

ARTICLE 50, Use Regulations Controlling Business Zones [Added effective 7-25-1955]

§ 118-500. East Avenue Village District. [Amended effective 7-25-1955; 9-13-1955; 11-10-1966; 12-11-1975; 7-15-1976; 5-16-1980; 6-27- 2003; 10-28-2005; 5-29-2009; 9-25-2009; 10-29-2010; 4-29-2016; 6-10-2016]

- A. Purpose and intent. It is the purpose of this zone to ensure that the unique character of this district is maintained for future generations in accordance with Connecticut General Statutes Section 8-2j Village Districts and to provide areas primarily for offices and other compatible uses which will meet existing and future needs within the city and which will constitute a harmonious and appropriate part of the physical development of the city. The provisions of this zone are intended to preserve and enhance the character of the East Avenue Village district by encouraging the preservation of sites and buildings of unique historical and architectural value and assuring that new structures and uses will be in keeping with the established character of the area, thereby strengthening the economy of the city and promoting the education, pleasure and welfare of its people.
- B. Uses and structures.
- (1) Principal uses and structures. In the East Avenue Village District, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no others:
- (a) Single-family detached dwelling.
 - (b) Two-family detached dwelling.
 - (c) Office buildings having a gross floor area of less than six thousand (6,000) square feet and used for municipal offices, for business and professional establishments which involve no retail sales, including medical offices, and for solely the office function of a taxi or limousine establishment; no on site storage or parking of vehicles used by the establishment or storage of equipment or materials shall be permitted. [Amended eff. 9-25-2009; eff. 10-28-2011]
- (2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and any additional standards set forth herein:
- (a) Office buildings having a gross floor area of six thousand (6,000) square feet or more for municipal offices and for business and professional establishments which involve no retail sales, including medical offices. [Amended eff. 9-25-2009]
 - (b) Hotel or inn; up to three (3) stories and thirty-five (35) feet in height when located on a parcel of three (3) acres or more. [Amended eff. 10-29-2010]
 - (c) Public and private colleges and universities.
 - (d) Schools, including business schools and studios.
 - (e) Lodge, meeting and concert halls, including social clubs.
 - (f) Full service restaurants having an active commercial floor area of one thousand (1,000) square feet or greater. No diner, drive-in or stool-and-counter-type restaurants shall be permitted. [Amended effective 5-29-2009]
 - (g) Funeral homes.
 - (h) Places of worship. [Amended effective 7-24-2015]

- (i) Public museums.
 - (j) Multifamily dwellings shall be allowed in accordance with the provisions of Subsection C(1) and (2) of this section. [Amended effective 2-12-1988]
 - (k) Halfway houses allowing a maximum of twenty (20) persons with no less than two hundred (200) square feet of living area per person. [EN32](#) [Added effective 6-12-1987; amended effective 6-29-1990]
 - (l) Nursery school or child day-care center. [Added effective 6-12-1987]
 - (m) Youth day camps. [Added effective 6-12-1987]
 - (n) Public or nonprofit community center. [Added effective 6-12-1987]
 - (o) Group homes. [EN33](#) [Added effective 6-12-1987]
- (3) Uses which are not otherwise permitted in Subsection B(1) and (2) above shall not be permitted by variance in the East Avenue Village District.
- (4) Village District Review Standards:
- (a) The uses permitted by Special Permit in the East Avenue Village District shall be subject to the following additional standards:
 - (1) The Commission may refer applications for Special Permit to appropriate city agencies and departments for review and recommendations. [EN34](#)
 - (b) The Commission shall hire a Village District Consultant, who shall be an architect, landscape architect or certified planner, with pertinent experience, to review the design of new construction and substantial rehabilitation of all properties within the district. The report of such consultant shall be entered into the public hearing record and considered by the Commission in making its decision.
 - (c) Criteria: New construction and substantial rehabilitation of existing structures, including those listed on the Norwalk Historic Resources Inventory, shall be harmoniously related to their surroundings and shall be consistent with the Connecticut Historical Commission - Secretary of the Interior's Standards for Rehabilitation, as applicable. All applications shall demonstrate how such development is consistent with the criteria defined in Connecticut General Statutes section 8-2j Village Districts, including but not limited to the following criteria, subject to final review and approval by the Commission:
 - (1) Building Design, Scale & compatibility: The color, size, height, location, proportion of openings, roof treatments, building materials, and any proposed signs and lighting shall be consistent with the local architectural motif and with the unique elements of the district, including maintenance of historic buildings, monuments and landscaping. The removal or disruption of historic or significant structures or architectural elements shall be minimized.
 - (2) Streetscape Standards & Landscaping: All spaces, structures and related site improvements visible from public roadways shall be designed to be consistent with the elements of the district in and around the proposed modification.
- (5) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted and subject to the following restrictions.
- (a) A driveway or walk used for access to an industrial use shall in no case be permitted as an accessory use.

- (b) Accessory uses and structures shall be located to the rear of the principal use of the premises.
- (c) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
- (d) Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Added effective 7-29-2011]
- (e) Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]
- (f) All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]

C. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings - Commercial and Industrial and all other applicable sections of these regulations, and in addition:

- (1) Residential use as the principal use of the premises shall be permitted, provided that the number of dwelling units does not exceed a density of one (1) unit per one thousand six hundred fifty (1,650) square feet of lot area, up to a maximum of six (6) units.
- (2) Residential and nonresidential uses on the same lot shall be permitted, provided that: [Amended effective 2-12-1988]
 - (a) For lots of fifteen thousand (15,000) square feet or less in area, the number of dwelling units shall not exceed a density of one (1) unit per one thousand six hundred fifty (1,650) square feet of lot area, up to a maximum of no more than six (6) dwelling units per lot.
 - (b) For lots larger than fifteen thousand (15,000) square feet in area, the number of dwelling units shall not exceed a density of one (1) unit per two thousand five hundred (2,500) square feet of lot area, up to a maximum of no more than eighteen (18) dwelling units per lot.
- (3) All multifamily dwellings shall provide an open recreation area of not less than one hundred fifty (150) square feet per dwelling unit, which shall be located with due concern for the safety and convenience of the residents for whose use it is intended. [Added effective 2-12-1988]
- (4) Properties located on the waterfront shall provide public access adjacent to the water, which shall be a minimum of fifteen (15) feet in width, and Access from the street to the water, subject to Commission approval. Such public accessways shall be in the form of landscaped walks, esplanades, boardwalks or piers, of suitable design to encourage active use by the public, and shall be dedicated as such in the deed to the property. Reasonable time of day restrictions may be established regarding such accessways, where justified for reasons of security or public safety. Where the principal use of the property is a single or two-family dwelling, the public access requirement shall not apply.

D. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260.

E. Sign regulations. See §§ 118-1290 through 118-1295. [Amended effective 9-13-1985]

§ 118-501. Washington Street Design District. [Added effective 1-29-1982, amended effective 11-24-2006; 4-24-2009; 5-29-2009, 2-24-2012, 9-28-2012, 12-19-2014; 11-15-2019]

- A. Purpose and intent. The purpose of this regulation is to preserve and enhance the unique character of the Washington Street Historic District and environs by encouraging the preservation of existing buildings, by encouraging the mixed-use of properties and by ensuring that all uses and structures will be compatible with one another and with the established character of the area. It is intended that all new construction, rehabilitation and alterations be designed and carried out in relation to surrounding structures and with appropriate consideration to the unity of the district, according to prescribed guidelines. It is further intended that off-street parking for uses and structures will be met by public parking facilities.
- B. Uses and structures. This district is located entirely within the coastal boundary and, as such, all uses and structures, unless otherwise exempt, shall comply with the coastal site plan review requirements in Secs. 11 through 15 of P.A. 79-535 and with Article 111, § 118-1110, herein.
- (1) Principal uses and structures. In the Washington Street Design District, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no others, subject to the provisions of § 118-1451, Site plan review:
- (a) Dwellings, when located above any principal or Special Permit use.
 - (b) Retail stores and personal service shops.
 - (c) Offices, including medical offices. [Amended eff. 9-25-2009]
 - (d) Banks and financial institutions, excluding drive-in facilities.
 - (e) Full service restaurants and Brew Pub/Distillery with full kitchens that offer the regular sale of food during all hours of operation. [Amended effective 5-28-1999, 5-29-2009, 9-28-2012; 11-15-2019]
 - (f) Museums.
 - (g) Theaters and auditoriums.
 - (h) Off-street parking facilities.
 - (i) Places of worship. [Added effective 7-24-2015]
- (2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and any additional standards set forth herein:
- (a) The expansion of an existing manufacturing use.
 - (b) Hotels and extended stay hotels up to eight (8) stories and eighty-nine (89) feet in height, or boatel. [Amended effective 4-24-2009; 12-19-2014]
 - (c) Marinas.
 - (d) Commercial boat docks.
 - (e) Commercial recreation establishment. [Added effective 12-7-1990]

- (f) Boutique manufacturing shall be allowed as an accessory use to a permitted retail use, subject to compliance with the following requirements: [Added effective 10-28-2005]
 - (1) Such boutique manufacturing shall not exceed three thousand (3,000) square feet in area and shall be directly related to the principal permitted retail use; and
 - (2) All manufacturing activity, including the storage of all equipment, materials and products, shall occur inside the building; no outside storage of any kind is permitted; and
 - (3) Only manufacturing processes that are not offensive with regard to noise, light, dust and odors, and which have the same or lesser impact than the principal retail use are permitted; and
 - (4) The manufacturing activity shall occupy an area of no more than sixty percent (60%) of the gross floor area occupied by the associated retail establishment; and
 - (5) The manufacturing process is principally artisan or fabrication by hand, and shall not include mass production or assembly line operations; and
 - (6) The manufacturing operations will not generate excessive traffic volumes or truck traffic in excess of that typically occurring in the adjacent district or neighborhood; all loading activity shall occur during daytime hours only.
- (3) Uses which are not otherwise permitted in Subsection B (1) and (2) above shall not be permitted by variance in the Washington Street Design District.
- (4) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted.
 - (a) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
 - (b) Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Added effective 7-29-2011]
 - (c) Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added effective 9-30-2011]
 - (d) All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]

C. Demolition permit.

- (1) No demolition permit for a building's exterior shall be issued for any building within the Washington Street Design District until the Commission has granted final approval for the reuse of the subject property.

- (2) A structure deemed unsafe according to Section 123.0 of the State of Connecticut Basic Building Code shall be exempt from the requirements of this section.

D. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and all other applicable sections of these regulations and in addition:

- (1) The height and bulk of all buildings in existence at the time of adoption of this regulation are hereby declared to be in conformance with the requirements of this section.
- (2) The number of dwelling units permitted shall not exceed a density of one (1) unit per six hundred (600) square feet of gross building floor area devoted to such residential uses.
- (3) All dwelling units shall not contain more than two (2) bedrooms.
- (4) Properties located on the waterfront shall provide public access adjacent to the water which shall be an average of twenty (20) feet in width but in no event less than ten (10) feet in width and from the street to the water in the form of landscaped walks, esplanades, boardwalks or piers and of suitable width to encourage use by the general public.
- (5) External building modifications shall be in keeping with the guidelines set forth in Sections 4 and 5 of the Washington Street Urban Design Study, dated June 1978 and with the Urban Renewal Plan, Washington-South Main Street Improvement Area II, January 21, 1981. The elevations and details of a building's exterior, including signs, shall be referred to the Redevelopment Agency for comment. [Amended effective 3-30-2012]
- (6) Structures of less than the required minimum height shall be permitted provided that they do not exceed five percent (5%) of the maximum allowed building area of the property. [Added effective 11-24-2006]

E. Amenity incentive provisions. [Added effective 11-24-2006, amended effective 2-24-2012]

- (1) Eligibility criteria. A project, shall be eligible to receive a bonus of additional building height, not to exceed one additional story and twenty-two (22) feet in additional height, if space is provided within the project for three (3) of the four (4) public amenities, improvements or facilities set forth herein, subject to approval by the Commission and to the project's compliance with the provisions of this section, including the following criteria: [Amended effective 2-24-2012]
 - (a) The overall design of the project and the specific amenities proposed are appropriate to the site, consistent with the Washington Street Urban Design Study Guidelines and contribute to the improvement of the downtown pedestrian environment.
 - (b) The applicant records a covenant on the land records which ensures the continuous operation and maintenance of each of the following amenities and that such covenant shall run with the land in perpetuity.
 - (c) The project conforms to all other provisions of these regulations.
 - (d) The amenity must be clearly identified as a public benefit.
- (2) Amenity specifications. The following site amenities are hereby deemed to be mutually exclusive and three (3) of the four (4) public amenities shall be required to obtain the amenity bonus provision: [Amended effective 2-24-2012]

- (a) Pedestrian plaza: a continuous open space no more than three (3) feet above or below the center-line elevation of the street and abutting a designated pedestrian right-of-way, which is open to the public at all times, provides a minimum of one (1) linear foot of seating space per seventy-five (75) square feet of plaza and has a minimum area of three thousand (3,000) square feet. At least twenty percent (20%) of the plaza area shall be landscaped with shrubbery and trees, and the remaining area shall be hard-surfaced pavements which conform to the streetscape standard. The applicant shall demonstrate that the plaza has adequate sun exposure.
- (b) Historic Façade Preservation: The substantial rehabilitation, and preservation of a façade of a building listed on the Norwalk Historic Resources Inventory, shall be consistent with the Connecticut Historical Commission - Secretary of the Interior's Standards for Rehabilitation, provided said structure had not previously undergone a rehabilitation for which it received Federal Historic Rehabilitation tax credits.
- (c) Public parking facilities: a minimum of 10 parking spaces provided in excess of those required for the approved project and dedicated for use by the general public for short-term (transient) parking. These spaces shall be located on the level of a parking garage closest to the street and/or primary entrance to the project and should be clearly designated as available for public parking.
- (d) Fountain/water feature: a fountain, cascade, stream or other water display which is located in an unenclosed, publicly accessible space and is maintained in operating condition throughout the year, except when weather conditions prohibit such operation.

[(e) Deleted effective 2-24-2012]

- (3) Amenity schedule: a proposed site development that complies with the standards set forth above shall be eligible for bonus height not to exceed a maximum of one (1) story and twenty-two (22) feet. The following additional standards shall apply to any structure making use of the amenity bonus:
 - (a) If the bonus story results in a structure greater than fifty (50) feet in height, the bonus story shall be set back a minimum of thirty (30) feet from the street line on Washington Street and shall be set back a minimum of ten (10) feet from the street line on Water Street.
 - (b) All new construction situated directly above the existing historic structure being preserved under the amenity bonus provision shall be set back a minimum of five (5) feet from the plane of the existing historic structure for the entire length of the façade of the existing historic structure.
 - (c) The fourth story of any building located at the intersection of two (2) streets shall be set back not less than eight (8) feet from the street lines of the two intersecting streets for a minimum distance of twenty-five (25) feet along the length of each of the intersecting streets.

F. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260, except that:

- (1) A building in existence at the time of adoption of this regulation may continue to be used without adequate parking and loading as required by §§ 118-1210 and 118-1260 of these regulations. However, should such building be increased in area or changed in use so as to require additional parking or loading, such additional parking or loading shall be determined by applying the standards set forth in §§ 118-1210 and 118-1260; except that a restaurant in existence as of July 1, 2005 and located within six hundred feet of a

municipal parking lot shall not be required to provide additional parking for interior expansions within the existing gross restaurant floor area of one thousand (1,000) square feet or less. This provision shall apply to restaurant uses only and shall not apply to floor space devoted to mixed uses. [Amended eff. 1-27-2006]

- (2) The amount of off-street parking spaces required for two (2) or more different uses on the same premises shall be twenty-five percent (25%) less than the sum of the minimum number of parking spaces required for each use.
- (3) The required amount of parking may be met, in whole or in part, by a public off-street parking facility for a use or structure which is shown as a designated property on a map entitled "Designated Properties for Fees in Lieu of Parking", subject to approval by the Commission and the payment of an in lieu parking fee to the City of Norwalk, in accordance with Section 188-1222, except as noted in Section 118-1220 M. Municipal parking in South Norwalk. [Amended effective 7-28-2000; amended effective April 30, 2010]
- (4) The required amount of loading may be met on street or off street on the same lot where the use occurs or on an adjacent lot, subject to approval by the Commission.
- (5) Properties developed for multifamily residential use may submit a written request to utilize the transit oriented development (TOD) parking requirements shown in Section 118-700 D.(2) to allow one (1) parking space per studio dwelling unit, one (1) parking space per one (1) bedroom dwelling unit and two (2) parking spaces per two (2) bedroom or larger dwelling unit provided that the amount of parking spaces provided shall in no event be less than an average of 1.30 parking spaces per dwelling unit; subject to the submittal of a Parking Management Plan and to Commission review and approval. [Added effective 10-24-2014]

G. Sign regulations. See §§ 118-1290 through 118-1295. [Amended effective 9-13-1985]

§ 118-502. Reed-Putnam Design District. [Added effective 11-16-1984]

A. Purpose and intent. [Amended effective 7-28-1989; 9-25-1998; 10-29-1999; 10-26-2007]

- (1) The purpose of this regulation is to encourage the redevelopment and/or rehabilitation of the district in accordance with the Reed-Putnam Urban Renewal Plan. This plan proposes intensive commercial and residential development because of the area's proximity to the Connecticut Thruway (I-95) and U.S. Route 7, and in a manner consistent with the goals and policies of the Coastal Management Act.
- (2) This district has been divided into five (5) subareas reflecting differences in use, and height and bulk of buildings, depending upon location. Where applicable, these regulations are subject to the provisions of the Reed-Putnam Urban Renewal Plan.

B. General regulations.

- (1) All uses and structures in this district shall comply with the site plan review requirements of Article 140, Section 118-1451, herein or, where required, the Special Permit requirements of Article 140 Section 118-1450, herein.
- (2) Uses which are not permitted in this district shall not be permitted by variance in the Reed-Putnam Design District.
- (3) This district is divided into five (5) subareas. Premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the uses permitted within the particular subareas. [Amended effective 7-28-1989; 9-25-1998]

- (4) The design of buildings, parking structures, landscaping and signing within the Reed-Putnam Design District shall be in keeping with the urban design guidelines set forth in Section 4 of the Urban Renewal Plan for the Reed-Putnam Area, dated approved by the Norwalk Common Council on February 10, 1998, as amended **from time to time thereafter**. The elevations and details of a building's exterior shall be referred to the Redevelopment Agency for comment. Buildings located on top of parking structures in which the lowest floor at or above grade is exclusively used for parking shall not be allowed, except for Subarea C. [Added effective 9-25-1998, amended effective 2-25-2005; 10-26-2007; 3-30-2012; 6-10-2016]
- (5) Helicopter landing sites, as an accessory use to a principal permitted use, subject to special permit review and to the following restrictions: the landing site shall be a minimum of 300 feet from a residence zone, except if residence zone is public highway, and flight operations shall be restricted to the hours of 7:00 am to 7:00 pm only. [Added effective 9-28-2001; amended effective 10-26-2007]

C. Subarea regulations are as follows:

(1) Subarea A.

(a) Principal uses and structures.

- [1] Mixed use developments, including two (2) or more of the following uses: offices, including medical offices, retail stores, business service establishments, restaurants, multifamily residences and hotels, subject to 118-502(C)(1)(d). [Amended effective 10-26-2007, 9-25-2009]
- [2] Transportation terminals designed as an integral part of a structure, containing one (1) or more other permitted uses, and provided that:
 - [a] All vehicles shall be stored and serviced within the structure.
 - [b] Major vehicular maintenance and long-term [more than twenty-four (24) hours] parking or storage for buses, vans, limousines and taxicabs shall be prohibited.
 - [c] Truck terminals shall be prohibited.
- [3] [EN36](#) Parks, playgrounds and open space.
- [4] Child day-care centers. [Added effective 9-28-2007]
- [5] **Brew Pub/Distillery**. [Added effective 11-15-2019]

(b) Special Permit uses and structures

- [1] Mixed use retail shopping center developments as a principal special permit use shall be permitted, subject to special permit approval by the Commission and to the following criteria: [Added effective 6-10-2016]
 - (a) A building or part thereof may be located over a public street and may include one (1) or more adjoining parcels or parcels separated by public street(s) provided:
 - [a] Any necessary easement rights allowing such design have been approved by the Norwalk Common Council; and
 - [b] No area of a public street located beneath a building may be used in calculating maximum permissible floor area; and

[c] All floor area of a building located above such public street shall be allocated to adjoining privately owned parcels and shall be used in determining floor area ratio; and

[d] Building height shall be measured in relation to the centerline of West Avenue.

(b) The uses and design of such development are authorized by the Reed-Putnam Urban Renewal Plan; and

(c) A minimum open space area of fifteen percent (15%) based upon the total acreage within the mixed use retail shopping center development and no requirement that such open space be located on any individual parcel; and

(d) Areas devoted to public improvements (both interior and exterior) including any of the following features: (i) Sculpture gallery; (ii) public plaza; or (iii) publicly accessible rooftop gathering terrace shall be included in the building and site plan, and shall constitute, in the aggregate, not less than five percent (5%) of the floor area of the building; and

(e) Notwithstanding 118-502 C.(1)(c)[7] below, where permitted by the Commission, entertainment in the form of outdoor live music shall be permitted as accessory to a restaurant use when located on the roof of the retail shopping center building or at street level on West Avenue between Pine Street and I-95.

[2] Electric power generator, as defined herein, subject to Section 118-830(B).
[Added effective 1-26-2007]

(c) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted, subject to the following restrictions:

[1] Accessory uses and structures shall be designed as an integral part of a structure containing one (1) or more of the permitted uses.

[2] Off-street parking structures and surface parking lots.

[3] [EN37](#) Commercial communication antennas are permitted as an accessory use when located on an existing building or structure, subject to the height limitation of that zone, except that antennas mounted on existing buildings which meet or exceed the height limitation of that zone may extend above the existing building height by no more than fifteen (15) feet. In addition, the color of the building shall be incorporated into the design of the antenna. [Added effective 4-25-1997]

[4] Outdoor dining, street vendors and kiosks shall be permitted and shall be exempt from parking requirements from April 1st to November 1st, subject to annual renewal of required zoning approval and to permission by required city agencies. [Added effective 10-26-2007]

[5] Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I).
[Added effective 9-24-2010]

[6] Outdoor refuse collection and recycling receptacles shall be located behind the front setback of every public street which is not a limited access highway and

shall be screened from public view and from adjacent properties with a fenced enclosure not less than six (6) feet in height or year-round landscaped screening, subject to zoning inspector approval. [Added effective 7-29-2011; amended effective 6-10-2016]

[7] Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]

[8] All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]

(d) Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Reed-Putnam Design District and all other applicable sections of these regulations, and in addition:

[1] A design district development park shall be permitted in Subarea A, subject to the following criteria:

(a) Such development park shall be a mixed use development consisting of one (1) or more adjoining parcels in accordance with a development park master plan. Bonus floor area from one parcel or parcels may be transferred to another parcel or parcels within the design district development park, subject to approval by the Commission; and

(b) A maximum floor area ratio of 2.0 based upon the total acreage within the development park, including parcels in Subareas A and B; however, 10% bonus floor area shall be allowed, based on the total area of the development park, provided that in no event may such bonus result in the total allowable floor area within the development park exceeding 1,144,454 square feet, and provided that public amenities are provided as follows:

i. Pedestrian plaza: open space comprising a minimum, aggregate of 10,000 square feet in one or more areas within the development park, each of which areas (A) must contain at least 2,000 square feet of open space; (b) must be no more than three (3) feet above or below the center-line elevation of the adjacent public street or private right-of-way; (c) must abut a designated pedestrian right-of-way; and (d) must be open to the public at all times.

ii. Fountain/water feature: a fountain, cascade, stream or other water display which is located in an unenclosed, publicly accessible space within the development park and is maintained in operating condition throughout the year, except when weather conditions prohibit such operation.

- iii. Green roofs: at least twenty percent (20%) of the roof areas within the development park (excluding roof areas permanently devoted to mechanical equipment used in the operation and maintenance of the buildings or permanently devoted to parking) are landscaped by vegetation or other means to manage stormwater.
 - (c) The maximum floor area ratio for retail uses in a development park shall not exceed .25 based upon the total acreage in the development park, provided that the aggregate area devoted to retail and business service uses within the development park shall not exceed 125,000 square feet.
 - (d) A minimum open space area of 25% based upon the total acreage within the development park; with no open space requirements for individual parcels within a development park. Open space shall include natural and landscaped areas, pedestrian plazas, courtyards, walkways, recreation areas and the like.
 - (e) Multifamily dwellings shall require 1,650 square feet of lot area per dwelling unit based upon the total acreage within the development park, including parcels in Subareas A and B, limited to a maximum of 250 units in the development park. A defined recreation area of one hundred fifty (150) square feet per dwelling unit shall be provided. Such recreation area may include balconies, courtyards, indoor recreational facilities, landscaped roofs and outdoor recreation areas. [Added effective 10-26-2007]
- (e) Off-street parking and loading requirements. See §§ 118-1200 through 118-1260 and the supplemental standards provided below:
- [1] Properties developed for multifamily residential use may submit a written request to utilize the transit oriented development (TOD) parking requirements shown in Section 118-700 D.(2) to allow one (1) parking space per studio dwelling unit, one (1) parking space per one (1) bedroom dwelling unit and two (2) parking spaces per two (2) bedroom or larger dwelling unit provided that the amount of parking spaces provided shall in no event be less than an average of 1.30 parking spaces per dwelling unit; subject to the submittal of a Parking Management Plan and to Commission review and approval. [Added effective 10-24-2014]
 - [2] Notwithstanding any provision in Article 120 to the contrary, the minimum number of off street parking stalls required, parking stall dimensions and drive aisle dimensions within a parking garage in a mixed use retail shopping center development containing more than two thousand (2,000) parking stalls may be altered to comply with the following supplemental standards: [Added effective 6-10-2016]
 - (a) The minimum dimension for a full-size vehicle parking stall at a 90° angle shall be nine (9) feet in width and eighteen (18) feet in length, if served by a two way drive aisle a minimum of twenty-four (24) feet in width; and
 - (b) The minimum dimension for a compact vehicle parking stall at a 90° angle shall be eight (8) feet in width and fifteen (15) feet in length, if served by a two way drive aisle a minimum of twenty-two (22) feet in width; and

- (c) The minimum dimension for a full size vehicle parking stall at a 75° angle shall be nine (9) feet in width and eighteen (18) feet in length, if served by a one way drive aisle a minimum of eighteen (18) feet in width.
- (d) The minimum dimension for a compact vehicle parking stall at a 75° angle shall be eight (8) feet in width and fifteen (15) feet in length, if served by a one way drive aisle a minimum of eighteen (18) feet in width.
- (e) Compact vehicle parking stalls need not be grouped provided they are shown on a site plan approved by the Commission; and
- (f) Within the required minimum dimension of a parking stall or drive aisle columns shall be allowed provided any such column is shown on a site plan approved by the Commission after a determination by the Commission that such column does not materially compromise the use of the stall or aisle and does not adversely affect the public safety in general; and
- (g) The Commission may reduce up to thirty percent (30%) of the parking required under these regulations where it is demonstrated to the satisfaction of the Commission that the nature of the Development or its use and the factors which determine parking demand result in fewer parking spaces to meet actual parking needs than required by these regulations.
- (h) Off street parking shall be located on the parcel or parcels of land forming the mixed use retail shopping center development but shall not be required to be located on any individual parcel within such development.

(f) Sign regulations. See §§ 118-1290 through 118-1295. [Amended eff. 9-13-1985]

(2) Subarea B.

(a) Principal uses and structures. [Amended effective 9-25-1998]

[1] Mixed use developments, including two (2) or more of the following uses: offices, including medical offices, retail stores, business service establishments, restaurants, multifamily residences and hotels, subject to 118-502(C)(2)(d). [Added effective 10-26-2007, 9-25-2009]

[2] Transportation terminals designed as an integral part of a structure, containing one (1) or more other permitted uses, provided that:

[a] All vehicles shall be stored and serviced within the structures.

[b] Major vehicular maintenance and long-term [more than twenty-four (24) hours] parking or storage for buses, vans, limousines and taxicabs shall be prohibited.

[c] Truck terminals shall be prohibited.

[3] Parks, playgrounds and open space. [Added eff. 10-26-2007]

[4] Child day-care centers. [Added effective 9-28-2007]

[5] **Brew Pub/Distillery**. [Added effective 11-15-2019]

(b) Special Permit uses and structures

[1] Electric power generator, as defined herein, subject to Section 118-830(B). [Added effective 1-26-2007]

- (c) Accessory uses and structures. Accessory uses and structures, which are incidental to and customarily associated with the principal use of the premises, shall be permitted, subject to the following restrictions:
- [1] Off-street parking structures and surface parking lots.
 - [2] Commercial communication antennas are permitted as an accessory use when located on an existing building or structure, subject to the height limitation of that zone, except that antennas mounted on existing buildings which meet or exceed the height limitation of that zone may extend above the existing building height by no more than fifteen (15) feet. In addition, the color of the building shall be incorporated into the design of the antenna. [Added effective 4-25-1997]
 - [3] Outdoor dining, street vendors and kiosks shall be permitted and shall be exempt from parking requirements from April 1st to November 1st, subject to annual renewal of required zoning approval and to permission by required city agencies. [Added effective 10-26-2007]
 - [4] Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
 - [5] Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Added effective 7-29-2011]
 - [6] Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]
 - [7] All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]
- (d) Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Reed-Putnam Design District and all other applicable sections of these regulations, and in addition:
- [1] A design district development park shall be permitted in Subarea B, subject to the following criteria:
 - (a) Such development park shall be a mixed use development consisting of one (1) or more adjoining parcels in accordance with a development park master plan. Bonus floor area from one parcel or parcels may be transferred to another parcel or parcels within the design district development park, subject to approval by the Commission; and
 - (b) A maximum floor area ratio of 2.0 based upon the total acreage within the development park, including parcels in

Subareas A and B; however, 10% bonus floor area shall be allowed, based on the total area of the development park, provided that in no event may such bonus result in the total allowable floor area within the development park exceeding 1,144,454 square feet, and provided that public amenities are provided as follows:

i. Pedestrian plaza: open space comprising a minimum, aggregate of 10,000 square feet in one or more areas within the development park, each of which areas (A) must contain at least 2,000 square feet of open space; (b) must be no more than three (3) feet above or below the center-line elevation of the adjacent public street or private right-of-way; (c) must abut a designated pedestrian right-of-way; and (d) must be open to the public at all times.

ii. Fountain/water feature: a fountain, cascade, stream or other water display which is located in an unenclosed, publicly accessible space within the development park and is maintained in operating condition throughout the year, except when weather conditions prohibit such operation.

iii. Green roofs: at least twenty percent (20%) of the roof areas within the development park (excluding roof areas permanently devoted to mechanical equipment used in the operation and maintenance of the buildings or permanently devoted to parking) are landscaped by vegetation or other means to manage stormwater.

- (c) The maximum floor area ratio for retail uses in a development park shall not exceed .25 based upon the total acreage in the development park, provided that the aggregate area devoted to retail and business service uses within the development park shall not exceed 125,000 square feet.
- (d) A minimum open space area of 25% based upon the total acreage within the development park; with no open space requirements for individual parcels within a development park. Open space shall include natural and landscaped areas, pedestrian plazas, courtyards, walkways, recreation areas and the like.
- (e) Multifamily dwellings shall require 1,650 square feet of lot area per dwelling unit based upon the total acreage within the development park, including parcels in Subareas A and B, limited to a maximum of 250 units in the development park. A defined recreation area of one hundred fifty (150) square feet per dwelling unit shall be provided. Such recreation area may include balconies, courtyards, indoor recreational facilities, landscaped roofs and outdoor recreation areas.
[Added effective 10-26-2007]

(e) Off-street parking and loading requirements. See §§ 118-1200 through 118-1260, except that:

- (1) [EN39](#) Off-street parking may be met by the use of parking facilities located within six hundred (600) feet, as measured along the shortest publicly accessible route, subject to approval by the Zoning Inspector.
- (2) Properties developed for multifamily residential use may submit a written request to utilize the transit oriented development (TOD) parking requirements shown in Section 118-700 D.(2) to allow one (1) parking space per studio dwelling unit, one (1) parking space per one (1) bedroom dwelling unit and two (2) parking spaces per two (2) bedroom or larger dwelling unit provided that the amount of parking spaces provided shall in no event be less than an average of 1.30 parking spaces per dwelling unit; subject to the submittal of a Parking Management Plan and to Commission review and approval. [Added effective 10-24-2014]

(f) Sign regulations. See §§ 118-1290 through 118-1295. [Amended eff. 9-13-1985]

(3) Subarea C.

(a) Principal uses and structures.

- [1] Multifamily dwellings. [Amended effective 9-25-1998]
- [2] Hotels.
- [3] Parks, playgrounds and open space.
- [4] Retail stores, restaurants and offices, including medical offices. [Amended effective 2-25-2005, 9-25-2009]
- [5] Child day-care centers. [Added effective 9-28-2007]
- [6] **Brew Pub/Distillery**. [Added effective 11-15-2019]

(b) Special Permit uses and structures. The following uses and structures, and no others, shall be permitted by Special Permit, in accordance with the provisions of Article 140, § 118-1450, Special Permits, and subject to the additional standards set forth herein:

- [1] Boutique manufacturing shall be allowed as an accessory use to a permitted retail use, subject to compliance with the following requirements: [Added effective 10-28-2005]
 - (a) Such boutique manufacturing shall not exceed three thousand (3,000) square feet in area and shall be directly related to the principal permitted retail use; and
 - (b) All manufacturing activity, including the storage of all equipment, materials and products, shall occur inside the building; no outside storage of any kind is permitted; and
 - (c) Only manufacturing processes that are not offensive with regard to noise, light, dust and odors, and which have the same or lesser impact than the principal retail use are permitted; and
 - (d) The manufacturing activity shall occupy an area of no more than sixty percent (60%) of the gross floor area occupied by the associated retail establishment; and
 - (e) The manufacturing process is principally artisan or fabrication by hand, and shall not include mass production or assembly line operations; and

(f) The manufacturing operations will not generate excessive traffic volumes or truck traffic in excess of that typically occurring in the adjacent district or neighborhood; all loading activity shall occur during daytime hours only.

[2] Electric power generator, as defined herein, subject to Section 118-830(B). [Added effective 1-26-2007]

(c) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted, subject to the following restrictions:

[1] Marinas and marina-related facilities.

[2] Off-street parking structures and surface parking lots.

[3] Commercial communication antennas are permitted as an accessory use when located on an existing building or structure, subject to the height limitation of that zone, except that antennas mounted on existing buildings which meet or exceed the height limitation of that zone may extend above the existing building height by no more than fifteen (15) feet. In addition, the color of the building shall be incorporated into the design of the antenna. [Added effective 4-25-1997]

[4] Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]

[5] Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Added effective 7-29-2011]

[6] Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]

[7] All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]

(d) Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Reed-Putnam Design District, and all other applicable sections of these regulations.

(e) Off-street parking and loading requirements. See § 118-502C(2)(d) and in addition: [Amended effective 9-25-1998]

[1] The amount of off-street parking spaces required for two (2) or more different uses on the same premises shall be thirty percent (30%) less than the sum of the minimum number of parking spaces required for each use. [Amended effective 2-25-2005]

[2] A restaurant in existence as of July 1, 2005 and located within six hundred feet of a municipal parking lot shall not be required to provide additional parking for interior expansions within the existing gross restaurant floor area of one thousand (1,000) square feet or less. This provision shall apply to restaurant uses only and shall not apply to floor space devoted to mixed uses. [Added effective 1-27-2006]

[3] Properties developed for multifamily residential use may submit a written request to utilize the transit oriented development (TOD) parking requirements shown in Section 118-700 D.(2) to allow one (1) parking space per studio dwelling unit, one (1) parking space per one (1) bedroom dwelling unit and two (2) parking spaces per two (2) bedroom or larger dwelling unit provided that the amount of parking spaces provided shall in no event be less than an average of 1.30 parking spaces per dwelling unit; subject to the submittal of a Parking Management Plan and to Commission review and approval. [Added effective 10-24-2014]

(f) Sign regulations. See §§ 118-1290 through 118-1295. [Amended effective 9-13-1985]

(4) Subarea D.

(a) Principal uses and structures.

[1] Multifamily dwellings, including artists' studios. [Amended effective 9-25-1998]

[2] Museums, maritime centers and exhibition facilities.

[3] Retail stores, restaurants and offices, including medical offices. [Added effective 3-30-1990, EN40; amended effective 9-25-2009]

[4] Parking structures.

[5] Child day-care centers. [Added effective 9-28-2007]

[6] **Brew Pub/Distillery.** [Added effective 11-15-2019]

(b) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted, subject to the following restrictions:

[1] Off-street parking garages and surface parking lots.

[2] Marinas and marina-related facilities.

[3] Parks, playgrounds and open space.

[4] Theaters. [Amended effective 9-25-1998]

[5] Commercial communication antennas are permitted as an accessory use when located on an existing building or structure, subject to the height limitation of that zone, except that antennas mounted on existing buildings which meet or exceed the height limitation of that zone may extend above the existing building height by no more than fifteen (15) feet. In addition, the color of the building shall be incorporated into the design of the antenna. [Added effective 4-25-1997]

- [6] Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
 - [7] Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Added effective 7-29-2011]
 - [8] Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]
 - [9] All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]
- (c) [Amended effective 3-30-1990] Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Reed-Putnam Design District, and all other applicable sections of these regulations, except that:
- [1] Cupolas, towers and spires, where not used for habitable space and where not exceeding one percent (1%) of the total allowable building area, shall be exempt from the height regulations herein.
- (d) Off-street parking and loading requirements. See § 118-502C(2)(d), except that:
- [1] No on-site parking shall be required for a museum, maritime center or exhibition facilities.
 - [2] The amount of off-street parking spaces required for two (2) or more different uses on the same premises shall be twenty-five percent (25%) less than the sum of the minimum number of parking spaces required for each use. [EN41](#) [Added effective 3-30-1990]
 - [3] A restaurant in existence as of July 1, 2005 and located within six hundred feet of a municipal parking lot shall not be required to provide additional parking for interior expansions within the existing gross restaurant floor area of one thousand (1,000) square feet or less. This provision shall apply to restaurant uses only and shall not apply to floor space devoted to mixed uses. [Added effective 1-27-2006]
 - [4] Properties developed for multifamily residential use may submit a written request to utilize the transit oriented development (TOD) parking requirements shown in Section 118-700 D.(2) to allow one (1) parking space per studio dwelling unit, one (1) parking space per one (1) bedroom dwelling unit and two (2) parking spaces per two (2) bedroom or larger dwelling unit provided that the amount of parking spaces provided shall in no event be less than an average of 1.30 parking spaces per dwelling unit; subject to the submittal of a Parking Management Plan and to Commission review and approval. [Added effective 10-24-2014]
- (e) Sign regulations. See §§ 118-1290 through 118-1295. [Amended eff. 9-13-1985]

(5) Subarea E.

(a) Principal uses and structures.

- [1] Multifamily dwellings. [Amended effective 9-25-1998]
- [2] Elderly housing.
- [3] Retail stores and personal and business service shops.
- [4] Offices, including medical offices. [Amended eff. 9-25-2009]
- [5] Banks and financial institutions, excluding drive-in facilities.
- [6] Restaurants and taverns, excluding drive-in facilities.
- [7] Theaters and auditoriums.
- [8] Business schools and studios.
- [9] Places of worship, churches and church buildings.
- [10] Parks, playgrounds and open space.
- [11] Museums and related accessory uses. [Added effective 9-25-1998]
- [12] Child day-care centers. [Added effective 9-28-2007]
- [13] **Brew Pub/Distillery**. [Added effective 11-15-2019]

(b) Special Permit uses and structures. The following uses and structures, and no others, shall be permitted by Special Permit, in accordance with the provisions of Article 140, § 118-1450, Special Permits, and subject to the additional standards set forth herein:

- [1] The expansion of an existing manufacturing use.
- [2] Public utility supply or storage facility. EN
- [3] Boutique manufacturing shall be allowed as an accessory use to a permitted retail use, subject to compliance with the following requirements: [Added effective 10-28-2005]
 - (a) Such boutique manufacturing shall not exceed three thousand (3,000) square feet in area and shall be directly related to the principal permitted retail use; and
 - (b) All manufacturing activity, including the storage of all equipment, materials and products, shall occur inside the building; no outside storage of any kind is permitted; and
 - (c) Only manufacturing processes that are not offensive with regard to noise, light, dust and odors, and which have the same or lesser impact than the principal retail use are permitted; and
 - (d) The manufacturing activity shall occupy an area of no more than sixty percent (60%) of the gross floor area occupied by the associated retail establishment; and
 - (e) The manufacturing process is principally artisan or fabrication by hand, and shall not include mass production or assembly line operations; and
 - (f) The manufacturing operations will not generate excessive traffic volumes or truck traffic in excess of that typically occurring in the adjacent

district or neighborhood; all loading activity shall occur during daytime hours only.

- (c) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted, subject to the following restrictions:
- [1] Off-street parking structures and surface parking lots.
 - [2] Commercial communication antennas are permitted as an accessory use when located on an existing building or structure, subject to the height limitation of that zone, except that antennas mounted on existing buildings which meet or exceed the height limitation of that zone, may extend above the existing building height by no more than fifteen (15) feet. In addition, the color of the building shall be incorporated into the design of the antenna. [Added effective 4-25-1997]
 - [3] Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
 - [4] Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Added effective 7-29-2011]
 - [5] Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]
 - [6] All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]
- (d) Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Reed-Putnam Design District, and all other applicable sections of these regulations, except that:
- [1] Buildings in existence as of the effective date of this regulation are hereby declared to be in conformance with the requirements of this section.0
 - [2] No setbacks shall be required where the abutting property is within a limited access highway or railroad right-of-way.[Added effective 8-30-2002]
- (e) Off-street parking and loading requirements. See §§ 118-1200 through 118-1260, except that:
- [1] No off-street parking shall be required for museums under fourteen thousand (14,000) square feet, located in the Reed-Putnam Design District, Subarea E. [Amended effective 9-25-1998]
 - [2] A restaurant in existence as of July 1, 2005 and located within six hundred feet of a municipal parking lot shall not be required to provide additional parking for interior expansions within the existing gross restaurant floor area

of one thousand (1,000) square feet or less. This provision shall apply to restaurant uses only and shall not apply to floor space devoted to mixed uses. [Added effective 1-27-2006]

[3] Properties developed for multifamily residential use may submit a written request to utilize the transit oriented development (TOD) parking requirements shown in Section 118-700 D.(2) to allow one (1) parking space per studio dwelling unit, one (1) parking space per one (1) bedroom dwelling unit and two (2) parking spaces per two (2) bedroom or larger dwelling unit provided that the amount of parking spaces provided shall in no event be less than an average of 1.30 parking spaces per dwelling unit; subject to the submittal of a Parking Management Plan and to Commission review and approval. [Added effective 10-24-2014]

(f) Sign regulations. See §§ 118-1290 through 118-1295. [EN42](#) [Added effective 9-13-1985]

D. (Reserved) [EN43](#)

§ 118-503. Executive Office Zone. [Added eff 1-16-1987; amended eff. 5-26-2006; 6-28-2019]

A. Purpose and intent. The purpose of this regulation is to permit major office buildings and other compatible uses which will contribute to the economic base of the city and will constitute a harmonious and appropriate part of the physical development of the city. The area within this zone is intended to have infrastructure of sufficient capacity either prior to or coincident with permitted development. Incentives are provided to encourage the assembly of larger lots and to reduce the number of driveways, thereby improving traffic flow and safety and creating an attractive and unified development.

B. Uses and structures.

(1) Principal uses and structures. In the Executive Office Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no other. Any use or structure having a gross floor area of twenty thousand (20,000) square feet or more or requiring fifty (50) parking spaces or more shall be permitted subject to the provisions of § 118-1451, Site plan review.

(a) Offices, including medical offices. [Amended effective 9-25-2009]

(b) Banks and financial institutions.

(c) Hotels.

(d) Personal and business services shops and retail stores having a gross floor area of thirty thousand (30,000) square feet or less. [Amended effective 12-22-1995]

(e) Restaurants and taverns.

(f) Theaters and auditoriums.

(g) Schools, including business schools, and studios.

(h) Mixed-use development, subject to § 118-750.

(i) Research and development facilities.

(j) Manufacture, processing or assembly of goods which are not noxious or offensive due to emission of noise, pollutants or waste.

(k) Parks and recreational facilities.

- (l) Museums.
 - (m) Public utility supply or storage facilities.
 - (n) Firehouses.
 - (o) Off-street parking facilities.
 - (p) Places of worship. [Added effective 7-24-2015]
- (2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial: except as otherwise specified herein: [Amended effective 5-26-2006]
- (a) Warehouse and wholesale distribution facilities.
 - (b) Gasoline stations and the sale and service of motor vehicles, subject to § 118-1010.
 - (c) Transportation terminals.
 - (d) Multifamily dwellings.
 - (e) Commercial recreation establishment. [Added effective 12-7-1990]
 - (f) Retail stores having a gross floor area of more than thirty thousand (30,000) square feet, not to exceed eighty thousand (80,000) square feet. [Added effective 12-22-1995]
 - (g) Commercial planned residential development, subject to Section 118-760. [Added effective 4-21-00]
 - (h) Helicopter landing sites, as an accessory use to a principal permitted use, subject to special permit review and to the following restrictions: the landing site shall be a minimum of 300 feet from a residence zone and flight operations shall be restricted to the hours of 7:00 am to 7:00 pm only. The Commission may approve a helicopter landing site that exceeds the height provisions of these regulations if it is located on top of a mechanical or habitable penthouse. [Added effective 9-29-2001; Amended effective 5-26-2006]
 - (i) Electric power generator, as defined herein, subject to Section 118-830(B). [Added effective 1-26-2007]
- (3) Uses which are not otherwise permitted in Subsection B(1) and (2) above shall not be permitted by variance in the Executive Office Zone.
- (4) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted subject to the following restrictions:
- (a) Outdoor storage shall be confined to the rear and side yards only and shall be effectively screened from adjacent properties.
 - (b) Commercial communication antennas are permitted as an accessory use when located on an existing building or structure, subject to the height limitation of that zone, except that antennas mounted on existing buildings which meet or exceed the height limitation of that zone, may extend above the existing building height by no more than 15 feet. In addition, the color of the building shall be incorporated into the design of the antenna. [Added effective 12-20-1996]

- (c) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
 - (d) Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Added effective 7-29-2011]
 - (e) Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]
 - (f) All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]
- C. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and all other applicable sections of these regulations, and in addition:
- (1) A development park shall be permitted (i) a maximum floor area ratio of one and five-tenths (1.5) based upon the total acreage within the development park; however, an individual parcel within a development park shall not exceed a floor area ratio of two (2); (ii) a minimum open space area of thirty percent (30%) based upon the total acreage within the development park; however an individual parcel within a development park shall provide open space of not less than twenty-five percent (25%) of its area.[Amended eff. 10-27-2000]
 - (2) Multifamily dwellings shall require one thousand six hundred fifty (1,650) square feet of lot area per dwelling unit. [Amended effective 12-30-1988]
 - (3) A minimum building height shall apply only to uses enumerated in subsection B(1) a. – h. and B(2) d. - g.; except that ancillary portions of buildings less than the required height shall be permitted, provided that such portions do not exceed five percent (5%) of the gross floor area. [Added effective 3-27-2009] EN44
 - (4) Open space shall include natural and landscaped areas, pedestrian plazas, courtyards, walkways, recreation areas and the like. Open space on the roof of a structure shall be permitted, provided that the minimum open space requirement extends neither more than ten (10) feet nor more than and one (1) story above the center-line elevation of the street.
 - (5) Any building that is non-conforming as to FAR and located within the Executive Office zone or any building located within a development park within the Executive Office zone that is nonconforming as to total FAR within such development park, may expand usable Floor Area subject to administrative approval by the director of the Planning & Zoning Department, provided that: [Added effective 6-28-2019]
 - i. Any increase in total Floor Area shall not result in an increase in new or additional building coverage or height; and
 - ii. Any additional Floor Area shall be devoted to service or common areas, lobbies or tenant amenity areas to be utilized by tenants of the building; and

- iii. Said additional Floor Area shall be in furtherance of adaptive reuse or alteration of the building for modernization, security, aesthetic, public health and safety, health code compliance or sustainability purposes.

Expansion beyond the building envelope of the existing building shall be limited to canopies and architectural features which enhance the aesthetic appearance of the building and said improvements shall not be considered additional building coverage provided same do not exceed five percent (5%) building coverage.

Further, any portion of a lot located within the Executive Office Zone that is conveyed, to be conveyed or utilized by the State of Connecticut or the City of Norwalk for public purposes, including but not limited to, public right-of-way, public transportation, or public recreational purposes, shall be included in all applicable lot area calculations (i.e. lot area, density, building coverage, FAR, etc.), and any buildings and structures utilized in accordance with any of the aforementioned public purposes shall be excluded from building coverage, Floor Area and FAR calculations.

- D. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260 and, in addition:

- (1) The principal use and structure of the property shall be located between the front yard and the street wall of a parking structure which is more than three (3) feet above the center-line elevation of the street, for a minimum of fifty percent (50%) of the length of the parking structure. This provision shall not be applicable to parking structures within a development park which parking structures are located more than one hundred ten (110) feet from the center-line of the street (subject to § 118-1000B) and separated from the street by a wetland or watercourse. Any portion of a parking structure which is more than three (3) feet above the center-line elevation of the street and which extends to the front yard shall be effectively screened. [Amended effective 5-27-1994; 11-24-1995; effective 12-20-1996]

- E. Sign regulations. See §§ 118-1290 through 118-1295.

- F. The Executive Office Zone shall not apply to buildings for which a zoning permit has been issued or Commission approval granted prior to January 1, 1987. Such buildings may be completed in accordance with plans filed with the Zoning Inspector or Commission prior to such date.

§ 118-504. Central Business District. [Added effective 10-1-1987, amended effective 4- 28-2006, 5-25-2007; 10-26-2007; 8-29-2008; 9-24-2010; 9-30-2011; 3-30-2012; 9-26-2014; 6-26-2015; 1-29-2016; 2-26-2016; 10-28-2016; 6-14-2019]

- A. Purpose and intent. The Central Business District contains two (2) zoning sub-districts, Central Business District (CBD) and Central Business District Water (CBD-W).

The CBD contains the West Avenue corridor, the Wall Street area which is considered the historic downtown for the City and a portion of U.S. 1 and Main Street. CBD zoning seeks to:

- (1) Provide a balance of uses and amenities that foster a vital economic, livable, innovative and cultural area and enhance its urban, aesthetic qualities.
- (2) Establish an urban fabric that is walkable, engaging and complimented by sustainable design, including landscaping, building construction and infrastructure.
- (3) Protect and enhance historic, cultural, economic and architectural resources.
- (4) Preserve, create and enhance pedestrian-oriented streets to reduce the number of automobile trips; minimize congestion, consumption of resources and air and noise pollution.

- (5) Encourage clean industrial uses, retail, entertainment, residential and office vitality and improve the quality of life for district residents, visitors and workers.
- (6) Provide quality public spaces, such as urban street corridors, by maintaining the physical continuity of the street edge created by buildings.
- (7) Bring most daily activities within walking distance, giving the elderly, young and disabled increased independence of movement.
- (8) Require public access to and along the waterfront when possible, except where a danger to the public exists due to water-dependent uses.
- (9) Incentivize adaptive reuse of the historic properties within the zone.
- (10) Maintain water dependent uses for properties abutting the Norwalk River.

The CBD-W is comprised mainly of waterfront uses along the west side of the Norwalk River.

CBD-W zoning seeks to:

- (1) Maintain Norwalk River and upper harbor as a focal point.
- (2) Maintain water dependent uses for properties abutting the Norwalk River.
- (3) Require public access to and along the waterfront when possible, except where a danger to the public exists due to water-dependent uses.
- (4) Promote other uses which attract the public to the waterfront, such as restaurants, transient slip space and residential development.
- (5) Prioritize and give preference to the siting of water-dependent uses which are compatible with the revitalization of the downtown area, such as recreational and commercial boating and fishing facilities and transient slip space.

B. Principal uses and structures:

- (1) In the Central Business District, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no other. All uses and structures shall be permitted subject to the provisions of § 118-1451, Site plan review. Properties located within the coastal zone boundary shall be subject to coastal site plan review and all other requirements of § 118-1110.
 - (a) Adult Day Care Facilities.
 - (b) Animal Care Center.
 - (c) Artist workspace.
 - (d) Banks and financial institutions (excluding drive-in facilities).
 - (e) Boutique Manufacturing with or without an accessory retail use or light manufacturing, provided that:
 - (i) the total square footage does not exceed 15,000 SF.
 - (ii) all manufacturing activity, including the storage of all equipment, materials and products, shall occur inside the building and no outside storage of any kind is permitted.
 - (iii) only manufacturing processes that comply with City standards relating to noise, light, dust and odors are permitted.
 - (iv) the manufacturing operations will not generate excessive traffic volumes or truck traffic in excess of that typically occurring in the adjacent district or neighborhood; all loading activity shall occur during daytime hours only.

- (f) Brew Pub/**Distillery**. [Amended effective 11-15-2019]
 - (g) Child day-care centers.
 - (h) Clubs & Lodges.
 - (i) Colleges, universities and schools, including business and trade schools, and studios.
 - (j) Commercial recreation establishments.
 - (k) Community centers, lodges and private clubs.
 - (l) Congregate Housing.
 - (m) Government Agencies and charitable organizations.
 - (n) Halfway houses, with no less than two hundred (200) square feet of living area per person. [Amended effective 6-29-1990]
 - (o) Health clubs.
 - (p) Hotels, including extended stay hotels.
 - (q) Mass Transit facilities.
 - (r) Motor Vehicles Sales and service, provided that:
 - i. Such use shall be designed as an integral part of a structure containing one (1) or more other permitted uses.
 - ii. All vehicles shall be serviced within the structure and displayed, stored and parked within or behind the structure
 - (s) Multifamily dwellings, provided that:
 - i. provisions for bicycle storage or bicycle sharing are provided on-site.
 - ii. provisions for electric vehicle charging stations are provided on-site.
 - iii. such dwellings are subject to the Workforce Housing Regulation in Article 101, Section 118-1050.
 - (t) Museums, libraries and meeting halls.
 - (u) Offices, including medical offices.
 - (v) Parks, playgrounds and open space.
 - (w) Personnel and business Service Establishment.
 - (x) Places of worship.
 - (y) Printing establishments.
 - (z) Manufacturing and storage facilities dependent on waterborne transportation for the supply of products.
 - (aa) Public recreation facilities.
 - (bb) Research and development facilities.
 - (cc) Retail stores and personal and business service establishments.
 - (dd) Restaurants and taverns (excluding drive-in facilities).
 - (ee) Theaters and auditoriums, including cultural arts and entertainment facilities.
- (2) Special Permit uses and structures:

- (a) In order to encourage the preservation of structures contributing to positive aspects of community character, the Commission may, by Special Permit, allow a minimum area or dimensional requirement, (such as yard setback or parking requirement) or a maximum requirement, (such as maximum floor area) to be exceeded, provided:
- i. The subject structure(s) are listed on a local, state or national historic inventory;
 - ii. The extent of the requirement to be exceeded or reduced shall not exceed twenty five (25) percent and is clearly identified on the application presented to the Commission;
 - iii. A narrative, prepared by a Historic Architect, shall be submitted with the application describing in detail the proposed work to be done to the exterior of the historic structure. The Historic Architect shall be qualified for "Historic Architecture" as listed under 35 CFR Part 61 of the Secretary of Interior's Professional Qualification Standards and submit proof of same;
 - iv. The Commission shall refer the application to the Historical Commission for review and recommendations, who may refer the application to the State Historic Preservation Office (SHPO) for comment. If the Historical Commission does not endorse the application, a 2/3 majority vote of the Zoning Commission is required for approval;
 - v. Any Special Permit granted by the Commission shall only remain effective so long as the subject structure(s) is preserved and maintained as the principal structure on the property;
 - vi. If building materials are proposed to be substituted and modernized, the method and degree of preservation maintains the character, aesthetic and architecture of the historic building;
 - vii. Any deviation from the standards approved by the Commission shall be restricted to the minimum amount deemed necessary to encourage preservation of the historic structure(s); and
 - viii. The Commission and Redevelopment Agency determines that:
 - a. the structure(s) in question contributes to community character or possesses a degree of historic significance (which may be evidenced by its age, architectural uniqueness, or cultural value).
 - b. if preserved, the structure would represent a cultural benefit to the community, and,
 - c. the structure in question requires some measure of regulatory relief to allow for its preservation.
- (b) In order to encourage and foster the growth or arts within the district, the Commission may, by Special Permit, allow Artist Live/Work spaces with a building height bonus of ten (10) feet, provided:
- i. they are part of a rehabilitation, preservation or addition to an existing structure listed on a local, state or national historic inventory.
 - ii. The Commission shall refer the application to the Arts Commission for review and consideration. If the Arts Commission does not endorse the application, a 2/3 majority vote of the Zoning Commission is required for approval.
 - iii. each unit is consistent with the provisions of the Housing Code, Fire Marshal Code and Building Code.
 - iv. units are at least seven hundred fifty (750) square feet in size.

- v. retail sales of art produced on-site that does not take place more than twelve (12) hours per week as an allowable accessory use.
 - vi. Artist Live/Work spaces are subject to workforce housing requirements.
 - vii. the use, including storage of materials or products, shall occur only within an enclosed building.
 - viii. all noise, vibration, smoke, dust or other particulate matter, heat, humidity, glare or other effect shall comply with City standards relating to noise, light, dust and odors.
- (c) Boutique Manufacturing, with or without an accessory retail use, or light manufacturing, provided that:
- i. the total square footage is greater than 15,000 SF.
 - ii. all manufacturing activity, including the storage of all equipment, materials and products, shall occur inside the building and no outside storage of any kind is permitted, unless the Commission makes an affirmative finding that there will be no adverse impacts on neighboring properties and the equipment, materials and products cannot be stored indoors and are essential to the operation of the business.
 - iii. only manufacturing processes that comply with City standards relating to noise, light, dust and odors are permitted.
 - iv. the manufacturing operations will not generate excessive traffic volumes or truck traffic in excess of that typically occurring in the adjacent district or neighborhood; all loading activity shall occur during daytime hours only.
- (d) Off-street structured parking facilities.
- (3) In the Central Business District-W, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no other. All uses and structures shall be permitted subject to the provisions of § 118-1451, Site plan review. Properties located within the coastal zone boundary shall be subject to coastal site plan review and all other requirements of § 118-1110.
- (a) Boat-building facilities and marine supply stores.
 - (b) Industrial processing and storage facilities dependent on waterborne transportation for the supply of products.
 - (c) Marinas.
 - (d) Multifamily dwellings, including elderly housing.
 - (e) Parks, open space and public recreational facilities.
 - (f) Recreational and commercial fishing facilities.
 - (g) Restaurants and taverns (excluding drive-in facilities).
 - (h) Retail establishments.
 - (i) **Brew Pub/Distillery** [Added effective 11-15-2019]
- (4) Special Permit uses and structures. The following uses shall be permitted by Special Permit in CBD-W in accordance with the provisions of § 118-1450:
- (a) Business service establishments, as defined in Article 10, § 118-100. [Added effective 4-29-1994]
 - (b) Clubs and lodges.
 - (c) Congregate housing.

- (d) Day-care centers.
 - (e) Halfway houses, with no less than two hundred (200) square feet of living area per person. [Amended effective 6-29-1990]
 - (f) Offices, including government agencies and charitable offices, up to six thousand (6,000) square feet of gross floor area, and including medical offices. [Amended effective 5-28-1993; 9-25-2009]
 - (g) Places of worship. [Added effective 7-24-2015]
 - (h) Public utilities.
- (5) Uses which are not permitted in Subsection B(1) and (2) above shall not be permitted by variance in the Central Business District.
- (6) The following accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted:
- (a) Outdoor refuse collection and recycling receptacles; provided that they are located behind the front setback and screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. Outdoor storage shall be prohibited.
 - (b) Where permitted by the Commission, entertainment in the form of live music, as accessory to a restaurant use, provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises and a sound engineering report is provided that demonstrates that the noise levels are in conformance with the noise ordinance.
 - (c) Rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, provided that all rooftop equipment is set back a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening.
 - (d) Commercial communication antennas, when located on an existing building or structure, provided that it complies with the applicable height limitation, except that antennas mounted on existing buildings which meet or exceed the height limitation now applicable may extend above the existing building height by no more than fifteen (15) feet. In addition, the color of the building shall be incorporated into the design of the antenna.
 - (e) Rooftop Gardens.
 - (f) Green Roofs.
 - (g) Outdoor dining, street vendors and kiosks shall be permitted and shall be exempt from parking requirements from April 1st to November 1st when located within 1,000 feet of a municipal parking facility, subject to the annual renewal of required zoning approval and to permission by required city agencies. [Amended effective 10-26-2007; 9-30-2011, 6-14-2019]
- (7) The height, bulk, location and use of all buildings in existence at the time of adoption of this section, which do not conform to this section and any subsequent revisions, are hereby declared to be legally nonconforming and are subject to §118-800, nonconformities, except as modified where necessary to conform to the Flood Hazard Zone and coastal area management provisions of these regulations. The owners of such property shall document by A-2 Survey or other means the height, bulk, location and use of the building as it had previously existed.

C. Lot and building requirements:

All development must comply with the Design Guidelines set forth in Central Business Design Guidelines, which accompany the West Avenue/Wall Street Redevelopment Plan dated March 13, 2019, or hereafter amended. In addition, all developments are subject to sustainability review by the Redevelopment Agency. See the Schedule Limiting Height and Bulk of Buildings, Central Business District, and all other applicable sections of these regulations, and in addition:

- (1) Cupolas, towers and spires, where not used for habitable space and where not exceeding one percent (1%) of the building area, shall be exempt from the height regulations herein, subject to the approval of the Commission.
- (2) On all arterial roads and on Burnell Boulevard, Commerce Street and Isaac Street, as well as the first twenty five feet on any street intersecting an arterial road(s) or the three additional streets, a portion, as approved by the Commission, of the street-level-floor, fronting the street, must contain a street-activating use. This requirement does not apply to a change in use in an existing building whose street-level is 18" above or below the street-level grade.
- (3) All street-level uses on arterial roads and the following streets: Burnell Boulevard, Commerce Street and Isaac Street, shall have pedestrian access to an abutting street(s) and provide a welcoming external and active street presence, regardless of whether there is an internal opening to a through block arcade or there is an internal opening to a building or development.
- (4) All developments fronting on all arterial roads and the following streets: Burnell Boulevard, Commerce Street, Isaac Street and Maple Street, as well as the first twenty five (25) feet of any intersecting side street, as measured from the building corner, shall provide sidewalks with a minimum width of seven (7) feet, which includes a two foot snow shelf and maintains a five (5) foot clearance at all times from any obstruction. Permanent obstructing features, including utilities shall be limited and approved by the Commission and Redevelopment Agency. Any sidewalk area constructed on private property may be counted toward the required public realm.
- (5) Open space shall include natural and landscaped areas, pedestrian plazas, courtyards, walkways, recreation areas and the like. Such open space shall be permitted on the roof of a structure.
- (6) Required or provided Public Realm space(s) shall express Norwalk's traditional New England culture, while serving a diverse, multi-cultural population. Public Realm space(s) shall be consistent with the definition of Public Realm in Section 2.2 of the regulations. The Public Realm space shall be safe, comfortable and respond effectively to the regional climate and surrounding environment.
- (7) Buildings listed on the Norwalk Historical Resources Inventory are hereby declared to be in compliance with the height and bulk requirements of this section. External building modifications to such structures shall conform to the guidelines set forth in the Norwalk Business District Design Guidelines.
- (8) Municipal off-street parking structures are exempt from all lot and bulk and height requirements, but not from the applicable design guidelines.
- (9) New developments and additions to structures that abut the navigable portion of the Norwalk River (south of Wall Street), must contain a water dependent use as defined in CGS 22a-93(16), result in no net loss of existing waterfront use and shall provide public access adjacent to water which is a minimum of fifteen (15) feet wide. Such public accessways shall be in the form of landscaped walks, esplanades, boardwalks or piers of suitable design to encourage active use by the public and shall be dedicated as such in the deed to the property. Access from the street to the water shall be provided subject to Commission approval. Where access along the waterfront would, in the determination of the Commission, expose the public to hazardous

conditions, the Commission may consider alternative forms of access to be provided. In addition, the public access shall be considered a public amenity for purposes of eligibility for FAR amenity bonuses.

- (10) The Commission may exempt retail and restaurant uses in that abut the navigable portion of the Norwalk River (south of Wall Street), from the average rear setback of twenty-five (25) feet as long as a fifteen-foot minimum public accessway is maintained and the facilities are available for public use.
- (11) Historic structures listed on a local, state or national historic inventory, or properties developed for residential use, including mixed-use developments that do not exceed ten (10) units, are exempt from the recreation area requirement and/or the public realm requirement.
- (12) Properties developed for residential use, including mixed-use developments, greater than ten (10) units, but do not exceed forty (40) units, are, in whole or in part, exempt from the recreation area requirement and/or the public realm requirement provided that an in-lieu fee of such requirement(s) be paid to the downtown public spaces fund of the city and that such fees shall be utilized solely for the acquisition, design and improvement of public parks and open spaces within the Central Business Design District, in an amount determined by the following formula:

The total square footage required for public realm space times \$225 square foot (value of public benefit) times 2.5% (FTA circular 9400.1A)

- (13) Developments and entitlements, previously approved as part of a Design District Development Park or as a Commission approved project in an approved Redevelopment Plan, which were granted: 1) bonus amenities; 2) a reduction in the total number of parking spaces required, beyond any reductions otherwise permitted in the regulations, 3) contain spaces that do not conform to the minimal dimensional standards for parking stalls, and/or 4) exceed the Schedule Limiting Height and Bulk of Buildings, but were compliant with the Zoning Regulations at the time of approval, are hereby declared to be in compliance with the current Zoning Regulations. Modification to an existing development or entitlement, as outlined above, is permitted, provided the standard being modified complies with the current Zoning Regulation. Said modification shall not require full compliance with current Zoning Regulation standards other than the standard being modified and shall not trigger comprehensive review of the underlying development or entitlement.

E. Amenity incentive provisions.

- (1) Eligibility criteria. A project shall be eligible to receive a bonus of additional floor area and/or building height, subject to the Schedule Limiting Height & Bulk of Buildings for the CBD Zone, if space is provided within the project for the public amenities, improvements or facilities set forth herein subject to approval by the Commission and to the project's compliance with the provisions of this section, including the following criteria:
 - (a) The overall design of the project and the specific amenities proposed are appropriate to the site, consistent with the Norwalk Business District Design Guidelines and contribute to the improvement of the downtown pedestrian environment.
 - (b) The applicant records a covenant on the land records which ensures the continuous operation and maintenance of the amenity and that such covenant shall run with the land. The applicant, or the City of Norwalk, or other entity will be responsible for the continuous operation and maintenance of the amenity. The amenity, once designated, may only be changed with the approval of the Commission. [Amended effective 10-26-2007]

- (c) The project conforms to all other provisions of these regulations.
 - (d) The amenity must be clearly identified as a facility available for public use.
- (2) Amenity specifications. The following site amenities are hereby deemed to be mutually exclusive and cumulative:
- (a) Atrium: a continuous, open space enclosed within a structure which extends a minimum of two (2) stories in height without obstruction and admits substantial amounts of natural daylight from transparent overhead skylights and windows which comprise at least fifty percent (50%) of the enclosing ceiling and walls. The atrium must be within thirty (30) feet of a public right-of-way or plaza, be clearly designated as open to the public during business hours common to the area, provide a minimum of one (1) linear foot of seating space per thirty (30) square feet of atrium floor area and have minimum horizontal dimensions of twenty-five (25) feet. In addition, the atrium must be contiguous with retail store frontages along at least fifty percent (50%) of its perimeter.
 - (b) Child day-care center: a facility located within the project or on an adjacent Central Business Design District lot which provides child-care programs on an ongoing basis, has a maximum area of ten thousand (10,000) square feet and for which a minimum five-year lease agreement has been secured prior to the issuance of a certificate of occupancy for the project. The facility should be provided to the day-care operator at nominal rental rates to permit its services to be affordable to a wide range of working families.
 - (c) Fountain/water feature: a fountain, cascade, stream or other water display, which is a minimum of **five hundred (500) square feet**, located in an unenclosed, publicly accessible space and is maintained in operating condition throughout the year, except when weather conditions prohibit such operation. [Amended effective 6-14-2019]
 - (d) Green Infrastructure: green roofs, solar panels, rain gardens or other collection means, geothermal, pervious paving, LEED Silver construction or its equivalent, or other acceptable industry practices.
 - (e) Pedestrian plaza: a continuous open space no more than three (3) feet above or below the center-line elevation of the street and abutting a designated pedestrian right-of-way, which is open to the public at all times, provides a minimum of one (1) linear foot of seating space per thirty (30) square feet of plaza and has a minimum street frontage and horizontal width of twenty-five (25) feet and a maximum area of **five thousand (5,000) square feet**. At least twenty percent (20%) of the plaza area shall be landscaped with shrubbery and trees, and the remaining area shall be hard-surfaced pavements which conform to the streetscape standard. The applicant shall demonstrate that the plaza has adequate sun exposure and that it will be available for use by properly licensed street vendors. The Commission may exempt waterfront esplanades from street frontage requirements if adequate access from the street to the esplanade is provided. [Amended effective 6-14-2019]
 - (f) Public Art: works of art which are permanently on display and available for public viewing, interaction and enjoyment. The determination of whether a particular work of art is appropriate and eligible for an amenity bonus shall be at the discretion of the Zoning Commission and Redevelopment Agency in consultation with the Arts Commission.
 - (g) Public parking facilities: parking spaces provided in excess of those required for the approved project and dedicated for use by the general public for short-term (transient) parking. These spaces should be located on the level of a parking garage closest to the

street and/or primary entrance to the projects and should be clearly designated as available for public parking.

- (h) Sidewalk arcade: a continuous space covered by a permanent overhead roof which extends along the facade of a building twelve (12) feet above the average grade of an adjacent public right-of-way or plaza and, if enclosed, has a minimum of eight-foot wide entrances located no more than twenty-five (25) feet apart along the length of the arcade. The arcade must be contiguous with retail store frontages along at least seventy-five percent (75%) of its length.
 - (i) Through-block arcade: a continuous enclosed space which runs through a structure connecting a public street to another public street, parking garage or open space at the rear of the structure. The arcade must be open to the public during business hours common to the area, have a minimum width of fifteen (15) feet and be contiguous with retail store or restaurant frontage along at least fifty percent (50%) of its length. [Amended effective 6-26-2015]
- (3) Amenity schedule: A proposed site amenity which complies with the standards set forth above shall be eligible for bonus floor area as set forth in the following table:

Public Amenity	Bonus Floor Area*
Atrium	6:1
Day Care Center	6:1
Fountain/Water Feature	5:1
Green Infrastructure	2:1
Pedestrian Plaza	2:1
Public Art	10:1
Public Parking Facility	4:1
Sidewalk Arcade	2:1
Through-Block Arcade	8:1
Waterfront Public Access	2:1

*Bonus floor area is measured as a ratio indicating the square feet of permitted development (exceeding the as-of-right FAR) for each qualifying square foot of amenity. The amenity(s) must have a minimum value of \$225/square foot of bonus floor area times 2.5% (*FTA circular 9400.1A*).

§ 118-505. Marine Commercial Zone. [Added 4-29-1988; amended effective 1-27-1989]

A. Purpose and intent.

- (1) The purpose of this regulation is to protect Norwalk's highest concentration of marine industries by preserving and enhancing existing water-dependent land uses and encouraging development which is compatible with the area's role as an active commercial harbor. The retention of existing boatyards, marinas and recreational and commercial fishing enterprises is essential to ensure that existing navigational channels are maintained and to preserve Norwalk's role as a seaport community and a regional port facility. The proximity of active navigational channels providing access to Long Island Sound render the property within this district suitable for all types of water-dependent uses. Mixed use developments, such as complexes of offices, restaurants, shops, parks, promenades and residences, which contribute to the preservation and enhancement of these water-dependent uses and which comply with established waterfront design guidelines are allowed by Special Permit.

- (2) In addition, the regulation seeks to encourage strong linkages between the waterfront and the South Norwalk Business District. The provision of public access along the water's edge and the development of complimentary uses and activities on the waterfront will serve to integrate the area with the Washington Street Historic District, the Maritime Center and adjacent residential neighborhoods. Within East Norwalk, the regulation seeks to promote the unified development of Cove Marina, so called, in a manner compatible with the Marina, restaurant and other existing uses as well as the recreational uses on adjacent parkland. [Amended effective 7-24-1992]

B. General regulations.

- (1) All development within this zone shall be subject to coastal site plan review and all other requirements of § 118-1110 herein.

C. Uses and structures.

- (1) Principal uses and structures. In a Marine Commercial Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following water-dependent uses:
 - (a) Marinas, water-based recreational uses, docks and port facilities.
 - (b) Recreational and commercial fishing and boating facilities.
 - (c) Finfish and shellfish processing plants.
 - (d) Shipyards, boat building and sales and marine repair facilities.
 - (e) [EN45](#) Industrial, processing and storage facilities dependent on waterborne transportation for the supply of product.
 - (f) Waterfront clubs.
 - (g) Marine research labs and related facilities.
 - (h) Parks, open space, and public recreational facilities.
 - (i) Marine police, harbor master and other marine enforcement agencies.
 - (j) Other water-dependent uses which require direct access to or location in marine or tidal waters and which cannot reasonably be located inland.
- (2) Special Permit uses and structures. The following uses and structures shall be permitted by Special Permit in accordance with § 118-1450, Special Permits, provided that all Special Permit uses shall have suitable pedestrian access from an existing or proposed street, shall result in preservation and enhancement of water-dependent uses along the water's edge and shall have such shape, dimensions, character and location to accomplish the purpose and intent of Subsection A of this section:
 - (a) Multifamily dwellings, including elderly and congregate housing.
 - (b) Restaurants and taverns, excluding drive-in facilities.
 - (c) Offices, including medical offices. [Amended effective 9-25-2009]
 - (d) Hotels.
 - (e) Retail establishments and personal and business service establishments.
 - (f) Public utility supply or storage facilities.
 - (g) The expansion of an existing manufacturing use.

- (h) Terminals for freight or passengers arriving or departing by ship, including ferry boats, excursion boats and boat rental facilities. [Added effective 5-1-1998]
- (3) Accessory uses and structures which are incidental to and customarily associated with the principal water-dependent use of the premises shall be permitted, including the sale of marine equipment or products, sail lofts, boat shows and related exhibitions or events, boat storage racks, dockside facilities for dispensing fuel and restroom and laundry facilities to serve overnight patrons. Outdoor storage of trash receptacles shall not be permitted within front or rear yards. [Amended effective 7-24-1992]
 - (a) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
 - (b) Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Added effective 7-29-2011]
 - (c) Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]
 - (d) All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]
- (4) For purposes of this Article, the provision of public access to the waterfront shall not, by itself, convert an otherwise non-water-dependent use into a water-dependent use.
- (5) Uses which are not otherwise permitted in the Marine Commercial Zone shall not be permitted by variance in this district.

D. Lot and building requirements.

- (1) New developments and additions to structures on lots adjacent to the water shall provide public access along the waterfront which is a minimum of twenty-five (25) feet wide. Such public accessways shall be in the form of landscaped walks, esplanades, boardwalks or piers, of suitable design to encourage active use by the public, and shall be dedicated as such in the deed to the property. Access from the street to the water shall be provided, subject to Commission approval. Where access along the waterfront would, in the determination of the Commission, expose the public to hazardous conditions, the Commission may consider alternative forms of access to be provided. Reasonable time-of-day restrictions may be established regarding such public accessways where justified for reasons of security or public safety.
- (2) The rear yard may be waived or modified by the Commission where the proposed use preserves and enhances water-dependent uses or where a lesser setback would maximize public views of and access to the waterfront or where the reuse of existing buildings and structures is considered to be consistent with the purposes of the district.
- (3) The amount of building floor area and residential density permitted by these regulations shall be calculated on the area of parcel which is above the mean high water (MHW) line at the time that the application is filed.

- (4) Large single lot development. In order to permit phased development upon parcels ten (10) acres or larger in area, subparcels may be created within which the requirements of the Marine Commercial regulations shall apply, subject to the following requirements. Development may take place upon two (2) or more subparcels in the same phase. [Added effective 7-24-1992]
- (a) Subparcels shall be created according to an overall plan for the entire parcel, subject to approval by the Zoning Commission;
 - (b) Each subparcel shall have a minimum of one hundred (100) feet of direct frontage on the waterfront and shall maintain ninety percent (90%) of this width for the depth of the subparcel;
 - (c) Each subparcel shall have a minimum area of one (1) acre; and
 - (d) Public access along the waterfront within a subparcel shall be accessible from a street, subject to approval by the Zoning Commission.
- (5) The height, bulk, location and use of all buildings in existence at the time of adoption of this section are hereby declared to be in conformance with the requirements of this section, provided that if such buildings are destroyed by fire, explosion or act of God or act of public enemy to an extent exceeding fifty percent (50%) of their assessed value, they may be reconstructed only if the height, bulk, location and use of the building is substantially as it had previously existed, subject to approval by the Director of Planning and Zoning, except as modified where necessary to conform with the flood hazard zone and coastal area management provisions of these regulations. The owners of such property shall document by A-2 survey or other means, the height, bulk, location and use of the building as it had previously existed. [Added effective 7-24-1992]

E. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260, except that:

- (1) Twenty percent (20%) of the parking required for residential and recreational boating uses may be met by the parking provided for other nonresidential permitted uses. However, where it can be sufficiently demonstrated, to the satisfaction of the Commission, that another permitted use occurs predominantly during the weekday and daytime hours, for example offices, then up to fifty percent (50%) of the parking required for residential and recreational boating uses may be met by the parking provided for such other permitted uses. Under these circumstances, a use which occurs predominantly during the weekday and daytime hours shall not be changed to a use which does not occur predominantly during the weekday and daytime hours.
- (2) Parking facilities and driveways shall not be closer than thirty (30) feet from MHW, except where required for access by a water-dependent use. Unenclosed surface parking shall be no closer than fifty (50) feet from the front property line, and such unenclosed surface parking shall provide a landscaped buffer strip to ensure an appropriate transition between public access areas and parking facilities.

F. Sign regulations. See §§ 118-1290 through 118-1295.

§ 118-506. SoNo Station Design District. [Added effective 8-24-1990; amended effective 4-27-2018; 8-30-2019]

A. Purpose and intent. The SoNo Station Design District (SSDD) zoning seeks to enhance transit utilization by establishing a higher density mix of uses, which include but are not limited to residential, office, retail, personal and business services and public uses, in the area

immediately surrounding the South Norwalk Train Station. Increased development potential is allowed in the SSDD to (1) induce economic investment; (2) enhance pedestrian activity, including improved streetscape and transit access; (3) improve urban form and design; and (4) reduce vehicle miles traveled. [Amended effective 3-30-2012; 4-27-2018]

B. Uses and structures.

- (1) Principal uses and structures. In the SoNo Station Design District, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no other. All uses and structures shall be permitted subject to the provisions of § 118-1451, Site plan review. Properties located within the coastal zone boundary shall be subject to coastal site plan review and all other requirements of § 118-1110.
 - (a) Railroad station and commuter facilities, provided that commuter parking shall only be allowed in accordance with § 118-506, Subsection D(1).
 - (b) Multifamily dwellings, provided that:
 - a. when located on a collector or arterial street, the street level use must be a permitted use listed below, excluding parks, playgrounds and open space
 - b. such dwellings are subject to the Workforce Housing Regulation in Article 101, Section 118-1050.
 - (c) Retail stores and personal and business service establishments.
 - (d) Health clubs.
 - (e) Offices, including medical offices. [Amended effective 9-25-2009]
 - (f) Banks and financial institutions (excluding drive-in facilities).
 - (g) Restaurants and taverns (excluding drive-in facilities).
 - (h) Theaters and auditoriums.
 - (i) Child day-care centers.
 - (j) Parks, playgrounds and open space.
 - (k) Public recreation facilities.
 - (l) Commercial recreation establishments
 - (m) Colleges, universities and schools, including business and trade schools, and studios.
 - (n) Museums, libraries and meeting halls.
 - (o) Community centers, lodges and private clubs.
 - (p) Places of worship. [Added effective 7-24-2015]
 - (q) Hotels, including extended stay hotels.
 - (r) Boutique manufacturing, with or without an accessory retail use, provided that: subject to § 118-506, Subsection F.
 - i. All manufacturing activity, including the storage of all equipment, materials and products, shall occur inside the building; no outside storage of any kind is permitted.
 - ii. Only manufacturing processes that comply with City standards relating to noise, light, dust and odors are permitted.

iii. The manufacturing operations will not generate excessive traffic volumes or truck traffic in excess of that typically occurring in the adjacent district or neighborhood; all loading activity shall occur during daytime hours only.

- (s) Printing establishments.
- (t) Research and development facilities.
- (u) Artist workspace.
- (v) Artist live/workspace [Added effective 8-30-2019]
- (w) Brew Pub/Distillery [Added effective 11-15-2019]

(2) Special Permit uses and structures. (Amended effective 4-27-2018)

In order to encourage the preservation of structures contributing to positive aspects of community character, the Commission may, by Special Permit, allow a minimum area or dimensional requirement, (such as yard setback or parking requirement) or a maximum requirement, (such as maximum floor area) to be exceeded, provided:

- a. The subject structure(s) are listed on a local, state or national historic inventory;
- b. The extent of the requirement to be exceeded or reduced shall be clearly identified on the application presented to the Commission;
- c. Any Special Permit granted by the Commission shall only remain effective so long as the subject structure(s) is preserved and maintained as the principal structure on the property;
- d. Any deviation from the standards approved by the Commission shall be restricted to the minimum amount deemed necessary to encourage preservation of the historic structure(s); and
- e. The Commission and Redevelopment Agency determines that:
 - i. the structure(s) in question contributes to community character or possesses a degree of historic significance (which may be evidenced by its age, architectural uniqueness, or cultural value).
 - ii. if preserved, the structure would represent a cultural benefit to the community, and,
 - iii. the structure in question requires some measure of regulatory relief to allow for its preservation.

(3) Uses which are not permitted in Subsection B.(1) and (2) above shall not be permitted by variance in the SoNo Station Design District.

(4) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted.

- (a) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
- (b) Outdoor storage shall be prohibited. Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Added effective 7-29-2011]

- (c) Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]
 - (d) All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]
 - (e) Commercial communication antennas are permitted as an accessory use when located on an existing building or structure, subject to the applicable height limitation, except that antennas mounted on existing buildings which meet or exceed the height limitation now applicable may extend above the existing building height by no more than fifteen (15) feet. In addition, the color of the building shall be incorporated into the design of the antenna.
 - (f) Commuter parking, as required by the Connecticut Department of Transportation, shall be considered a use accessory only to the South Norwalk Railroad Station, and shall be limited to eight hundred thirty-five (835) spaces.
- (5) The height, bulk, location and use of all buildings in existence at the time of adoption of this section, which do not conform to this section and any subsequent revisions, are hereby declared to be legally nonconforming and are subject to §118-800, nonconformities, except as modified where necessary to conform to the Flood Hazard Zone and coastal area management provisions of these regulations. The owners of such property shall document by A-2 Survey or other means the height, bulk, location and use of the building as it had previously existed. [Added effective 4-27-2018]
- C. Lot and building requirements. All development and building changes in the SoNo Station Design District must comply with the Design Guidelines set forth in Sections 5.3 - 5.5 of the South Norwalk TOD Redevelopment Plan dated September 2016. In addition, all developments are subject to sustainability review by the Redevelopment Agency. See the Schedule Limiting Height and Bulk of Buildings, SoNo Station Design District, and all other applicable sections of these regulations, and in addition:
- (1) Cupolas, towers and spires, where not used for habitable space and where not exceeding one percent (1%) of the building area, shall be exempt from the height regulations herein, subject to the approval of the Commission.
 - (2) Open space shall include natural and landscaped areas, pedestrian plazas, courtyards, walkways, recreation areas and the like. Such open space shall be permitted on the roof of a structure.
 - (3) Where such Schedule refers to "Public Realm Uses", this means uses in the "public realm", as follows:

The public realm expresses traditional New England culture while serving a diverse, multicultural population. It is a fully accessible and engaging experience that includes diverse public parks and civic spaces; an interconnected system of public walkways, bicycle trails and public transit; a vibrant and active waterfront; and active mixed use areas that are all enhanced through high-quality architecture, streetscape design and public art. It is safe, comfortable and responds effectively to the regional climate and surrounding environment.
- D. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260, except that:

- (1) Commuter parking for the railroad station is allowed as a use accessory only to the South Norwalk Railroad Station, but subject to the limitation set forth in § 118-506, Subsection B.(4)(f).
- (2) Parking spaces shall be located in the rear and/or side yard. Parking proposed for the side yard shall be screened from the street by landscaping.
- (3) Notwithstanding the dimensional requirements in Article 120, § 118-1230, Subsections B and C, parking stall dimensions and minimum aisle width within the SoNo Station Design District shall be as follows: (Amended effective 9-24-1993; amended effective 4-27-2018)
 - (a) Parking stalls for full-size vehicles shall be eight (8) feet three (3) inches in width and seventeen (17) feet in length.
 - (b) Minimum aisle width for ninety-degree right-angle parking shall be twenty-six (26) feet.
 - (c) Not more than thirty-five percent (35%) of the parking required shall be for compact vehicles.
 - (d) The provisions of § 118-1230 C.(4), relating to approval of parking layouts by the Zoning Inspector, shall not apply.
 - (e) A minimum of five percent (5%) of the parking spaces required by such regulations shall include electric vehicle charging stations, some of which may be included within the compact vehicle spaces.

§ 118-510. Neighborhood Business Zone. [Amended effective 5-22-1958; 9-25-1981; 9-13-1985; 1-16-1987; 6-29-1990; 6-28-1991; 12-24-2010]

A. Purpose and intent. The purpose of this regulation is to provide a district which permits a diversity of uses which serve neighborhood retail and service needs at a scale appropriate to the residential areas which surround it. It is intended that this Zone will encourage mixed-use development in neighborhood commercial areas. Water-dependent uses are encouraged to locate on those lots which are adjacent to the waterfront. The provisions of this Zone are designed to ensure that all permitted uses and structures will be compatible with each other and will provide protection to adjacent residential areas.

B. Uses and structures.

- (1) Principal uses and structures. In a Neighborhood Business Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no other. Any use or structure having a gross floor area of five thousand (5,000) square feet or more or requiring fifteen (15) parking spaces or more shall be permitted subject to the provisions of § 118-1451, Site plan review. Properties located within the coastal zone boundary shall be subject to coastal site plan review and all other requirements of § 118-1110 herein.
 - (a) Single- and two-family dwellings.
 - (b) Multifamily dwellings containing fewer than twelve (12) units, including elderly and congregate housing.
 - (c) Retail stores and personal and business service establishments having a gross floor area of fewer than eight thousand (8,000) square feet.
 - (d) Offices having a gross floor area of fewer than eight thousand (8,000) square feet, including medical offices. [Amended effective 9-25-2009]

- (e) Banks and financial institutions.
- (f) Restaurants and taverns having a gross floor area of fewer than two thousand five hundred (2,500) square feet.
- (g) Places of worship, churches and church buildings.
- (h) Schools, including nursery schools and child day-care centers.
- (i) Marinas, including the sale, repair and servicing of boats, commercial fishing and boating facilities and waterfront clubs.
- (j) Parks, playgrounds and community centers.
- (k) Museums and libraries.
- (l) Off-street parking facilities.
- (m) Fire stations.
- (n) Boutique manufacturing shall be allowed as an accessory use to a permitted retail use, subject to compliance with the following requirements: [Added effective 12-24-2010]
 - (1) Such boutique manufacturing shall not exceed three thousand (3,000) square feet in area and shall be directly related to the principal permitted retail use; and
 - (2) All manufacturing activity, including the storage of all equipment, materials and products, shall occur inside the building; no outside storage of any kind is permitted; and
 - (3) Only manufacturing processes that are not offensive with regard to noise, light, dust and odors, and which have the same or lesser impact than the principal retail use are permitted; and
 - (4) The manufacturing activity shall occupy an area of no more than sixty percent (60%) of the gross floor area occupied by the associated retail establishment; and
 - (5) The manufacturing process is principally artisan or fabrication by hand, and shall not include mass production or assembly line operations; and
 - (6) The manufacturing operations will not generate excessive traffic volumes or truck traffic in excess of that typically occurring in the adjacent district or neighborhood; all loading activity shall occur during daytime hours only.
- (2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of § 118-1450, Special Permits, and shall comply with the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, EN and any additional standards set forth herein:
 - (a) Multifamily dwellings, containing twelve (12) or more units, including elderly and congregate housing.
 - (b) Retail stores and personal and business service establishments having a gross floor area of eight thousand (8,000) square feet or more.
 - (c) Offices having a gross floor area of eight thousand (8,000) square feet or more, including medical offices. [Amended effective 6-26-2009]

- (d) Restaurants and taverns having a gross floor area of two thousand five hundred (2,500) square feet or more.
 - (e) Commercial recreation establishments.
 - (f) Gasoline stations and the sale and service of motor vehicles, subject to § 118-1010.
 - (g) Public utility supply or storage facilities.
 - (h) Halfway houses with no fewer than two hundred (200) square feet of living area per person.
 - (i) Boarding and rooming houses and group homes.
 - (j) Convalescent and nursing homes.
 - (k) **Brew Pub/Distillery, provided that brew pubs/distillery do not emit noxious odors or cause undue traffic burdens on the neighborhood** [Added effective 11-15-2019]
- (3) Uses which are not otherwise permitted in Subsection B(1) and (2) above shall not be permitted by variance in the Neighborhood Business Zone.
- (4) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted subject to the following conditions:
- (a) Outdoor storage shall be confined to the rear and side yards only and shall be effectively screened from adjacent properties. Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Amended effective 7-29-2011]
 - (b) Accessory uses which are customarily associated with a principal water-dependent use shall also be permitted, including the sale of marine equipment or products, boat storage racks, dockside facilities for dispensing fuel and restroom and laundry facilities to serve overnight patrons.
 - (c) Commercial communication antennas are permitted as an accessory use when located on an existing building or structure, subject to the height limitation of that zone, except that antennas mounted on existing buildings which meet or exceed the height limitation of that zone may extend above the existing building height by no more than fifteen (15) feet. In addition, the color of the building shall be incorporated into the design of the antenna. [Added effective 4-25-1997]
 - (d) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
 - (e) Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]
 - (f) All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the

edge of the roof and fully screened with architecturally compatible screening.
[Amended effective 9-26-2014]

- C. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, [EN46](#) and all other applicable sections of these regulations, and in addition:
- (1) Public access to waterfront.
 - (a) New developments on lots adjacent to the water shall provide public access to the waterfront. Public accessways shall be an average of fifteen (15) feet in width and in the form of landscaped walks, boardwalks or piers designed to encourage active use by the public. Where access along the waterfront would in the determination of the Commission expose the public to hazardous conditions, the Commission may consider alternative forms of access to be provided. Reasonable time-of-day restrictions may be established regarding such public accessways where justified for reasons of security or public safety.
 - (b) Where the principal use of the property is a single- or two-family dwelling or a water-dependent use, the public access requirement shall not apply.
 - (2) The height, bulk, location and use of all buildings in existence at the time of adoption of this section are hereby declared to be in conformance with the requirements of this section, provided that if such buildings are destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of their assessed value, they may be reconstructed only if the height, bulk, location and use of the building is substantially as it had previously existed, subject to approval by the Director of Planning and Zoning, except as modified where necessary to conform to the Flood Hazard Zone and coastal area management provisions of these regulations. The owners of such property shall document by A-2 Survey or other means the height, bulk, location and use of the building as it had previously existed.
 - (3) Single- and two-family dwellings shall comply with the Schedule Limiting Height and Bulk of Buildings, Residential: D Residence. [EN47](#)
 - (4) A minimum building height shall apply only to uses enumerated in subsections B(1) and B (2) a-e.; except that ancillary portions of buildings less than the required height shall be permitted, provided that such portions do not exceed five percent (5%) of the gross floor area. [Added effective 3-27-2009]
 - (5) Neighborhood-Business-zoned properties located in an urban renewal area shall comply with the following additional standards:
 - (a) Retail, personal and business service establishments or restaurant uses shall be required on the ground floor.
 - (b) The minimum building height shall be two (2) stories and twenty-five (25) feet.
 - (c) Front yard setbacks shall not be required.
- D. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260, except that:
- (1) Parking facilities and driveways shall not be closer than twenty (20) feet to a property line which abuts a residence zone.
- E. Sign regulations. See §§ 118-1290 through 118-1295.

§ 118-520. South Norwalk Business District [Amended effective 9-10-1981; 9-25-1981; 9-13-1985; 1-16-1987; 10-1-1987; 6-28-1991; 4-24-1992; 2-26-1999]

- A. Purpose and intent. The purpose of this regulation is to permit retail stores, service shops, offices, multifamily dwellings, mixed-use development and other compatible uses at a scale consistent with the urban location of this district. The area within this district is intended to have infrastructure of sufficient capacity either prior to or coincident with permitted development.
- B. Uses and structures.
- (1) Principal uses and structures. In the South Norwalk Business District, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no other. Any use or structure having a gross floor area of twenty thousand (20,000) square feet or more or requiring twenty (20) parking spaces or more shall be permitted, subject to the provisions of § 118-1110, Coastal site plan review.
- (a) All uses, including special permit uses, permitted in the D Residence Zone. [Amended effective 7-24-2015]
 - (b) Offices, including medical offices. [Amended effective 9-25-2009]
 - (c) Banks and financial institutions.
 - (d) Hotels and motels.
 - (e) Retail stores and personal and business service establishments.
 - (f) Restaurants and taverns.
 - (g) Theaters and auditoriums.
 - (h) Lodge, meeting and concert halls, including social clubs.
 - (i) Schools, including business and trade schools, and studios.
 - (j) Mixed-use development, subject to § 118-750.
 - (k) Research and development facilities.
 - (l) Museums and libraries.
 - (m) Off-street parking facilities.
 - (n) **Brew Pub/Distillery** [Added effective 11-15-2019]
- (2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with § 118-1450, Special Permits, and shall comply with the Schedule Limiting Height and Bulk of Buildings -- Commercial and Industrial, and any additional standards set forth herein:
- (a) Commercial recreation establishments.
 - (b) Off-street parking structures and garages.
 - (c) Boutique manufacturing shall be allowed as an accessory use to a permitted retail use, subject to compliance with the following requirements: [Added effective 10-28-2005]
 - (1) Such boutique manufacturing shall not exceed three thousand (3,000) square feet in area and shall be directly related to the principal permitted retail use; and

- (2) All manufacturing activity, including the storage of all equipment, materials and products, shall occur inside the building; no outside storage of any kind is permitted; and
 - (3) Only manufacturing processes that are not offensive with regard to noise, light, dust and odors, and which have the same or lesser impact than the principal retail use are permitted; and
 - (4) The manufacturing activity shall occupy an area of no more than sixty percent (60%) of the gross floor area occupied by the associated retail establishment; and
 - (5) The manufacturing process is principally artisan or fabrication by hand, and shall not include mass production or assembly line operations; and
 - (6) The manufacturing operations will not generate excessive traffic volumes or truck traffic in excess of that typically occurring in the adjacent district or neighborhood; all loading activity shall occur during daytime hours only.
- (d) Electric power generator, as defined herein, subject to Section 118-830(B).
[Added effective 1-26-2007]
- (3) Uses which are not otherwise permitted in Subsection B(1) and (2) above shall not be permitted by variance in the South Norwalk Business District.
- (4) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal uses of the premises shall be permitted subject to the following restrictions:
- (a) Outdoor storage shall be prohibited. Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Amended effective 7-29-2011]
 - (b) Commercial communication antennas are permitted as an accessory use when located on an existing building or structure, subject to the height limitation of that zone, except that antennas mounted on existing buildings which meet or exceed the height limitation of that zone may extend above the existing building height by no more than fifteen (15) feet. In addition, the color of the building shall be incorporated into the design of the antenna.
 - (c) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I).
[Added effective 9-24-2010]
 - (d) Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added effective 9-30-2011]
 - (e) All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]

C. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings -- Commercial and Industrial and all other applicable sections of these regulations and, in addition:

- (1) Multifamily dwellings shall require one thousand six hundred fifty (1,650) square feet of lot area per dwelling unit. However, multifamily developments of 19 units or less that provide a minimum of ten percent (10%) of the total number of on-site units as affordable in accordance with Section 118-1050 Workforce Housing Regulations, shall require seven hundred and eighty-five (785) square feet of lot area per dwelling unit and shall be permitted by special permit. [Amended effective 10-29-2010]
- (2) Open space shall include natural and landscaped areas, pedestrian plazas, courtyards, walkways, recreation areas and the like. Open space on the roof of a structure shall be permitted, provided that the open space requirement extends neither more than ten (10) feet nor more than one (1) story above the center-line elevation of the street.
- (3) All development within this zone shall comply with the architectural design and streetscape standards defined in the Norwalk Business District Design Guidelines.
- (4) A minimum building height shall apply only to uses enumerated in subsection B (1) and B(2) a. and c; except that ancillary portions of buildings less than the required height shall be permitted, provided that such portions do not exceed five percent (5%) of the gross floor area. [Added effective 3-27-2009]

D. Off-street parking and loading requirements. See §§ 118-1220 through 118-1280 and, in addition:

- (1) Off-street parking structures, the roofs of which are more than three (3) feet above the center-line elevation of the street, shall be set back a minimum of fifty (50) feet from any property line. Off-street parking and loading facilities shall be effectively screened from adjacent streets and properties and landscaped with trees and shrubs.
- (2) Off-street parking facilities, structures and driveways shall not be closer than twenty (20) feet to a property line which abuts a residence zone.
- (3) A restaurant in existence as of July 1, 2005 and located within six hundred feet of a municipal parking lot shall not be required to provide additional parking for interior expansions within the existing gross restaurant floor area of one thousand (1,000) square feet or less. This provision shall apply to restaurant uses only and shall not apply to floor space devoted to mixed uses. [Added effective 1-27-2006]
- (4) Properties developed for multifamily residential use may submit a written request to utilize the transit oriented development (TOD) parking requirements shown in Section 118-700 D.(2) to allow one (1) parking space per studio dwelling unit, one (1) parking space per one (1) bedroom dwelling unit and two (2) parking spaces per two (2) bedroom or larger dwelling unit provided that the amount of parking spaces provided shall in no event be less than an average of 1.30 parking spaces per dwelling unit; subject to the submittal of a Parking Management Plan and to Commission review and approval. [Added effective 10-24-2014]

E. Sign regulations. See §§ 118-1290 through 118-1295.

§ 118-521. Business No. 1 Zone. [Added effective 1-16-1987]

A. Purpose and intent. The purpose of this regulation is to permit a diversity of uses, including offices, retail services, manufacturing and multifamily dwellings, at a scale appropriate to the

commercial, employment and housing needs of this city. The area within this zone is intended to have infrastructure of sufficient capacity either prior to or coincident with permitted development. The provisions of this zone are designed to ensure that all permitted uses and structures will be compatible with each other and will provide protection to adjacent residential areas.

B. Uses and structures.

(1) Principal uses and structures. In a Business No. 1 Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no other. Any use or structure having a gross floor area of ten thousand (10,000) square feet or more or requiring twenty-five (25) parking spaces or more shall be permitted subject to the provisions of § 118-1451, Site plan review.

(a) All uses, including special permit uses, permitted in the D Residence Zone. [Amended effective 7-24-2015]

(b) Offices, including medical offices and contractor's offices. [Amended effective 9-25-2009; 3-29-2013]

(c) Banks and financial institutions.

(d) Hotels and motels.

(e) Retail stores and personal and business service shops having a gross floor area of less than twenty-five thousand (25,000) square feet. [Amended effective 8-28-1998]

(f) Restaurants and taverns.

(g) Theaters and auditoriums.

(h) Lodge, meeting and concert halls, including social clubs.

(i) Schools, including business and trade schools, and studios.

(j) Mixed-use development, subject to § 118-750.

(k) Research and development facilities.

(l) Manufacture, processing or assembly of goods which are not noxious or offensive due to emission of noise, pollutants or waste.

(m) Museums.

(n) Off-street parking facilities.

(o) Indoor contractor parking facility, subject to submittal of environmental impact statement certified by a licensed civil or environmental engineer. [Added effective 12-19-2014]

(p) **Brew Pub/Distillery** [Added effective 11-15-2019]

(2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and any additional standards set forth herein:

(a) Warehouse, storage and wholesale distribution facilities, including package distribution facilities. **In a Business No. 1 Zone, such storage facilities shall be**

located only on parcels containing a minimum of two acres in size.

[Amended effective 9-27-1996; 4-29-2016; 7-26-2019]

(b) Gasoline stations and the sale and service of motor vehicles, subject to § 118-1010.

(c) Contractor's storage yards. [Amended effective 3-29-2013]

(d) Transportation terminals.

(e) Halfway houses, with no less than two hundred (200) square feet of living area per person. [Added effective 6-29-1990]

(f) Commercial recreation establishment. [Added effective 12-7-1990]

(g) Retail stores and personal and business service shops having a gross floor area of twenty-five thousand (25,000) square feet or more. [Added effective 8-28-1998]

(h) Helicopter landing sites, as an accessory use to a principal permitted use, subject to special permit review and to the following restrictions: the landing site shall be a minimum of 300 feet from a residence zone and flight operations shall be restricted to the hours of 7:00 am to 7:00 pm only. [Added effective 9-28-2001]

(i) Electric power generator, as defined herein, subject to Section 118-830(B). [Added effective 1-26-2007]

(j) Medical marijuana dispensary (Added effective 10-30-2017)

(3) Uses which are not otherwise permitted in Subsection B(1) and (2) above shall not be permitted by variance in the Business No. 1 Zone.

(4) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted, subject to the following restrictions:

(a) Outdoor storage shall be confined to the rear and side yards only and shall be effectively screened from adjacent properties. Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Amended effective 7-29-2011]

(b) Commercial communication antennas are permitted as an accessory use when located on an existing building or structure, subject to the height limitation of that zone, except that antennas mounted on existing buildings which meet or exceed the height limitation of that zone may extend above the existing building height by no more than 15 feet. In addition, the color of the building shall be incorporated into the design of the antenna. [Added effective 12-20-1996]

(c) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]

(d) Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and

doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]

- (e) All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]

C. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and all other applicable sections of these regulations, and in addition:

- (1) Multifamily dwellings shall require one thousand six hundred fifty (1,650) square feet of lot area per dwelling unit. [Amended effective 12-30-1988]
- (2) A minimum building height shall apply only to uses enumerated in subsection B(1) a. - j. and B(2) f. and g.; except that firehouses shall be exempt from minimum building height requirements and buildings with a retail floor area of eighty thousand (80,000) square feet or more located on a property that is no more than eight-tenths (.8) of a mile from an interstate highway exit or entrance ramp shall be exempt from minimum building height requirements. Ancillary portions of buildings less than the required height shall be permitted, provided that such portions do not exceed five percent (5%) of the gross floor area. [Added effective 3-27-2009; amended effective July 27, 2012] [EN48](#)
- (3) Open space shall include natural and landscaped areas, pedestrian plazas, courtyards, walkways, recreation areas and the like. Open space on the roof of a structure shall be permitted, provided that the minimum open space requirement extends neither more than ten (10) feet nor more than one (1) story above the center-line elevation of the street.
- (4) Environmental impact statement for indoor contractor parking facilities. No use shall be allowed that is noxious or offensive by reason of the emission of smoke, particulate matter, noise, dust, glare, fumes, odor, ionizing radiation, vibration, heat or any other pollutant or waste. A written assessment of the environmental impacts of the proposed uses shall accompany all applications for indoor contractor parking facilities and such statement shall be certified by a licensed civil or environmental engineer. [Added effective 12-19-2014]
- (5) The Floor Area Ratio (FAR) for a storage facility shall be increased to 1.5 when the facility is located on a parcel greater than two (2) acres in size and that abuts a limited access highway.
 - (a) When the storage facility is part of a mixed use development, the increased FAR shall apply only to the storage facility component and shall be determined by calculating the FAR for all onsite use(s), then applying a fifty percent (50%) increase to the square footage allocated to the storage use only. [Added effective 4-24-2015]

D. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260 and, in addition:

- (1) The principal use and structure of the property shall be located between the front yard and the street wall of a parking structure which is more than three (3) feet above the center-line elevation of the street, for a minimum of fifty percent (50%) of the length of the parking structure. This provision shall not be applicable to parking structures within a development park which parking structures are located more than one hundred ten

(110) feet from the center-line of the street (subject to § 118-1000B) and separated from the street by a wetland or watercourse. Any portion of a parking structure which is more than three (3) feet above the center-line elevation of the street and which extends to the front yard shall be effectively screened. [Amended effective 5-27-1994; 11-24-1995; 12-20-1996]

(2) Parking facilities and driveways shall not be closer than twenty (20) feet to a property line which abuts a residence zone.

E. Sign regulations. See §§ 118-1290 through 118-1295.

F. The Business No. 1 Zone shall not apply to buildings for which a zoning permit has been issued or Commission approval granted prior to November 1, 1991. Such buildings may be completed in accordance with plans filed with the Zoning Inspector or Commission prior to such date. [Amended effective 12-27-1991]

§ 118-522. Business No. 2 Zone. [Added effective 1-16-1987]

A. Purpose and intent. The purpose of this regulation is to permit retail stores, service shops, mixed-use development, artist workspace and other compatible uses at a scale appropriate to the commercial, employment and housing needs of this city. The area within this zone is intended to have infrastructure of sufficient capacity either prior to or coincident with permitted development. The provisions of this zone are designed to ensure that all permitted uses and structures will be compatible with each other and will provide protection to adjacent residential areas.

B. Uses and structures.

(1) Principal uses and structures. In a Business No. 2 Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no other. Any use or structure having a gross floor area of eight thousand (8,000) square feet or more or requiring twenty (20) parking spaces or more shall be permitted subject to the provisions of § 118-1451, Site plan review.

(a) All uses, including special permit uses, permitted in the D Residence Zone. [Amended effective 7-24-2015]

(b) Offices, including medical offices and contractor's offices. [Amended effective 1-26-2001; 9-25-2009]

(c) Banks and financial institutions.

(d) Hotels and motels.

(e) Retail stores and personal and business service shops having a gross floor area of less than twenty-five thousand (25,000) square feet. [Amended eff 8-28-1998]

(f) Restaurants and taverns.

(g) Theaters and auditoriums.

(h) Lodge, meeting and concert halls, including social clubs.

(i) Schools, including business and trade schools, and studios.

(j) Mixed-use development, subject to § 118-750.

(k) Research and development facilities.

(l) Museums.

- (m) Off-street parking facilities.
 - (n) The expansion of an existing manufacturing use, provided that the use has not been discontinued or abandoned for a continuous period of one (1) year or more, in which case a Special Permit shall be required. [Added effective 12-27-1991]
 - (o) Child day-care centers [Added effective 12-23-2011]
 - (p) Indoor contractor parking facility, subject to submittal of environmental impact statement certified by a licensed civil or environmental engineer. [Added effective 12-19-2014]
 - (q) **Brew Pub/Distillery** [Added effective 11-15-2019]
- (2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and any additional standards set forth herein:
- (a) New manufacturing facilities, limited to the processing or assembly of goods which are not noxious due to emission of noise, pollutants or waste. [Amended effective 12-27-1991]
 - (b) Warehouse, **storage**, and wholesale distribution facilities, including package distribution facilities, **provided that any storage facility is located on a parcel a minimum of seven (7) acres in size and that such facility is located more than two hundred and fifty (250) feet from the centerline of Westport Avenue, Connecticut Avenue, Main Avenue or Main Street and further provided that any storage facility utilize the lesser of 125,000 square feet or 33% of the FAR for the entire site and further provided that a minimum of twenty percent (20%) of the site be placed in a conservation easement.** [Amended effective 4-29-2016; 7-26-2019]
 - (c) Gasoline stations and the sale and service of motor vehicles, subject to § 118-1010.
 - (d) Halfway houses, with no less than two hundred (200) square feet of living area per person. [Added effective 6-29-1990]
 - (e) Commercial recreation establishment. [Added effective 12-7-1990]
 - (f) The expansion of an existing contractor's storage yard, provided that the use has not been discontinued or abandoned for a continuous period of one (1) year or more. [Added effective 11-24-1995; amended effective 3-29-2013]
 - (g) Animal care centers, provided that the use is fully enclosed within a structure located on a lot a minimum of two (2) acres in size, that the structure is located a minimum of two hundred (200) feet from a residential structure as certified by a licensed surveyor and that adequate provisions are made to control noise and odors emanating from the facility, subject to approval by the Zoning Commission. [Added effective 3-29-1996]
 - (h) Extended stay hotels, subject to a minimum lot size of four (4) acres or more in size. [Added effective 8-29-1997]
 - (i) Retail stores and personal and business service shops having a gross floor area of twenty-five thousand (25,000) square feet or more. [Added effective 8-28-1998]

- (j) Helicopter landing sites, as an accessory use to a principal permitted use, subject to special permit review and to the following restrictions: the landing site shall be a minimum of 300 feet from a residence zone and flight operations shall be restricted to the hours of 7:00 am to 7:00 pm only. [Added eff. 9-28-2001]
 - (k) Electric power generator, as defined herein, subject to Section 118-830(B). [Added effective 1-26-2007]
 - (l) Artist workspace, up to a maximum of twenty (20%) percent of the existing gross floor area. [Added effective 3-1-2013]
 - (m) Contractor's storage yard located on a parcel a minimum of two (2) acres in size that abuts a limited access highway and that the site does not abut an existing multifamily development in the Business No. 2 Zone. [Added effective 2-26-2016]
- (3) Uses which are not otherwise permitted in Subsection B(1) and (2) above shall not be permitted by variance in the Business No. 2 Zone.
- (4) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted subject to the following restrictions:
- (a) Outdoor storage shall be confined to the rear and side yards only and shall be effectively screened from adjacent properties. Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Amended effective 7-29-2011]
 - (b) Commercial communication antennas are permitted as an accessory use when located on an existing building or structure, subject to the height limitation of that zone, except that antennas mounted on existing buildings which meet or exceed the height limitation of that zone, may extend above the existing building height by no more than 15 feet. In addition, the color of the building shall be incorporated into the design of the antenna. [Added effective 12-20-1996]
 - (c) Ingress or egress awning or canopy for hospitals, nursing homes, congregational housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
 - (d) Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]
 - (e) All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]
- C. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and all other applicable sections of these regulations, and in addition:
- (1) Multifamily dwellings shall require one thousand six hundred fifty (1,650) square feet of lot area per dwelling unit. [Amended effective 12-30-1988]

- (2) A minimum building height shall apply only to uses enumerated in subsection B(1) a. - j. and B(2) e., g. - i.; except that firehouses shall be exempt from minimum building height requirements and buildings with a retail floor area of eighty thousand (80,000) square feet or more located on a property that is no more than eight-tenths (.8) of a mile from an interstate highway exit or entrance ramp shall be exempt from minimum building height requirements. Ancillary portions of buildings less than the required height shall be permitted, provided that such portions do not exceed five percent (5%) of the gross floor area. On parcels five (5) acres or larger in size, a maximum building height of four (4) stories and fifty (50) feet shall be permitted. [Added effective 12-27-1991; amended effective 3-27-2009, effective 7-27-2012] [EN49](#)
- (3) Except where the abutting property is within a limited access highway or railroad right-of-way, any portion of a building within fifty (50) feet of an abutting residence zone shall not exceed three (3) stories and thirty-five feet in height. [Added effective 12-27-1991 [EN50](#); amended 8-30-2002]
- (4) Open space shall include natural and landscaped areas, pedestrian plazas, courtyards, walkways, recreation areas and the like. Open space on the roof of a structure shall be permitted, provided that the minimum open space requirement extends neither more than ten (10) feet nor more than and one (1) story above the center-line elevation of the street.
- (5) Environmental impact statement for indoor contractor parking facilities. No use shall be allowed that is noxious or offensive by reason of the emission of smoke, particulate matter, noise, dust, glare, fumes, odor, ionizing radiation, vibration, heat or any other pollutant or waste. A written assessment of the environmental impacts of the proposed uses shall accompany all applications for indoor contractor parking facilities and such statement shall be certified by a licensed civil or environmental engineer. [Added effective 12-19-2014]

D. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260, and in addition:

- (1) The principal use and structure of the property shall be located between the front yard and the street wall of a parking structure which is more than three (3) feet above the center-line elevation of the street, for a minimum of fifty percent (50%) of the length of the parking structure. This provision shall not be applicable to parking structures within a development park which parking structures are located more than one hundred and ten (110) feet from the center-line of the street (subject to § 118-1000B) and separated from the street by a wetland or watercourse. Any portion of a parking structure which is more than three (3) feet above the center-line elevation of the street and which extends to the front yard shall be effectively screened, except that any parking structures in existence at the time of adoption of this subsection are hereby declared to be in conformance with the requirements of this subsection, provided that if such structures are destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of their assessed value, they may be reconstructed only if the height, bulk, location and use of the structure is substantially as it had previously existed, subject to approval by the Director of Planning and Zoning, except as modified to conform to the Flood Hazard Zone of these regulations. [Amended effective 5-27-1994; 11-24-1995; effective 12-20-1996]
- (2) Parking facilities and driveways shall not be closer than twenty (20) feet to a property line which abuts a residence zone.

- E. Sign regulations. See §§ 118-1290 through 118-1295.
- F. The Business No. 2 Zone shall not apply to buildings for which a zoning permit has been issued or Commission approval granted prior to November 1, 1991. Such buildings may be completed in accordance with plans filed with the Zoning Inspector or Commission prior to such date.
[Amended effective 12-27-1991]

§ 118-530. Rowayton Avenue Village District. [Added effective 12-19-1969; amended effective 9-25-1981; 9-13-1985; 1-16-1987; 9-11-1987; 6-27-2003; 4-29-2005; 7-25-2008]

- A. Purpose and intent. The purpose of this zone is to protect and enhance the unique character of neighborhood commercial areas which are located adjacent to the waterfront and to ensure that the unique character of this district is maintained for future generations in accordance with Connecticut General Statutes Section 8-2j Village districts. It is intended that this zone will encourage water-dependent uses while at the same time permitting commercial and other uses which fulfill a neighborhood need. It is further intended that all uses and structures be compatible with one another and with the established character of the Rowayton Avenue Village District. Development shall be in a manner consistent with the goals and policies of the Coastal Management Act, [EN51](#) and public access to and along the waterfront, including visual access, shall be retained or provided.
- B. Uses and structures. This district is located entirely within the coastal boundary and, as such, all uses and structures, unless exempt, shall comply with the coastal site plan review requirements in Article 111, § 118-1110, herein. All uses and structures located on parcels abutting navigable waters shall retain existing water-dependent uses, to the maximum extent practicable; new water-dependent uses are strongly encouraged.
 - (1) Principal uses and structures. In the Rowayton Avenue Village District, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no others:
 - (a) Single- and two-family dwellings.
 - (b) Multifamily dwellings.
 - (c) Retail stores and personal and business service establishments.
 - (d) Offices, including medical offices. [Amended effective 9-25-2009]
 - (e) Banks and financial institutions, excluding drive-in facilities.
 - (f) Restaurants, excluding drive-in facilities, and taverns.
 - (g) Marinas including the sale, repair and servicing of boats, a sail loft, ship chandlery, rental of boats and marine equipment and boat storage.
 - (h) Commercial fishing and boating facilities.
 - (i) Parks and playgrounds and community centers.
 - (j) Municipal public parking.
 - (2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and any additional standards set forth herein:
 - (a) Public utility supply or storage facilities.

(b) Fire stations.

(c) Waterfront clubs.

(3) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted.

(a) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]

(b) Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Amended effective 7-29-2011]

(c) Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]

(d) All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]

(4) Uses which are not permitted in Subsection B(1) and (2) above shall not be permitted by variance in the Rowayton Avenue Village District.

C. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and all other applicable sections of these regulations and in addition:

(1) The height, bulk, location and use of all buildings in existence at the time of adoption of this section are hereby declared to be in conformance with the requirements of this section, provided that if such buildings are destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of their assessed value, they may be reconstructed only if the height, bulk, location and use of the building is exactly as it had previously existed, except as modified where necessary to conform with the flood hazard zone and coastal area management provisions of these regulations. The owners of such properties shall document, by an A-2 Survey or other means, the height, bulk, location and use of the building as it had previously existed.

(2) Village District Review Standards

(a) The Commission shall hire a Village District Consultant, who shall be an architect, landscape architect or certified planner, with pertinent experience, to review the design of new construction and substantial rehabilitation of all properties within the district. The report of such consultant shall be entered into the public hearing record and considered by the Commission in making its decision.

(b) Criteria: New construction and substantial rehabilitation to existing structures, including those listed on the Norwalk Historic Resources Inventory, shall be harmoniously related to their surroundings and shall be consistent with the Connecticut Historical Commission - Secretary of the Interior's Standards for Rehabilitation, as applicable. All such development shall be consistent with the criteria defined in the Connecticut General Statutes section 8-2j Village Districts, including but not limited to the following criteria, subject to final review and approval by the Commission:

- (1) Building Design, Scale & compatibility: The color, size, height, location, proportion of openings, roof treatments, building materials, and any proposed signs and lighting shall be consistent with the local architectural motif and with the unique elements of the district, including maintenance of historic buildings, monuments and landscaping. The removal or disruption of historic or significant structures or architectural elements shall be minimized.
- (2) Streetscape Standards & Landscaping: All spaces, structures and related site improvements visible from public roadways shall be designed to be consistent with the elements of the district in and around the proposed modification. [Added effective 6-27-2003]
- (3) Single- and two-family dwellings shall comply with the Schedule Limiting Height and Bulk of Buildings, Residential.
- (4) Multifamily dwellings shall not exceed a density of one (1) unit per one thousand six hundred fifty (1,650) square feet of lot area and shall comply with the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial.
- (5) Properties located on the waterfront shall provide public access adjacent to the water, which shall be a minimum of fifteen (15) feet in width, and Access from the street to the water, subject to Commission approval. Such public accessways shall be in the form of landscaped walks, esplanades, boardwalks or piers, of suitable design to encourage active use by the public, and shall be dedicated as such in the deed to the property. Reasonable time of day restrictions may be established regarding such accessways, where justified for reasons of security or public safety. Where the principal use of the property is a single or two-family dwelling, the public access requirement shall not apply. An infringement on the fifteen (15) foot wide access may be granted where the Commission finds that: 1) the integrity of the access is maintained; 2) a fee in the amount of one hundred and fifty dollars (\$150) for each square foot of encroachment is paid to be utilized for designated public recreational facilities in the district; and 3) where an improved five (5) foot wide walkway from the street to the waterfront is provided; subject to approval by the Commission. [Added effective 6-27-2003; amended effective 7-25-2008]
- (6) Historically significant buildings constructed on or before 1900, said year to be determined by the records of the Office of the Tax Assessor of the City of Norwalk, are hereby declared to be in compliance with the height and bulk requirements of this section. Modifications and additions to such buildings shall conform to and be compliant with the height and bulk requirements of this section and the Village District Review Standards. However, the Zoning Commission may, upon written request, waive up to thirty (30%) percent of the height and bulk requirements for modifications and additions to such buildings, where it is determined that such

waiver(s) would assist in the preservation and reuse of historic structures, and compliance with the Village District Design Guidelines. [Added effective 4-29-2005]

- (7) Multifamily residential buildings on waterfront lots shall be permitted to increase the allowable floor area ratio (FAR) by ten percent (10%) provided that all of the required parking is concealed within the building, a minimum of fifteen percent (15%) of the total site area is dedicated to public waterfront access and a twenty five (25) foot wide unobstructed public view corridor from the street to the water is provided; subject to approval by the Commission.[Added effective 7-25-2008]
- (8) For structures located in a flood zone, an additional story of a multifamily building devoted entirely to parking shall be permitted and shall not constitute a full story where the ceiling is more than three (3) feet above the average elevation of the finished grade of the street facade, provided that the building does not exceed thirty five (35) feet in height. [Added effective 7-25-2008]

D. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260.

E. Signs. See §§ 118-1290 through 118-1295.

§ 118-531. Silvermine Tavern Village District. [Added eff. 6-27-2008, amended eff. 2-28-2014]

- A. Purpose and intent. It is the purpose of this zone to ensure that the unique character of this district is maintained for future generations in accordance with Connecticut General Statutes Section 8-2j Village Districts and to provide for the existing uses and structures to be maintained, including inns, restaurants, country stores and other compatible uses which will meet existing and future needs within the district; including cluster housing and related accessory uses which complement the village district character of the site. The provisions of this zone are intended to preserve and enhance the character of the Silvermine Tavern Village District by encouraging the preservation of existing buildings of unique historical and architectural value and assuring that any new structures and uses will be in keeping with the established character of the area. The district is also intended to preserve public access to and along the waterfront including visual access, which shall be retained or provided as part of all new development. [Amended effective 2-28-2014]
- B. Uses and structures.
 - (1) Principal uses and structures. Premises and buildings shall be used only as defined in Subsection B(2), except that the zoning district in existence prior to the amendment of the Zoning Map establishing this zone, the use of premises and buildings shall be permitted in accordance with the requirements of such prior district.
 - (2) Village District uses and structures. In the Silvermine Tavern Village District, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no others. The following uses shall be permitted by Special Permit in a Silvermine Tavern Village District in accordance with the provisions of Article 140, Section 118-1450 Special Permit, and shall comply with the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and with any additional Village District standards set forth herein:

- a) Retail stores in an existing structure a minimum of 80 years old and up to three (3) multifamily dwelling units or four (4) inn rooms (store built 1920) [Amended effective 2-28-2014]
 - b) Hotels and inns in an existing structure a minimum of 100 years old with additions up to 50 yrs old (inn built 1790 & mill in 1800)
 - c) Restaurants in an existing structure a minimum of 100 years old and a minimum of ten thousand (10,000) square feet, except that no drive-in or take-out restaurants shall be permitted.
 - d) Off street parking providing parking for one of above uses.
 - e) Clustered single family dwellings, a maximum of four (4) new dwellings and one (1) dwelling unit in an existing structure with a separate guest house, on a minimum of three (3.0) acres. New clustered dwellings shall not exceed a maximum of four thousand four hundred (4,400) square feet of gross floor area per unit including a minimum of one thousand one hundred and fifty (1,150) square feet of basement floor area, and shall not exceed one and one half (1 1/2) stories and a maximum height of thirty (30) feet to the peak of a pitched roof. [Added effective 2-28-2014]
- (3) Uses which are not otherwise permitted in Subsection B(1) and (2) above shall not be permitted by variance in the Silvermine Tavern Village District.
- (4) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted and subject to the following restrictions:
- a) Guest rooms, meeting rooms, and accessory office uses shall be permitted within a structure located on a separate lot as accessory to a principal use except that no outdoor music shall be permitted. Meeting rooms shall be limited to the first floor.
 - b) Artist studios and spas shall be permitted as an accessory use within the district.
 - c) Farmers markets shall be permitted within the district on a seasonal basis.
 - d) Parking shall be permitted within an existing barn a minimum of 60 years old.
 - e) Fences and landscape shall be located to so as not to obstruct views of the river from the street or public right of way.
 - f) Common accessory uses and structures associated with residential dwellings, including sheds, decks and the like, shall be permitted as accessory to a single family residence subject to accessory structure setback requirements of the underlying residence zone. [Added effective 2-28-2014]
 - g) All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]

C. Village District Review Standards: All uses and structures located in the Silvermine Tavern Village District shall be subject to design review in accordance with the following standards:

- (1) The Commission shall hire a Village District Consultant, who shall be an architect, landscape architect or certified planner, with pertinent experience, which may include historic preservation, to review the design of new construction and substantial rehabilitation of all properties within the district. The report of such consultant shall be entered into the public hearing record and considered by the Commission in making its decision.
- (2) Criteria: New construction and substantial rehabilitation of existing structures, including those listed on the Norwalk Historic Resources Inventory, shall be harmoniously related to their surroundings and shall be consistent with the Connecticut Commission on Culture and Tourism - Secretary of the Interior's Standards for Rehabilitation, as applicable. All applications shall demonstrate how such development is consistent with the criteria defined in Connecticut General Statutes Section 8-2j Village Districts, including but not limited to the following criteria, subject to final review and approval by the Commission:

(a) Building Design, Scale & compatibility: The color, size, height, location, proportion of openings, roof treatments, building materials, and any proposed signs, accessory structures and lighting shall be consistent with the local architectural motif and with the unique elements of the district, including maintenance of historic buildings, monuments and landscape. The removal or disruption of historic or significant structures or architectural elements shall be minimized.

(b) Streetscape Standards & Landscape: All spaces, structures and related site improvements visible from public roadways shall be designed to be consistent with the elements of the district in and around the proposed modification. All utilities and loading areas shall be designed to limit their exposure to the street and to adjacent residential properties.

D. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings - Commercial and Industrial and all other applicable sections of these regulations, and in addition:

- (1) The height, bulk, location and use of all buildings in existence at the time of adoption of this section are hereby declared to be in conformance with the requirements of this section, provided that if such buildings are destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of their assessed value, they may be reconstructed only if the height, bulk, location and use of the building is exactly as it had previously existed, except as modified where necessary to conform with the flood hazard zone provisions of these regulations. The owners of such properties shall document, by an A-2 Survey or other means, the height, bulk, location and use of the building as it had previously existed.

(2) Additional standards for Silvermine Tavern Village District development:

- (a) All Village District principal uses shall be located within an existing historic structure(s), except as noted below, located on a lot or lots maintained in single ownership and comprising a minimum area of three (3) acres or more. Said lot(s) may include land area located on parcels separated by public streets and include land area partially covered by water; and
- (b) In addition to the single family residences permitted in subsection B(2)(e), a new barn structure up to a maximum of two thousand (2,000) square feet that will replace an existing barn structure to be removed; and additions to existing structures, up to a maximum gross floor area of one thousand (1,000) square feet total for all existing buildings. Such work on additions shall be allowed only if required by codes and ordinances of the City or ordered by any City official charged with protecting the health safety and public welfare. The new barn structure shall be permitted subject to the following criteria:
 - 1. The front façade of such structure[[s]] shall be located no closer than fifteen (15) feet and no more than twenty-five (25) feet from the front property line with entry doors facing the street, and shall not exceed fifty (50) feet in depth; and
 - 2. The length of the new structure shall occupy a minimum of fifty (50) feet at the front setback line; and
 - 3. The new structure shall be a maximum of thirty-five (35) in height to the peak; and
 - 4. All required parking shall be adequately screened with a fifteen (15) foot landscaped buffer strip along the street, with no garage openings directly facing the street.
 - 5. Porches, porticos and a valet parking booth shall be permitted and are exempt from the above limits on lot width and gross floor area. [Amended eff. 2-28-2014]

- (3) Single-family dwellings located in the Silvermine Tavern Village District shall comply with the Schedule Limiting Height and Bulk of Buildings, Residential Part I for the former underlying residence zone, either A or AA Residence zone.
- (4) Public access: Properties located on the Silvermine River shall provide public access adjacent to the water, which shall be a minimum of one hundred (100) linear feet of riverfront, may provide seating areas accessible to the public and may provide access from the street to the water, subject to Commission approval. Such public accessways may be in the form of landscaped walks and footpaths of suitable design to encourage active use by the public, and shall be dedicated as such in the deed to the property. Reasonable time of day restrictions may be established regarding such accessways, where justified for reasons of security or public safety. Where the principal use of the property is a single-family dwelling, the public access requirement shall not apply.

E. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260 except that:

- (1) Off street parking facilities shall be provided on the same lot where the use occurs or on an adjacent lot located within six hundred (600) feet measured along adjacent streets. All such off-premises parking sites shall be subject to approval by the Zoning Inspector for accessibility, safety, convenience and ready identification. An instrument (deed restriction), approved by the Zoning Inspector, which dedicates the use of such off-premises parking site shall be recorded in the Norwalk land records.
- (2) All new parking areas shall be designed to provide a landscaped year round buffer on all sides abutting residentially zoned properties in accordance with setbacks shown on Village District map and shall be designed with pervious surfaces. Drop off areas between buildings and the street shall not require a setback and shall be designed with articulated paving materials (i.e.: belgian block, brick pavers, cobblestones and the like). Up to six (6) parking spaces for use by the inn and located behind the front setback on the inn property may utilize a drop off area for backing out of such parking spaces; provided that no parking shall be permitted in the drop off area. [Amended eff. 2-28-2014]
- (3) Parking requirements may be reduced with a valet parking credit of up to twenty five percent (25 %) and tandem spaces may be utilized for valet parking. Valet parking shall be limited to parcels a minimum of one (1) acre in size and shall require that a detailed parking plan be submitted, subject to review and approval by the Commission. The Commission may require that a bond be posted to guarantee that there will be no impacts due to the valet parking plan and may require that police officers be hired to manage traffic during special events.
- (4) All new outdoor dining facilities shall be subject to annual renewal of required zoning permits. Outdoor dining facilities shall be exempt from off street parking requirements for new structures with meeting rooms from April first to November first subject to annual renewal of a zoning permit.

F. Sign regulations. See §§ 118-1290 through 118-1295.

§ 118-532. Golden Hill Village District. [Added effective 1-29-2010]

A. Purpose and intent. It is the purpose of this zone to ensure that the unique character of this district is maintained for future generations in accordance with Connecticut General Statutes Section 8-2j Village Districts and to provide areas primarily for small scale retail, office, multifamily and other compatible uses which will meet existing and future needs within the district. The provisions of this zone are intended to preserve and enhance the character of the Golden Hill Village District by encouraging new development which maintains the neighborhood character of this local shopping district and by assuring that all new structures and uses will be in keeping with the established character of the area.

B. Uses and structures.

- (1) Principal uses and structures. In a Golden Hill Village District, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no other. Any use or structure having a gross floor area of five thousand (5,000) square feet or more or requiring fifteen (15) parking spaces or more shall be permitted subject to the provisions of Section 118-1451, Site plan review.

- (a) Single- and two-family dwellings.
 - (b) Retail stores and personal and business service establishments having a gross floor area of no more than eight thousand (8,000) square feet.
 - (c) Banks and financial institutions.
 - (d) Restaurants (excluding taverns and drive-in facilities) having a gross floor area of fewer than two thousand five hundred (2,500) square feet, including outdoor dining.
 - (e) Parks, playgrounds and community centers.
 - (f) Museums and libraries.
 - (g) Municipal off-street public parking facilities.
 - (h) Municipal motor vehicle repair facilities as part of a municipal off-street public parking facility.
 - (i) Places of worship. [Added effective 7-24-2015]
- (2) The following uses shall be permitted only above the first floor:
- (a) Multifamily dwellings, including elderly and congregate housing.
 - (b) Offices.
- (3) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of Section 118-1450, Special Permits, and shall comply with the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and any additional standards set forth herein:
- (a) Restaurants (excluding taverns and drive-in facilities) having a gross floor area of two thousand five hundred (2,500) square feet or more.
 - (b) Public utility supply or storage facilities.
 - (c) Boarding and rooming houses and group homes.
 - (d) Convalescent and nursing homes.
- (4) Uses which are not otherwise permitted in Subsection B (1), (2) and (3) above shall not be permitted by variance in the Golden Hill Village District.
- (5) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted subject to the following conditions:
- (a) Outdoor storage shall be confined to the rear and side yards only and shall be effectively screened from adjacent properties. Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Amended effective 7-29-2011]

(b) Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]

(c) All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]

C. Village District Review Standards: All uses and structures located in the Golden Hill Village District shall be subject to design review in accordance with the following standards:

(1) The Commission shall hire a Village District Consultant, who shall be an architect, landscape architect or certified planner, with pertinent experience, to review the design of new construction and substantial rehabilitation of all properties within the district. The report of such consultant shall be entered into the public hearing record and considered by the Commission in making its decision.

(2) Criteria: New construction and substantial rehabilitation of existing structures shall be harmoniously related to their surroundings and shall be consistent with the character of the district and with Connecticut Historical Commission - Secretary of the Interior's Standards for Rehabilitation, as applicable. All applications shall demonstrate how such development is consistent with the criteria defined in Connecticut General Statutes Section 8-2j Village Districts, including but not limited to the following criteria, subject to final review and approval by the Commission:

(a) Building Design, Scale & compatibility: The color, size, height, location, proportion of openings, roof treatments, building materials, and any proposed signs, accessory structures and lighting shall be consistent with the local architectural motif and with the unique elements of the village district, including buildings, monuments, landscaping and adjacent historic buildings.

(b) Streetscape Standards & Landscaping: All spaces, structures and related site improvements visible from public roadways shall be designed to be consistent with the elements of the district in and around the proposed modification. All utilities and loading areas shall be designed to limit their exposure to the street and to adjacent residential properties.

D. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings - Commercial and Industrial and all other applicable sections of these regulations, and in addition:

(1) The height, bulk, location and use of all buildings in existence at the time of adoption of this section are hereby declared to be in conformance with the requirements of this section, provided that if such buildings are destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of their assessed value, they may be reconstructed only if the

height, bulk, location and use of the building is substantially as it had previously existed, subject to approval by the Director of Planning and Zoning, except as modified where necessary to conform to the Flood Hazard Zone and coastal area management provisions of these regulations. The owners of such property shall document by A-2 Survey or other means the height, bulk, location and use of the building as it had previously existed.

(2) Single- and two-family dwellings shall comply with the Schedule Limiting Height and Bulk of Buildings, Residential: D Residence.

(3) Additional standards for Golden Hill Village District development:

(a) All properties shall provide a building or buildings along the street provided that:

(1) All such building(s) shall be located no more than five (5) feet from the front property line with entry doors facing the street; and

(2) All required parking shall be located behind such structure and adequately screened with a five (5) foot landscaped buffer strip, with no garage openings directly facing the street; and

(3) Existing structures that do not comply with the above requirements are hereby declared to be in conformance with these regulations provided that such structures are maintained, rehabilitated, and integrated into the proposed development. An existing building without required parking may be demolished and reconstructed at the same size without losing nonconforming parking allowance provided that plans have been approved in advance of any demolition and that construction starts within one hundred and eighty (180) days of Commission approval. All such plans and building designs shall comply with the Village District Review Standards and the above additional standards.

E. Off-street parking and loading requirements. See Sections 118-1200 through 118-1260 except that:

(1) Parking facilities and driveways shall not be closer than twenty (20) feet to a property line which abuts a residence zone.

(2) The amount of off-street parking spaces required for two (2) or more different uses on the same premises shall be twenty-five percent (25%) less than the sum of the minimum number of parking spaces required for each use.

(3) Municipal off-street parking facilities may be utilized to meet required off-street parking requirements within the district provided that the location and design of such facilities meets appropriate standards for accessibility, safety, convenience and ready identification and the use of such off-premise parking site is approved in advance by the Commission; subject to the following condition:

(a) That for a period of three (3) years after a certificate of zoning compliance is issued for the use, the owner or proprietor shall purchase parking passes from the Norwalk Parking Authority to adjust for any shortfall in the total number of required parking spaces and shall deposit a sum equal to the total number of parking passes purchased for two (2) calendar years with the City. After the expiration of five (5) years, the

Commission shall waive the continued purchases of parking passes where the applicant has demonstrated to the satisfaction of the Commission that fewer parking spaces have been sufficient for such use.

(4) Traffic calming measures shall be encouraged including the provision of head in parking designed with distinctive pavers and with a five (5) foot sidewalk along the street, subject to review and approval by the Department of Public Works.

(5) Outdoor dining facilities shall be exempt from off street parking requirements from April first to November first subject to annual renewal of a zoning permit.

F. Sign regulations. See Sections 118-1290 through 118-1295.

Editor's Note 32: No halfway house, community residence or group home shall be constructed or located within one thousand (1,000) feet of another halfway house, community residence, group home or elderly social club. [Amended effective 6-29-1990]

Editor's Note 33: No halfway house, community residence or group home shall be constructed or located within one thousand (1,000) feet of another halfway house, community residence, group home or elderly social club. [Amended effective 6-29-1990]

Editor's Note 34: Former Subsection B(4)(a)[1] and [2], dealing with requirements in connection with Special Permit Uses, was voided by a Superior Court decision of 8-25-1983. The Planning and Zoning Commission authorized the renumbering of former Subsection B(4)(a)[3] as Subsection B(4)(a)[1].

Editor's Note 35: Former Subsection C(1) and (2), dealing with condition of buildings prior to demolition, was voided by a Superior Court decision 8-25-1983.

Editor's Note 36: Former Subsection C(1)(a)[3], which provided for the sale and service of motor vehicles as a principal use was repealed effective 9-25-1998. Said enactment also provided for the redesignation of former Subsection C(1)(a)[4] as Subsection C(1)(a)[3].

Editor's Note 37: Former Subsection C(1)(b)[4], which provided for gasoline stations and automobile service as accessory uses, was repealed effective 9-25-1998. Said enactment also provided for the redesignation for former Subsection C(1)(b)[5] as Subsection C(1)(b)[4].

Editor's Note 38: This enactment also provided for the redesignation of former Subsection C(2)(b)[1] and [2] as Subsection C(2)(b)[2] and [3], respectively.

Editor's Note 39: Former Subsection C(2)(d)[1], which provided regulations for parking spaces for dwelling units, was repealed effective 9-25-1998. Said enactment also provided for the redesignation of former Subsection C(2)(d)[2] as Subsection C(2)(d)[1].

Editor's Note 40: This amendment also provided for the renumbering of former Subsection C(4)(a)[3] as Subsection C(4)(a)[4].

Editor's Note 41: Former Subsection C(4)(d)[3], which immediately followed and provided for stalls for compact cars in shared parking areas, was repealed effective 5-26-2000.

Editor's Note 42: Former Subsection C(6), Subarea E-1, added effective 7-28-1989, as amended effective 6-30-1995 and 4-25-1997, which immediately followed, was repealed effective 9-25-1998.

Editor's Note 43: Former Subsection D, Sign regulations, was repealed effective 9-13-1985. For current provisions, see " 118-1290 through 118-1295.

Editor's Note 44: Former Subsection C(3) regarding applicability of building height requirements was repealed effective 11-25-1988 and reinstated effective 3-27-2009.

Editor's Note 45: Former Subsection C(1)(e), which listed terminals for freight or passengers arriving or departing by ship as a principal use, was repealed effective 5-1-1998. This enactment also provided for the redesignation of former Subsection C(1)(f) through (k) as Subsection C(1)(e) through (j) respectively. For current provisions, see Subsection C(2)(h).

Editor's Note 46: The Schedule is included at the end of this chapter.

Editor's Note 47: The Schedule is included at the end of this chapter.

Editor's Note 48: Former Subsection C(2) regarding applicability of building height requirements was repealed effective 11-25-1988 and reinstated effective 3-27-2009.

Editor's Note 49: Former Subsection C(2) regarding applicability of building height requirements was repealed effective 11-25-1988 and reinstated effective 3-27-2009.

Editor's Note 50: This amendment also provided for the renumbering of former Subsection C(3) as Subsection C(4).

Editor's Note 51: See C.G.S. 22a-90 et seq.