowed in R-BB and R-C zones.
Hospices, allowed in R-C zones
Nursing and convalescent homes, allowed in R-C zones

In Non-Residential Zones, allowed group living uses
Halfway houses

Accessory Uses
Recreational facilities

Prohibited in all residential zones
Alternative incarceration center
Detention facility

5.2 HOUSEHOLD LIVING

Residential occupancy of a dwelling unit by a household, where the average length of stay is 60 days or longer.

Uses
Single-, two- and three-family houses
1. Single Family House: A detached structure containing one Residential Unit.
2. Two Family House: A single structure containing two Residential Units.
3. Three Family House: A single structure containing three Residential Units.

Multi-Family House: A single structure containing four or more Residential Units.

Structure types:
1. Apartments
2. Manufactured housing
3. Other structures with self-contained dwelling units

4. Townhouse: One of two or more structures, each containing one Residential Unit, and separated from one another by up to two (2) common or party walls.
5. Community Residential Facility: A community-based residential facility which houses up to six (6) intellectually disabled or autistic persons and which provides food, shelter, personal guidance and, to the extent necessary, continuing health-related serviced and care for persons requiring assistance to live in the community provided.

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Accessory Uses
Recreational activities
Home occupations
Accessory apartments
Home day care (commercial day care excluded)

USE CATEGORIES: NON-RESIDENTIAL
TABLE 6

6.1 OFFICE USES

Activities conducted in an office setting and primarily focusing on administrative, business, government, professional, medical, or financial services. Contractors and others who perform services off-site are included in this Use Category if equipment and materials are not stored on the site and fabrication, services, or similar work is not carried on at the site.

Exception: Offices that are part of and are located with a firm in another category are considered accessory to the firm's primary activity.

Uses

Financial businesses such as:

- Banking and bank-related services
- Brokerage houses
- Data processing centers
- Government offices
- Insurance services
- Lenders and credit services
- Public utility offices
- Real estate and related services
- Sales offices
- General office uses

Professional service offices such as:

- Accountants
- Architects
- Engineers
- Lawyers
- Medical and dental clinics, laboratories and offices
- Television and radio studios

Accessory Uses

Cafeterias, health facilities, and other amenities primarily for the use of employees or visitors of the firm or building.

6.2 TRADE USES

6.2.1 Automotive Trade

Retail sale or leasing of automobiles, including cars and trucks

Uses Included

Sales or leasing of consumer vehicles, including:

- Passenger vehicles
- Motorcycles
- Light and medium trucks
- Other recreational vehicles

Accessory Uses
Vehicle servicing, repair, detailing, body work and finishing when conducted as a secondary activity to the sale of vehicles. Conditions imposed under Article 11, Conditional Use Development Standards, apply.

6.2.2 Marine Craft and Marinas

Marinas, retail sale or leasing of marine craft, including all types of boats and ships.

Uses Included
Boat Storage
Marinas
Sales or leasing of marine craft and accessories, retail

Accessory Uses
Marine craft servicing, repair, detailing, body work and finishing when conducted as a secondary activity to the sale of such craft.

6.2.3 Entertainment or Recreation Trade

Facilities providing entertainment or recreation services and eating and drinking establishments.

Uses
Banquet halls
Bars and taverns
Billiards and pool halls
Bowling alleys
Cafes, delicatessens (with seating areas)
Catering establishments
Exhibition and meeting areas (20,000 sf or less)
Game arcades
Health clubs and gyms
Ice or roller skating rinks
Indoor firing ranges
Lodges and social clubs
Membership clubs
Movie theaters
Swimming pools
Tennis courts
Theaters

Accessory Uses
Offices and storage of food and alcohol.

6.2.4 Restaurants

Uses
Restaurant, full service.

6.2.5. Entertainment Live

Uses

Disc Jockey, Karaoke, Acoustic Music, Amplified Bands, Comedy Show, Stand-Up, Night Clubs, Jazz Clubs.

Exceptions:

Pre-recorded, such as CD;s, MP3's, Tapes

6.2.6 Retail Sales and Services

Uses that involve the sale, lease or rental of new or used consumer products, including prepared foods, to the general public; and uses providing services involving predominantly personal or business services, including repair of consumer and business goods.

Exceptions: Lumber yards and other building material sales facilities that sell primarily to contractors and do not have a retail orientation are classified as Wholesale Trade. Sale, rental, or leasing of heavy trucks and equipment is classified as Wholesale Trade. Uses for the repair and service of consumer motor vehicles, motorcycles, and light and medium trucks are classified as Vehicle Service Facilities. Repair and service of industrial vehicles and equipment, and heavy trucks is classified as Industrial Service.

Retail Sales

Stores selling, leasing, or renting consumer, home, and business goods including:

- Antiques
- Appliances
- Art
- Art supplies
- Automobile supplies (no services)
- Bicycles
- Books and printed material
- Clothing
- Dry goods
- Electronic equipment
- Fabric
- Furniture
- Garden supplies
- Gifts
- Groceries
- Hardware
- Home improvements
- Household products
- Jewelry
- Music supplies
- Newspaper distribution (exclusive of curb-side vending)
- Office machines
- Package liquor
- Pets

Pet food
Pharmaceuticals
Plants and flowers
Shoes
Sporting goods
Stationery
Tobacco products
Toys
Videos (Sale of adult videos and products by Special Permit only)

Food Sales (including seating areas not to exceed eight seats)
Bakery
Candy store
Delicatessen
Ice cream parlor
Take-out Restaurants

Retail Personal, Business and Repair Services
Animal grooming salons
Blueprinting and photocopying services
Branch banks
Business and commercial trade schools
Business and management consulting services
Dance or music schools
Dry cleaning collection and distribution centers
Dry cleaning establishments in conjunction with retail dry cleaning collection and distribution centers using non-flammable and non-explosive fluids
Emergency medical care facilities
Employment agencies
Hair, tanning, nail salons and personal care services
Kennels
Laundromats
Locksmiths
Martial arts instruction
Office equipment rental and leasing services
Photo drop off
Photographic studios
Quick printing
Recycling drop-off
Scientific and professional instrument repair
Tailors
Television, bicycle, clock, watch, shoe, gun, appliance and office equipment repair
Travel agency
Upholsterers
Veterinarian offices

Accessory Uses
Offices and storage of goods, and manufacture or repackaging of goods for on-site sale.

6.2.7 Wholesale Trade

Uses that involve the sale, lease, or rental of products primarily intended for industrial, institutional, or commercial businesses. Uses emphasize on-site sales or order-taking and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited. Products may be picked up on-site or delivered to the customer.

Uses

Mail order houses

Sale or rental of:

- Building materials (including gravel and lumber)
- Electrical supplies
- Equipment
- Heating and plumbing equipment
- Heavy trucks
- Janitorial supplies
- Machine parts
- Machinery
- Restaurant equipment
- Special trade tools
- Store fixtures
- Welding supplies

Wholesalers of:

- Alcoholic beverages
- Auto parts
- Building hardware
- Clothing
- Electronics
- Home furnishings
- Food

Accessory Uses

Offices, product repair, warehouses, minor fabrication services, limited retail areas, and repackaging of goods.

6.3 INDUSTRIAL USES

6.3.1 Industrial Service in I-L and I-H Zones

Uses that involve the repair or servicing of industrial, business or consumer machinery, equipment, products or by-products, but not including consumer goods service or retail outlets.

Exception: Establishments providing office space for contractors and others who perform services off-site are considered Office uses if major equipment or bulk quantity material storage is not conducted at the site, and fabrication, or similar work is not carried on at the site.

Uses

Auto and truck salvage and wrecking
Building, heating, plumbing or electrical contractors
Dry-docks and ship repair
Electric motor repair
Exterminators
Fuel oil distributors
Furniture stripping and refinishing
Heavy machinery sales, repair, and storage
Janitorial and building maintenance services
Landscape and excavating contractors
Laundry, dry-cleaning, and carpet cleaning facilities
Machine shops
Metal and building materials, salvage or wrecking or photofinishing laboratories
Printing, publishing, commercial art and reproduction services
Research and development laboratories
Solid fuel yards
Tire retreading or recapping
Tool repair
Towing and vehicle storage
Truck stops
Vehicle repair facility, heavy (heavy truck servicing and repair)
Welding shops

Accessory Uses

Offices, storage, rail spur or lead lines, and docks.

6.3.2 Industrial Uses in MU-LI Zones

Industrial Services. Uses that involve the repair or servicing of industrial, business or consumer machinery, equipment, products or by-products, but not including consumer goods service or retail outlets.

Exception: Establishments providing office space for contractors and others who perform services off site are considered Office uses if major equipment or bulk quantity material storage is not conducted at the site, and fabrication, or similar work is not carried on at the site.

Uses Allowed, Subject to Performance Standards and Site Plan Review
Heating, plumbing or electrical contractors with no outdoor storage
Electric motor repair
Exterminators
Furniture stripping and refinishing
Janitorial and building maintenance services
Laundry, dry-cleaning, and carpet cleaning facilities
Machine shops
Photofinishing laboratories, printing, publishing, commercial art and reproduction services
Research and development laboratories
Tool and die manufacturing and repair
Vehicle repair facility, (light and heavy truck servicing and repair)
Welding shops

Accessory Uses
Offices, storage, rail spur or lead lines, and docks.

Manufacturing and Processing. Uses that involve the manufacturing, processing, fabrication, packaging, or assembly of goods. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on-site, but if so, they are a subordinate part of sales.

Exceptions: Manufacture of consumer goods to be sold primarily on-site and to the general public is classified as Retail Sales and Services. Manufacture and production of products from composting organic material are classified as Waste Processing and Transfer.

Uses Allowed, Subject to Performance Standards and Site Plan Review
Apparel and textiles manufacturing
Artwork, jewelry and toy production
Breweries, distilleries, and wineries
Food and related products manufacturing
Furniture and fixtures manufacturing; woodworking, including cabinetry
Movie production facilities
Printing and publishing
Sign making
Woodworking, including cabinetry

Accessory Uses
Offices, cafeterias, employee recreational facilities, warehouses, rail spur or lead lines, docks, repair facilities, truck fleet maintenance and parking areas, and caretakers' quarters.

Resource Production and Extraction. Uses that involve agricultural production, and commercial fishing.

Uses Allowed, Subject to Performance Standards and Site Plan Review
Commercial fishing

Accessory Uses
Offices, storage, rail spur or lead lines and docks.

Warehouse and Freight Handling. Uses that involve the storage or movement of goods. Goods are generally delivered to other firms or the final consumer. There is little on-site sales activity with the customer present. In MU-I zones, uses shall involve storage only and not the movement of goods.

Exception: Uses that involve the transfer or storage of solid or liquid wastes are classified as Waste Processing and Transfer uses.

Uses Allowed, Subject to Performance Standards and Site Plan Review
Cold storage plants, including frozen food lockers
Self-service storage facilities

Accessory Uses
Offices, truck fleet parking and maintenance areas, rail spur or lead lines, and docks

6.3.3 Manufacturing and Processing

Uses that involve the manufacturing, processing, fabrication, packaging, or assembly of goods. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on-site, but if so, they are a subordinate part of sales.

Exceptions: Manufacture of consumer goods to be sold primarily on-site and to the general public is classified as Retail Sales and Services. Manufacture and production of products from composting organic material are classified as Waste Processing and Transfer.

Uses
Apparel and textiles manufacturing
Artwork, jewelry and toy production
Breweries, distilleries, and wineries
Chemicals, rubber, leather, clay, bone, plastic, stone, and glass materials manufacturing
Concrete batching
Energy production
Food and related products manufacturing
Furniture and fixtures manufacturing
Lumber and wood products manufacturing
Metal and metal products manufacturing, including enameling and galvanizing
Machinery and electrical equipment manufacturing
Mobile homes, automobiles and prefabricated structures manufacturing
Movie production facilities
Mulching operations
Paper and related products manufacturing
Printing and publishing

Rock crushing and screening
Ship and barge building
Sign making
Wood-splitting
Woodworking, including cabinetry

Accessory Uses
Offices, cafeterias, employee recreational facilities, warehouses, storage yards, rail spur or lead lines, docks, repair facilities, truck fleet maintenance and parking areas, and caretakers' quarters.

6.3.4 Resource Production and Extraction
Uses that involve commercial fishing, mining, quarrying, mineral extraction, excavation and/or removal of sand, gravel, and stone, and/or construction of ponds, or lakes.

Uses
Commercial fishing
Mariculture
Mining
Quarrying
Production or extraction of mineral products

Accessory Uses
Offices, storage, rail spur or lead lines and docks.

6.3.5 Warehouse and Freight Handling
Uses that involve the storage or movement of goods. Goods are generally delivered to other firms or the final consumer. There is little on-site sales activity with the customer present.

Exception: Uses that involve the transfer or storage of solid or liquid wastes are classified as Waste Processing and Transfer uses.

Uses
Bus barns or yards
Cold storage plants, including frozen food lockers
Empty dumpster storage
Freight storage
Grain terminals
Household moving storage
Major post offices
Mini-warehousing and self-service storage facilities
Parcel services
Sand and gravel storage
Taxi yards
Truck, marine, and air freight terminals
Warehouses used by retail stores
Weapons and ammunition storage
Wholesale distribution centers

Accessory Uses
Offices, truck fleet parking and maintenance areas, rail spur or lead lines, docks, and repackaging of goods.

6.3.6 Waste Processing and Transfer

Uses that receive solid or liquid wastes from others for disposal, storage or treatment on-site or for transfer to another location; uses that collect sanitary wastes; uses that treat contaminated materials; uses that process materials for recycling; and uses that manufacture or produce goods or energy from the composting of organic material.

Uses
Energy recovery plants
Portable sanitary collection equipment storage and pumping
Recycling operations
Sewer treatment plants
Waste composting
Waste incineration

Accessory Uses
Offices, recycling of materials, and repackaging and transshipment of by-products.

6.3.7 Industrial Use Classification: High Impact and Low Impact Uses

Industrial uses categories are further classified into High Impact Uses and Low Impact Uses. Low Impact Uses are uses that do not meet the criteria presented below.

High Impact Uses in I-H and I-L Zones. In both the Heavy Industrial Zone and the Light Industrial Zone, High Impact Uses are those uses which exceed one or more of the following performance thresholds or match the following performance descriptions:

1. **Dust Generation:** Establishments engaged in a primary use of mining, quarrying, crushing, grinding or pulverizing of hard organic and inorganic materials to produce bulk quantities of granulated material; or establishments engaged in the regular handling, mixing or processing of materials from stockpile-sized quantities of soil, coal, gravel, sand, granulated materials, or materials of similar character.

2. **Heat Intensive Uses:** Establishments employing large volume industrial process furnaces or ovens.

3. **Hazardous Materials:** Establishments engaged in the manufacture or processing of hazardous materials at the bulk plant level. Bulk plant level means the manufacture, collection, repackaging, storage, or distribution of hazardous materials in quantities larger than amounts transported in or out in a single shipment. Materials are generally stored in large, permanent tanks. Processors of hazardous materials will generally be included at this level, but not uses which produce hazardous materials as a by-product or accessory to another product. Any hazardous material that would violate state or federal guidelines.

High Impact Uses in the I-L Zone Only: In the Light Industrial Zone only, High Impact Uses include those uses which exceed one or more of the following performance thresholds or match the following performance descriptions:

1. **Truck Traffic Generation:** Uses with more than 10 Average Daily Weekday Trips (ADWT) of heavy trucks. ADWT is the average daily one-way trips in both directions for a weekday (Monday - Friday). The Planning and Zoning Commission shall require the applicant to provide a traffic study on truck traffic generation.

2. **Visual Impacts:** Uses containing exposed pipelines, utility towers, conveyors and mechanical equipment to an extent greater than that which is reasonably necessary for the heating and cooling of on-site buildings.

6.3.8 Agriculture/Farming

Agriculture/Farming: "The science or art of cultivating the soil, producing crops in varying degrees; the preparation of these products for man's use and their disposal (as by marketing)". Such uses may take place indoors or outdoors in greenhouses or similar building/structures.

Uses

Truck farms
Gardens
Truck gardens
Urban gardens
Farms
Hydroponic gardens

6.4 INSTITUTIONAL USES

6.4.1 Colleges and Universities

Colleges and other institutions of higher learning, which offer courses of general or specialized study leading to a degree. They are certified by a recognized accrediting agency.

Exception: Commercial business and trade schools are classified as Retail Sales and Services.

Uses

Community colleges
Liberal arts colleges
Nursing and medical schools not accessory to a hospital
Seminaries
Universities

Accessory Uses

Accessory Uses include offices, dormitories, food service, laboratories, health and sports facilities, theaters, meeting areas, and maintenance facilities.

6.4.2 Community Facilities

Uses 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. The service is on-going, not just for special events. Community centers or facilities that have membership provisions are open to the general public to join at any time (e.g., any senior citizen could join a senior center). The use may also provide special counseling, education, or training of a public, nonprofit or charitable nature. Alternative incarceration centers are not included in this definition.

Exception: Private lodges, clubs, and private or commercial athletic or health clubs are classified as Entertainment, Restaurant and Recreation Trade.

Uses

Community centers
Libraries
Museums
Post offices
Senior centers
Swimming pools (open to the public)
Vocational training for the Handicapped
Youth club facilities

Accessory Uses

Offices, meeting rooms, food preparation areas, health and therapy areas, day care uses, and athletic facilities.

6.4.3 Day Care Center

A. Child Day Care Center:
Uses where a program of supplementary care, protection, and supervision are regularly provided at least twice a week. The service is provided outside the home of the care recipients and covers only a portion of the day. Day Care Centers uses include "group day care homes" and "child day care centers" as those terms are defined in Section 19a-77 of the General Statutes. Commercial Day Care uses permitted under these Regulations do not include any unlicensed facilities for which licensure is required by law.

Exception: Home Day Care, six children or less, which includes "family day care homes" as defined by Section 19a-77 of the General Statutes, is accessory to all residential uses, and requires a Certificate of Zoning Compliance.

Uses
Nursery Schools
After-school programs
Preschools

Accessory Uses
Offices and play areas.

B. Adult Day Care Center:
Uses where a variety of services are provided during the day to elderly persons. The program is provided outside the home of the care recipients and may occur in a private residence or a commercial or institutional setting. For programs which occur in a private residence, a program with six or fewer elderly persons requires a Certificate of Zoning Compliance, while a program with seven or more elderly persons is considered a Home Business and shall adhere to Section 12-7-2.

6.4.4. Medical Centers
Uses 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.

Exceptions: Medical clinics that provide care where patients are generally not kept overnight are classified as Office uses. Emergency medical care clinics are classified as Retail Sales and Services.

Uses
Drug, alcohol and psychiatric in-patient facilities
Hospitals
Medical centers

Accessory Uses
Out-patient clinics, offices, laboratories, teaching facilities, meeting areas, cafeterias, maintenance facilities, and housing facilities for staff or trainees.

6.4.5. Religious Institutions

A facility where people regularly attend religious services and affiliated meetings and activities. Religious institutions include buildings in which the religious services of any denomination are held.

Uses

Churches
Mosques
Synagogues
Temples
Other houses of worship

Accessory Uses

Sunday school facilities, caretakers' housing, one transitional housing unit, group living facilities such as convents or rectories and when located in a DVD-CORE, DVD-CIVIC, DVD-BLVD, DVD-TOD, DVD-WF, NCVD, OR, OR-G and OR-R a **Shared Use Commercial Kitchen** facility.

6.4.6 Schools

Facilities that provide a curriculum of elementary and secondary academic instruction, including public and private kindergartens, elementary schools, junior high schools and high schools, including, without limitation, interdistrict magnet school programs as defined in C.G.S. 10-2641.

Exceptions: Preschools are classified as a Day Care use. Business and trade schools are classified as Retail Sales and Services.

Uses

Boarding schools
Military academies
Public and private day schools
Public interdistrict multi-magnet school with 200,000 square feet or more of floor area shall be a separate use in the R-A Zone but only outside the designated Coastal Boundary.

Accessory Uses

Play areas, parks and open space for passive recreation, cafeterias, health clinics, recreational and sport facilities, auditoriums, and before- or after-school day care, storage sheds and garages.

6.4.7 Social Service Providers

Social Service Provider uses (SSPs) are primarily engaged in providing on -site counseling, meals and/or shelter beds, for free or at significantly below market rates. Uses which provide food on-site as an Accessory Use are not included if the service is provided fewer than three days a week. For example, a church that provides a free or low cost meal once a week would not be classified as an SSP use.

Uses

Drug and alcohol counseling centers
Rescue missions

Shelters, temporary or permanent
Soup kitchens
Surplus food distribution centers

Accessory Uses
Offices and facilities for counseling, limited medical care, recreation, restrooms, bathing, and washing of clothes.

6.5 TRANSPORTATION, COMMUNICATIONS AND ESSENTIAL SERVICES USES

6.5.1 Basic Utilities

Utility infrastructure which needs to be located in or near the area where the service is provided. Basic Utility uses generally do not have regular employees at the site. Services may be public or privately provided.

Exception: Regional power lines and utility pipelines are classified as Rail Lines and Utility Corridors. Power generating plants are classified under Manufacturing and Production as energy production uses.

Uses

Electrical substations
Mass transit stops or turnarounds
Natural gas development facilities
Stormwater retention and detention facilities
Telephone exchanges
Water and sewer pump stations
Water towers and reservoirs

6.5.2 Commercial Parking

Parking not accessory to a specific use, whether or not a fee is charged. A facility that provides both accessory parking for a specific use and regular fee parking for vehicles not connected with the use is classified as a Commercial Parking use.

Exceptions: The following facilities are classified as Accessory Uses: parking facilities accessory to a use, but charging the public to park for occasional events nearby; and parking facilities that are accessory to a Primary Use, even if the operator leases the facility to the Primary Use or charges a fee to the individuals who park in the facility.

Uses

Commercial shuttle parking
Office/retail zone shared parking lots
Mixed parking lots (partially for a specific use, partially for rent to others)
Short- and long-term fee parking facilities

Accessory Uses

In a parking structure only, Accessory Uses may include gasoline sales, car washing, and vehicle repair activities, if these uses provide service solely for autos parked in the garage.

6.5.3 Parks and Open Areas

Land outdoors, open to the public, 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.

Uses
Boat launching areas
Botanical gardens
Cemeteries
Golf courses
Nature preserves
Parks
Plazas
Public squares
Recreational trails
Tennis courts (open to the public)

Accessory Uses
Accessory Uses may include club houses, restrooms, maintenance facilities, concessions, caretakers' quarters.

6.5.4 Passenger Terminals
Passenger terminals and related facilities for aircraft, regional bus service, regional rail service, and regional marine transportation, including ferries.

Uses
Bus passenger terminals for regional and intercity bus service
Helicopter landing facilities
Passenger docks for regional marine travel (e.g., ferries and cruise ships)
Railroad passenger stations for regional rail service
Seaplane facilities

Accessory Uses
Freight handling areas, ticketing areas, concessions, offices, restrooms, and maintenance and fueling facilities.

6.5.5 Essential Public Services
Uses of a public nature, 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. The service is ongoing, not just for special events.

Uses
Ambulance stations
Fire stations
Police stations

Accessory Uses
Offices, meeting rooms, and food preparation areas.

6.5.6 Radio and Television Broadcast Facilities
All devices, equipment, machinery, structures or supporting elements necessary to produce or transmit non-ionizing electromagnetic radiation or other broadcast technologies for radio or television broadcast or transmission and operating as a discrete

unit to produce or transmit a signal or message. Towers may be self supporting or mounted on poles or buildings.

Exception: Radio and television studios are classified as office uses.

Uses
Broadcast towers
Communication towers
Point to point microwave towers

Accessory Uses
Transmitter facility buildings.

6.5.7 Rail Lines and Utility Corridors

Railroad tracks and lines for the movement of trains on land owned or leased by the railroad. The category also includes public or private passageways, excluding easements, for the express purpose of transmitting or transporting electricity, gas, oil, water, sewage, communication signals, or other similar services on a regional level.

Exceptions: Railroad lead and spur lines for delivery of rail cars on specific sites are classified as accessory to the primary use of the site. Rail lines and utility corridors that are located within motor vehicle rights-of-way are not included. Railroad yards.

Uses
Rail trunk and feeder lines
Regional electrical transmission lines
Regional gas and oil pipelines

6.5.8 Railroad Yards

Areas with multiple railroad tracks used for rail car switching, assembling of trains.

Exception: Facilities for the transshipment of goods from other transportation modes to trains are classified as warehouse and freight handling.

Accessory Uses
Offices, employee facilities, storage areas, and rail car maintenance and repair facilities.

6.6 MISCELLANEOUS USES

6.6.1 Adult Entertainment Regulations

1. DEFINITIONS:

a) **ADULT CABARET:** A night club, bar, restaurant, or similar commercial establishment that regularly features: (1) persons who appear in areas of the establishment open to patrons in a "state of nudity" or "state of semi-nudity" so as to expose to view "specified anatomical areas"; or (2) any live entertainment, exhibition, performance, or dance by persons whose entertainment, exhibition, performance, or dance is characterized by an emphasis on the depiction or description of "specified anatomical areas" or "specified sexual activities"; or (3) live entertainment of an erotic nature including exotic dancers, strippers, male or female impersonators, or similar entertainment; or (4) exhibiting films, motion pictures, video cassettes, video discs, DVDs, CDs, slides or other photographic or electronic reproductions, whether analog or digital, that are characterized by the depiction or description of specified sexual activities or specified anatomical areas.

b) **ADULT MEDIA:** Includes magazines, books, photographic reproductions, videotapes, movies, slides, compact discs in any format (e.g. CD-Rom, CD-R, CD-RW), digital video discs in any format (e.g. DVD), other devices used to reproduce or record computer images, or other print, video, film, electronic, computer-based, analog, or digital media characterized by an emphasis on matter depicting, describing or related to "specified sexual activities" or "specified anatomical areas".

c) **ADULT MEDIA STORE:** Any establishment that rents and or sells adult media and that meets any of the following criteria: (1) more than forty percent (40%) of the gross public floor area is devoted to adult media; or more than forty percent (40%) of the stock in trade consists of adult media: or (2) a media store which advertises or holds itself out in any forum as a sexually oriented business by use of such terms as "X-Rated", "XXX", "adult", "sex", "nude", or otherwise advertises or holds itself out as a sexually oriented business.

d) **ADULT MOTION PICTURE THEATER:** A commercial establishment occupying a building or portion of a building (including any portion of a building which contains more than 150 square feet) where, for any form of consideration, film, motion pictures, video cassettes, slides or similar photographic reproductions, or other projected images in any format are regularly shown, if such establishment as a prevailing practice excludes minors by virtue of age, regardless of whether the minor is accompanied by a parent or a guardian, or if, as a prevailing practice, the films, motion pictures, video cassettes, slides or similar photographic reproductions, or other projected images presented are characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.

e) **ADULT NOVELTY STORE:** A business offering goods for sale or rent and that meets any of the following tests: (1) it offers for sale items from any two of the

following categories; “adult media”, “sexually-oriented novelties or toys”, lingerie, leather goods marketed or presented in a context to suggest their use for sadomasochistic practices, and the combination of such items constitutes more than ten percent (10%) of the stock in trade of the business or occupies more than ten percent (10%) of the gross public floor area of the business; or (2) more than five percent (5%) of the stock in trade of the business consists of “sexually-oriented novelties or toys”; or (3) more than five percent (5%) of the gross public floor area of the business is devoted to the display of “sexually-oriented novelties or toys”; or (4) which advertises or holds itself out in any forum as a sexually oriented business by use of such terms as “sex toys”, “marital aids”, “X-Rated”, “XXX”, “adult”, “sex”, “nude”, or otherwise advertises or holds itself out as a sexually oriented business.

f) **ADULT THEATER:** This shall mean a theater, concert hall, auditorium, or similar commercial establishment that regularly features persons who appear in a state of nudity or semi-nudity, live performances which are characterized by an emphasis on the depiction or description or “specified anatomical area”, “specified sexual activities”, or live entertainment of an erotic nature including exotic dancers, strippers, male or female impersonators, or similar entertainment that is characterized by an emphasis on the depiction or the description of “specified anatomical areas”, or “specified sexual activities”.

g) **GROSS PUBLIC FLOOR AREA:** Shall be the total area of the building accessible or visible to the public, including showrooms, motion picture theaters, motion picture arcades, service areas, behind the counter areas, storage areas visible from such other areas, restrooms (whether or not labeled “public”) areas used for cabarets or similar shows (including stage areas), plus aisles, hallways and entryways serving such area.

h) **HOSPITAL:** As used herein under Table 6 of these regulations, shall be restricted to St. Vincent’s Hospital and Bridgeport Hospital and all of the accessory buildings associated with the hospital locations.

i) **NUDE MODEL STUDIO:** Any place where a person who appears semi-nude or who displays specified anatomical areas is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration. This shall not include: (1) a proprietary school licensed by the State of Connecticut or a college, junior college or university supported entirely or in part by public taxation; (2) a private college or university that offers educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; (3) an establishment holding classes in a structure that has no sign visible from the exterior of the structure and no other advertising that indicates a semi-nude person is available for viewing; where in order to participate in a class a student must enroll at least three days in advance of the class; and where no more than one semi-nude model is on the premises at any one time.

j) **NUDE OR STATE OF NUDITY:** Exposing to view the genitals, pubic area, vulva, perineum, anus, anal cleft or cleavage, or pubic hair with less than a fully opaque covering; exposing to view any portion of the areola of the female with less than a fully opaque covering; exposing to view male genitals in a discernibly turgid

state, even if entirely covered by an opaque covering; or exposing to view any device, costume, or covering that gives the appearance of or simulates any of these anatomical areas.

k) **PUBLIC LIBRARY:** Buildings that are operated and managed by the Board of Directors of the Bridgeport Public Library pursuant to Chapter 16 of the Charter of the City of Bridgeport.

l) **RECREATION CENTER:** Facilities utilized for the main purpose of activities for children and or young adults such as the Cardinal Sheehan Center, Boys and Girls Club and other similar non-profit facilities.

m) **SCHOOLS:** As used herein under Table 6 of these regulations means facilities that provide a curriculum of elementary and secondary academic instruction, including pre-school, public and private kindergartens and grades first through twelfth grades, as well as adult education and college.

n) **SEMI NUDITY OR SEMI-NUDE CONDITION:** Exposing to view, with less than a fully opaque covering, any portion of the female breast below the top of the areola or any portion of the buttocks. This definition shall include the entire lower portion of the female breast, but shall not include any portion of the cleavage of the female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other clothing, provided that the areola is not exposed in whole or in part.

o) **SPECIFIED ANATOMICAL AREAS:** (1) less than completely and opaquely covered: a) human genitals, pubic region; b) buttock(s), anus; c) female breast(s) below a point immediately above the top of the areola; and (2) human male genitals in a discernibly turgid state, even if completely and opaquely covered.

p) **SPECIFIED SEXUAL ACTIVITIES:** Showing of human genitals in a state of sexual stimulation or arousal; acts of masturbation, sexual intercourse, sodomy, bestiality, necrophilia, sadomasochistic abuse, fellatio or cunnilingus; or fondling or erotic touching of human genitals, pubic region, buttock(s), anus or female breast(s).

q) **VIDEO BOOTH:** Any private or semi-private booth or viewing room of less than one hundred fifty (150) square feet of floor space or area to which the public may gain admittance, wherein a still or motion picture machine, projector, video monitor, or similar equipment is available for the purpose of showing still or motion pictures, videos, DVDs, or images or photographic reproductions to five or fewer persons at any one time.

r) **VIEWING BOOTH:** A live viewing booth or video booth, or combination thereof of less than one hundred fifty (150) square feet of floor space to which the public may gain admittance, wherein a live semi-nude or nude performance is presented to five or fewer persons at any one time.

2. ADULT ENTERTAINMENT FACILITIES

a) **Purpose:** This Table 6.6.1 is intended to establish specific locations in the City of Bridgeport in which an adult entertainment facility may be established or

operated to control the negative secondary effects associated with such adult entertainment within the City so as to promote the health, safety, morals, and general welfare of the citizens of the City consistent with the land use goals of the City. Specific designation of the locations where these adult entertainment facilities are permitted is necessary to ensure that the negative secondary effects associated with such adult entertainment will not contribute to the blighting or deterioration of the surrounding neighborhood.

b) An Adult Entertainment Facility shall be permitted subject to the regulations and criteria set forth below in Industrial-Heavy (I-H), Industrial-Light (I-L), Office/Retail General (OR-G) and Mixed Use Light Industrial (MU-LI) zones.

Uses
Adult Cabaret
Adult Media
Adult Media Store
Adult Media Picture Theater
Adult Novelty Store
Adult Theater
Nude Model Studio
Video Booth and Viewing Booth

c) No adult entertainment facilities shall be allowed:

i. in any residential zone or any OR, OR-R, MU-EM, MU-W, Downtown Village District, PDD or Zoological Park Zone.
ii. Within 1500 feet of another existing adult use,
iii. Within 500 feet of any R-AA, R-A, R-BB, R-B, R-C Zones,
iv. Within 400 feet of any OR, OR-R, MU-EM, MU-W, Downtown Village District, PDD or Zoological Park Zone.
v. Within 400 feet of any school, public library, public park, hospital, licensed group day care center or recreation center.

d) No more than one of the uses designated in subsection 6.6.1.2b above shall be permitted at any one location or parcel of property.

e) These establishments are not subject to the special permit standards as set forth in Section 14-4. The establishment of an adult entertainment use shall be the subject of a site plan review by the Planning and Zoning Commission to determine if the establishment complies with the regulations as set forth in Section 14-2 and as provided specifically in the provisions of this Section.

f) The provisions of Table 6.6.1 above shall not be deemed to be retroactive, except that any building or premises being used for an adult entertainment facility use as defined herein whose use for such purpose shall be discontinued for a period of 30 days shall thereafter conform to these regulations.

3. Floor Area, Lot Area, Frontage, Coverage and Height Standards: Any adult entertainment facility shall satisfy the criteria as set forth in the underlying zone in which the facility and property is located as set forth in these regulations.

4. **Parking Standards:** Any adult entertainment facility shall satisfy any applicable regulations and standards for parking set forth in Article 11 and Table 4.A. Any use not specifically defined in Table 4.A shall satisfy the parking criteria set forth in this Table "pursuant to a Retail Sales and Service General Use".

5. **Landscaping, Screening and Lighting:** Any adult entertainment facility shall conform to the zoning requirements for landscaping and screening in Section 11-3 c and d, and required lighting.

6. **Outdoor Signage:** Any signs or outdoor display shall conform to the requirements set forth in Section 11-7.

7. **Lighting:** The intensity, location, height, design and arrangement of outside lighting shall be appropriate to the need for safety and security while avoiding direct glare on any other lot and avoiding hazards to traffic on any street.

8. **General Performance Standards:** Any adult entertainment facility shall conform to the Performance Standards set forth in Section 11-8 and the Site Plan Standards set forth in Section 14-2.

9. **Distances:** For purposes of this Section 6.6.1 only, the distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest property line containing the proposed adult entertainment use to the nearest property line of the premises of a school, public library, public park, hospital, licensed group day care center, recreation center or to the boundary of an R-AA, R-A, R-B, R-BB, R-C, OR, OR-R, MU-EM, MU-W, Downtown Village District, PDD, or Zoological Park Zone, as designated in the zoning regulations.

6.6.2 Commercial Outdoor Recreation

Large, generally commercial facilities that provide continuous or seasonal recreation or entertainment oriented activities. They generally take place outdoors or may take place in a number of structures which are arranged together in an outdoor setting.

Exceptions: Golf courses and botanical gardens/arboretums are classified as Parks and Open Space. Uses which draw large numbers of people to periodic events, rather than on a continuous basis, such as stadiums and amphitheaters, are classified as Major Event Entertainment.

Uses

Amusement park
Beach club
Campground (private)
Go-cart track
Golf driving range
Miniature golf facility
Skating rink
Rock-climbing facility

Accessory Uses

Accessory Uses may include concessions, restrooms, restaurants, caretakers' quarters,

and maintenance facilities.

6.6.3 Detention Facilities

Facilities for the judicially-required detention or incarceration of people. Inmates and detainees are under 24-hour supervision by sworn officers, except when on an approved leave.

Exception: Programs that provide transitional living experience for former offenders, such as halfway houses, where residents are not supervised by sworn officers, are classified as Group Living.

Uses

Alternative Incarceration Centers
Jails
Juvenile detention centers
Prisons
Probation centers

Accessory Uses

Offices, recreational and health facilities, therapy facilities, maintenance facilities, and hobby and manufacturing activities.

6.6.4 Major Entertainment Facility

Activities and structures that draw spectators to specific events or shows.

Exception: Cabarets, live theaters, motion picture theaters, including drive-in theaters, are classified as Entertainment, Restaurant and Recreation Trade.

Uses

Auditoriums
Bazaars and carnivals
Coliseums
Exhibition and meeting areas (more than 20,000 sf)
Fairgrounds
Race tracks (auto, horse, dog, etc.) and betting parlors with televised races
Sports arenas, including jai alai frontons
Stadiums

Accessory Uses

Restaurants, bars, concessions, and maintenance facilities.

6.6.5 Vehicle Service Facilities

Either of the following subcategories of uses:

Vehicle Service Stations: Any use where gasoline and other petroleum products are sold and/or light maintenance activities such as engine tuneups, lubrication, and minor repairs. Service station uses shall not include premises where heavy automobile maintenance activities such as engine overhauls, automobile painting, and body fender

work are conducted.

Vehicle Repair Facilities: Businesses servicing passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles, boats and recreational vehicles, including premises where heavy automobile maintenance activities such as engine overhauls, automobile painting, and body fender work are conducted.

Exception: Repair and service of industrial vehicles and equipment, and of heavy trucks; towing and vehicle storage; and vehicle wrecking and salvage are classified as Industrial Service.

Uses

Vehicle Service Station Uses:

- Car Washes
- Department of Environmental Protection vehicle emission test sites
- Gas stations
- Minor auto repair and tire sales
- Quick lubrication services
- Detailing

Vehicle Repair Facility Uses:

- Auto body shops
- Auto upholstery shops
- Tire sales and mounting shops
- Transmission or muffler shops
- Vehicle repair facility, heavy (heavy truck servicing and repair)
- Vehicle repair facility, light (light truck servicing and repair)

Accessory Uses

Offices, sales of parts, and vehicle storage.

6.6.6 Short-Term Lodging

Facilities offering transient lodging accommodations to the general public, where the average length of stay is less than 60 days.

Uses:

Boarding, rooming or lodging houses and single room occupancy (SRO) hotels, where the average length of stay is less than 60 days

Bed and breakfasts

Hotels

Motels

Recreational vehicle parks

Accessory Uses

Coffee shops and dining areas primarily for use by guests or residents of the facility.

ADDITIONAL STANDARDS FOR SUPPLEMENTAL USES ON LOTS IN ALL ZONES
TABLE 7

SUPPLEMENTAL USES	RESIDENTIAL ZONES					
	R-AA	R-A	R-B	R-BB	R-C	R-CC
Parking in front setback	Note 1	Note 1	Note 1	Note 1	Note 1	Note 1
Drive-through facility	No	No	No	No	No	No
Outdoor display	No	No	No	No	No	Yes (2)
Outdoor storage and activities	No	No	No	No	No	No
Shipping/Storage Containers	Yes (9)	Yes (9)	Yes (9)	Yes (9)	Yes (9)	Yes (9)
Trucks and equipment						
Light (Note 10)	No	No	Yes (1)	Yes (1)	Yes (1)	Yes (1)
Heavy (Note 10)	No	No	No	No	No	No

SUPPLEMENTAL USES	NON-RESIDENTIAL ZONES								
	OR	OR-G	OR-R	I-H	I-L	MU-EM	MU-W	MU-LI	ZP
Parking in front setback	No	Yes	Yes	Yes	Yes	No	Yes	No	n.a.
Drive-through facility	No	Yes (5)	Yes (5)	Yes (5)	Yes (5)	No	Yes (5)	No	n.a.
Outdoor display	Yes (2)	Yes (2)	Yes (2)	Yes (2)	Yes (2)	Yes (2)	No	Yes	Yes
Outdoor storage and activities	No	Yes (6)	Yes (6)	Yes (6)	Yes (6)	No	No (3)	Yes (6)	No
Trucks and equipment									
Light (Note 10)	Yes	Yes	Yes	Yes	Yes	Yes	No (4)	Yes (8)	Yes
Heavy (Note 10)	No	No	Yes (7)	Yes	Yes	No	No (4)	No	Yes

NOTES:

1 For all residential zones, a vehicle may be parked in the front setback as long as the vehicle(s) is parked on the approved driveway. No advertising on any truck or equipment shall be allowed.
2 Outdoor display of plants and produce only. See Section 11-5.
3 Outdoor storage not allowed, except for water-dependent uses.
4 Trucks and equipment are not allowed except for water-dependent uses.
5 See Section 12-5, Drive-Through Facilities
6 See Section 11-6, Outdoor Storage and Activities
7 See Section 14-4 for special permit for heavy trucks.
8 Light trucks are allowed. No outdoor storage of equipment is allowed.
9 Allowed for sixty (60) days on approved driveway and with Zoning Compliance approval
10 See Section 11-1-15a Definition

MINIMUM OFF-STREET PARKING REQUIREMENTS, NON-DVD ZONES
TABLE 8.A

NOTE: Minimum off-street parking requirements do not apply to the following zones: OR and OR-G.

See Table 8.B for DVD zones.
SF (square footage) means gross square footage or gross building area.
DU means dwelling unit.

USE	REQUIRED PARKING SPACES
RESIDENTIAL	
Single-family house	1.5 / du
Two-family house	1.5 / du
Three-family house	1.5 / du
Multi-family house (Note 2)	1.5 / du plus ten percent for visitor parking
College or university housing	0.33 / bed
Boarding or rooming house	0.5 / bed
Lodging house	0.5 / bed
OFFICE	
Non-medical office	3 / 1000 sf
Medical office	
Non-residential zones	4 / 1000 sf
Residential zones	4 / 1000 sf plus residential requirement
INSTITUTIONAL	
Community center	4 / 1000 sf
Day care	2 per classroom
High school	7 / classroom
Place of worship	Greater of 1 / 4 seats OR 10 / 1000 sf; minimum 20 spaces
School primarily serving children<age16	2 / classroom
Senior citizen center	4 / 1000 sf
Zoological park	5 / acre, provided the zoological park is accessible by public transit
INDUSTRIAL USE	
Industrial service	Greater of 0.5 / employee on largest shift OR 1 / 1200 sf of building area
Manufacturing and production	Greater of 0.5 / employee on largest shift OR 1 / 1200 sf of building area
Marina	0.5 per slip plus 1 per every 2 employees
Resource production	Greater of 0.5 / employee on largest shift OR 1 / 1200 sf of building area
Resource extraction	Greater of 0.5 / employee on largest shift OR 1 / 1200 sf of building area
Warehouse	0.5 / 1000 sf and 0.5 / employee

(Continued on next page)

MINIMUM OFF-STREET PARKING REQUIREMENTS, NON-DVD ZONES
TABLE 8.A (continued)

See Table 8.B for DVD zones.
SF (square footage) means gross square footage or gross building area.
DU means dwelling unit.

USE	REQUIRED PARKING SPACES
COMMERCIAL	
Arena	Greater of 1 / 4 seats OR 10 / 1000 sf; minimum 20 spaces
Auditorium	Greater of 1 / 4 seats OR 10 / 1000 sf; minimum 20 spaces
Display store (furniture, carpet)	1 / 1000 sf
Entertainment	10 / 1000 sf
Financial institution, free-standing or as a ground-level service	4 / 1000 sf
Fuel sale/convenience store	5 / first 1000 sf. plus 3.5 each additional 1,000 Sf.
Health club	4 / 1000 sf
Passenger Terminals	Greater of 1 / employee OR 2 / 1000 sf of patron area; minimum 10 spaces
Hospital/medical center	1 / bed plus 0.5 / employee on largest shift
Hotel or motel	1 / bedroom plus 6 / 1000 sf of ballroom, meeting, and dining area
Nursing and convalescent home	0.25 / bed plus 0.5 / employee on largest shift
Recreation Trade	10 / 1000 sf
Major entertainment facility (arena, stadium)	0.25 / seat OR 10 / 1000 sf; minimum 20 spaces, whichever is greater
Outdoor commercial recreation	1 / 1000 sf plus 0.5 / each employee on largest shift
Restaurant (with wait staff)(1)	10/ 1000 sf
Fast-food restaurant (no wait staff)	12 / 1000 sf
Retail sales and services	
50,000 sf or less	3.5 / 1000 sf
More than 50,000 sf, or shopping center use	4 / 1000 sf
Theater	1 / 4 seats
Vehicle repair facility,	
Fuel sales only	5 / first 5000 sf of building area plus 1 / each additional 1000 sf
Sales/Service/repair facility	10 / first 5000 sf of building area plus 1 / each additional 1000 sf

NOTES:

1. MU-LI Zone: In buildings of less than 8,000 s.f. 4 spaces /1,000 s.f.
2. RCC Zone: 1 parking space per dwelling unit plus 10% for visitor parking.

MINIMUM OFF-STREET PARKING REQUIREMENTS - DVD AND NCVD ZONES
TABLE 8.B

NOTE: Minimum off-street parking requirements do not apply to the following zones: DVD-CORE; DVD-CIVIC; DVD-WF; DVD-BLVD and abutting NCVD; DVD-TOD and abutting NCVD.

See Table 8.A for non-DVD zones.
SF (square footage) means gross square footage or gross building area.
DU means dwelling unit.

USE	NUMBER OF SPACES REQUIRED PER MEASUREMENT UNIT
RESIDENTIAL	
Residential use	0.5 / du PLUS ten percent for visitor parking
OFFICE	
Financial institution (if use has retail operations)	1 / 1000 sf
Medical office	3 / 1000 sf
Non-medical office (includes non-retail financial institutions such as brokerage, investment offices and bank headquarters).	2.25 / 1000 sf
COMMERCIAL	
Entertainment	
Auditorium	0.25 / seat OR 10 / 1000 sf; minimum 20 spaces, whichever is greater
Major entertainment facility (arena, stadium)	0.25 / seat OR 10 / 1000 sf; minimum 20 spaces, whichever is greater
Theater	0.25 / seat
Marina	0.5 per slip plus 1 per every 2 employees
Recreation	
Park and open area	No parking space required
Outdoor commercial recreation	1 / 1000 sf plus 0.5 / each employee on largest shift
Recreation facility	1 / 1000 sf
Restaurant	No parking space required
Retail trade	
General sales and service (non-automotive)	2.0 / 1000 sf if larger than 2,500 sf and less than 50,000 sf
Sales and service, automotive	2.0 / 1000 sf if larger than 2,500 sf and less than 50,000 sf
Marine craft	2.0 / 1000 sf for any establishment larger than 2,500 sf and less than 50,000 sf
Any retail use 50,000 sf and larger	3 / 1000 sf
Health club	1 / 1000 sf
Short-term lodging (hotel)	0.75 space / bedroom plus 5 / 1000 sf of ballroom, meeting, and dining area and 0.5 / employee on largest shift
Passenger Terminals	1 / Employee OR 2 / 1000 Sf. of patron area; whichever is greater. Minimum 10 Spaces
Vehicle repair facility	8 / first 5000 sf of building area plus 1 / each additional 1000 sf
INSTITUTIONAL	
Community facility (includes senior citizen center)	4 / 1000 sf
Health care	
Medical center	0.5 / bed plus 0.5 / each employee on largest shift
Nursing and convalescent home	1 per 6 beds plus 0.5 / employee on largest shift
Education	
College and university	1/ 3 beds
Day care center	2 per classroom
High school	4 / classroom
School primarily serving children younger than 16	2 / classroom
Religious institution; house of worship	0.25 / seats OR 10 / 1000 sf; minimum 20 spaces, whichever is greater
INDUSTRIAL	
Manufacturing and production, artisanal	1.0 per 3 employees on largest shift OR 1 / 1500 sf of building area, whichever is greater

REQUIRED ACCESSIBLE PARKING SPACES
TABLE 9

Total Parking Spaces in Lot	Minimum Number of Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	Two percent of total number
1,001 and over	Two percent of total number PLUS 1 / each 100 spaces over than 1,000

SHARED PARKING: PARKING OCCUPANCY RATES MATRIX
TABLE 10

NOTE: Refer to Section 11-1-16 for instructions on using Table 11, Shared Parking.

	Parking Occupancy Rates Matrix									
USE	**M-F**	**M-F**	**M-F**	**M-F**	**M-F**	**Sat. & Sun.**	**Sat. & Sun.**	**Sat. & Sun.**	**Sat. & Sun.**	**Sat. & Sun.**
	8am - 11am	11am - 2pm	2pm - 6pm	6pm - 12am	12am - 6am	8am – 11am	11am - 2pm	2pm - 6pm	6pm - 12am	12am - 6am
Arena	5%	30%	30%	100%	0%	100%	100%	100%	100%	0%
Fast Food Restaurant	100%	100%	100%	80%	10%	100%	100%	100%	80%	10%
Financial Institution	100%	100%	100%	0%	0%	100%	90%	100%	0%	0%
Major Retail and Shopping Center (over 50,000 sf)	90%	100%	100%	90%	5%	100%	95%	100%	80%	5%
Medical/Dental Office	95%	95%	90%	60%	0%	100%	30%	100%	0%	0%
Multi-Family Residential	80%	70%	80%	95%	100%	80%	70%	80%	95%	95%
Non-Medical/Dental Office	100%	90%	100%	25%	5%	100%	80%	100%	5%	5%
Place of Worship	10%	5%	10%	5%	5%	100%	50%	100%	25%	5%
Recreation Facility/ Health Club	80%	90%	80%	100%	0%	100%	70%	100%	80%	0%
Recreation Trade	70%	100%	70%	100%	10%	60%	90%	60%	100%	20%
Retail Sales and Services - General	85%	90%	90%	70%	5%	100%	95%	100%	60%	5%
School	100%	100%	100%	20%	5%	10%	5%	10%	10%	5%
Short-Term Lodging (Hotel)	90%	65%	70%	100%	100%	70%	65%	70%	50%	100%
Stadium	5%	30%	30%	100%	0%	100%	100%	100%	0%	0%
Theater (Movie)	20%	45%	60%	100%	10%	100%	95%	100%	100%	10%
Theater (Performing Arts)	10%	30%	30%	100%	0%	67%	45%	67%	100%	0%
Warehouse/Industrial Service	100%	90%	100%	20%	5%	5%	5%	5%	5%	5%

KEY:

M-F Monday through Friday **Sat. & Sun.** Saturday and Sunday