

EAST HARTFORD

Zoning Regulations



Planning & Zoning Commission

Effective July 17th, 2023

TABLE OF CONTENTS

NOTE – Use the CTRL button with your mouse to click-link to the main headings!

1. QUICK START GUIDE	1
Section 1.1. Overview.....	1
Section 1.2. Key Concepts	2
2. RESIDENTIAL ZONES & USES.....	3
Section 2.1. Purposes	3
Section 2.2. Principal Uses And Structures.....	4
Section 2.3. Accessory Uses And Structures	6
Section 2.4. Area And Dimensional Standards	9
Section 2.5. Additional Requirements In Residential Zones.....	10
3. BUSINESS ZONES & USES	11
Section 3.1. Purposes	11
Section 3.2. Principal Uses And Structures.....	12
Section 3.3. Accessory Uses And Structures	19
Section 3.4. Area And Dimensional Standards	21
4. INDUSTRIAL ZONES & USES.....	23
Section 4.1. Purposes	23
Section 4.2. Principal Uses And Structures.....	24
Section 4.3. Accessory Uses And Structures	27
Section 4.4. Area And Dimensional Standards	29
5. SPECIAL ZONES	31
Section 5.1. Flood Hazard Zone.....	31
Section 5.2. Design Development District Process.....	32
Section 5.3. Approved DDD Districts	40
Section 5.4. Incentive Development Zone	64
Section 5.5. Comprehensive Downtown Rehabilitation Zone (CDR).....	66
Section 5.6. Mobile Home Park (MHP) District	70
Section 5.7. Planned Development District.....	76

6. USE-RELATED PROVISIONS..... 83

Section 6.1.	Agriculture / Open Space Activities	84
Section 6.2.	Residential Accessory Uses.....	84
Section 6.3.	Residential Development	90
Section 6.4.	Retail-Related Uses.....	97
Section 6.5.	Service-Related Uses	100
Section 6.6.	Restaurant-Related Uses	103
Section 6.7.	Lodging-Related Uses	105
Section 6.8.	Vehicle-Related Uses	107
Section 6.9.	Drive-Through Facilities.....	112
Section 6.10.	Public Assembly Related Uses	114
Section 6.11.	Institutional Related Uses.....	115
Section 6.12.	Industrial-/ Logistics Related Uses.....	117
Section 6.13.	Office / R&D / Related Uses	119
Section 6.14.	Boating-Related Uses	120
Section 6.15.	Miscellaneous Accessory Uses	121
Section 6.16.	Other Uses.....	123

7. DEVELOPMENT STANDARDS 126

Section 7.1.	Signs.....	127
Section 7.2.	Parking & Loading.....	137
Section 7.3.	Landscaping and Screening	148
Section 7.4.	Slopes And Grading	153
Section 7.5.	Soil Erosion and Sediment Control	154
Section 7.6.	Environmental Review.....	155
Section 7.7.	Transportation Review	156
Section 7.8.	Access Management.....	158
Section 7.9.	Fences & Walls	160
Section 7.10.	Stormwater Management	161
Section 7.11.	Site Lighting	164
Section 7.12.	Accessibility For People And Bicycles	168
Section 7.13.	Noise / Performance Standards.....	169
Section 7.14.	Alcoholic Liquors.....	170
Section 7.15.	Refuse Management	171
Section 7.16.	Design Review	172

8. SPECIAL PROVISIONS 178

Section 8.1.	Dimensional Exceptions.....	179
Section 8.2.	Nonconforming Situations.....	182
Section 8.3.	Earth Removal and Filling	184
Section 8.4.	Antennas / Telecommunication Facilities	190
Section 8.5.	Corner Visibility	196
Section 8.6.	Construction Staging Areas	197
Section 8.7.	Use Of Trailers	198
Section 8.8.	Mobile Homes	198
Section 8.9.	Security Gates.....	199
Section 8.10.	Application Of State Or Federal Law	200

9. APPROVAL PROCEDURES	202
Section 9.1. Staff Procedures	203
Section 9.2. Pre-Application Reviews (Staff / PZC)	205
Section 9.3. Site Plan Application (PZC)	206
Section 9.4. Special Permit Application.....	211
Section 9.5. Regulation Amendment Application	218
Section 9.6. Zone Change Application	222
Section 9.7. Zoning Board Of Appeals Procedures	226
Section 9.8. Procedural Elements	233
10. REGULATORY FRAMEWORK.....	239
Section 10.1. Authority.....	239
Section 10.2. Purposes	239
Section 10.3. Zoning Map.....	240
Section 10.4. Application Of Regulations	241
Section 10.5. Compliance With Regulations	242
Section 10.6. Enforcement And Penalties	243
Section 10.7. Validity And Severability.....	243
Section 10.8. Effective Date	243
11. GLOSSARY / DEFINITIONS	244
Section 11.1. Basic Usage	244
Section 11.2. Definitions	246

APPENDICES

Appendix A	Flood Hazard Provisions
Appendix B	Application Of Coverage / Setbacks
Appendix Z	Amendments / Dates

1. QUICK START GUIDE

Section 1.1. Overview



Welcome to the East Hartford Zoning Regulations!

QUICK STEPS TO USING THESE REGULATIONS EFFECTIVELY

1. From the Zoning Map, identify the zoning district for the property you are interested in. The Zoning Map is available on-line at:

<https://www.easthartfordct.gov/planning-and-zoning-commission/pages/zoning-map>
2. Go to the section of the Zoning Regulations for that zoning district to learn about applicable provisions:
 - a. [Section 2 = Residential \(R\) Zones](#)
 - b. [Section 3 = Business \(B\) Zones](#)
 - c. [Section 4 = Industrial \(I\) Zones](#)
 - d. [Section 5 = Special Zones](#)
3. Look at Sections 6 through 8 of the Regulations to see if other standards apply:
 - a. [Section 6 – Use-Related Provisions](#)
 - b. [Section 7 – Development Standards](#)
 - c. [Section 8 – Special Provisions](#)
4. [Section 9](#) of the Regulations outlines steps to obtain any required approval(s).
5. The Regulatory Framework and Definitions may be found in Sections 10 and 11:
 - a. [Section 10 – Regulatory Framework](#)
 - b. [Section 11 – Glossary / Definitions](#)
6. Additional information may be found in the [Appendix](#) of the Regulations.

Section 1.2. Key Concepts

1. These Zoning Regulations and the accompanying Zoning Map have been adopted by the Town Planning and Zoning Commission of the Town of East Hartford (hereinafter “Planning and Zoning Commission” or “Commission”) in order to manage the use of land and buildings within East Hartford.
2. The Regulations and Map have been adopted to promote the public health, safety, and general welfare of East Hartford and other purposes authorized by State law (CGS Chapter 124 starting with CGS Section 8-1).
3. **The Regulations are constructed so that, if something is not clearly permitted, it is prohibited.**
4. The Regulations generally establish minimum requirements although they can also establish maximum limitations.
5. If a permit or approval is required, the application requirements can be found in the Procedures section of the Regulations ([Section 9](#)).
6. If there is any question about whether something is permitted, guidance can be obtained from:
 - The Director of Inspections and Permits,
 - The Assistant Zoning Enforcement Officer, and/or
 - The Town Planner.

2. RESIDENTIAL ZONES & USES

Section 2.1.	Purposes
Section 2.2.	Principal Uses And Structures
Section 2.3.	Accessory Uses And Structures
Section 2.4.	Area And Dimensional Standards
Section 2.5.	Additional Requirements In Residential Zones

Section 2.1. Purposes

- The residential districts recognize existing development patterns in East Hartford and provide areas for residential use and development appropriate to the characteristics of each area.
 - R-1** Single-Family District (30,000 SF Minimum Lot Size)
 - R-2** Single-Family District (15,000 SF Minimum Lot Size)
 - R-3** Single-Family District (10,000 SF Minimum Lot Size)
 - R-4** Single-Family And Two-Family District
 - R-5** Multi-Family District

(Note Mobile Home Park District is in [Section 5.6](#) of these Regulations).
- The residential districts may allow for approval of certain uses through a case-by-case review process (Special Permit) when it can be demonstrated that such use will be appropriate for the location proposed.



Section 2.2. Principal Uses And Structures

The following tables identify principal uses and structures allowed in the residential zoning districts:


















































A. RESIDENTIAL	R-1	R-2	R-3	R-4	R-5
1. One-family dwellings.					
2. Two-family dwellings.	x	x	x		
3. Three-family dwellings.	x	x	x		
4. Multiple-family dwellings when in accordance with Section 6.3.A.1.	x	x	x	x	
5. Housing for senior citizens when in accordance with Section 6.3.A.2.					
B. AGRICULTURAL / OPEN SPACE					
1. Commercial farms when in accordance with Section 6.1.A.1.					
2. Truck gardens, greenhouses, and plant nurseries when in accordance with Section 6.1.A.2.					
3. Public parks and open space when in accordance with Section 6.1.B.1.					
C. EDUCATIONAL / INSTRUCTIONAL					
1. Colleges when in accordance with Section 6.11.A.1.					
2. A residential education facility when in accordance with Section 6.11.C.1.					
3. Child care center as a principal use open to the public when in accordance with Section 6.5.B.1.	x	x	x		
4. Adult Day Care Facility when in accordance with Section 6.5.B.2.	x	x	x		

TABLE LEGEND

					x
Allowed – No Zoning Permit Required	Allowed – Zoning Permit Required (Staff)	Allowed – Site Plan Approval Required (PZC)	Allowed – Special Permit Required (PZC)	Check with Staff for type of approval required	Not Allowed

D. PLACES OF PUBLIC ASSEMBLY		R-1	R-2	R-3	R-4	R-5
1.	Houses of worship when in accordance with Section 6.10.B.1.	⊙	⊙	⊙	⊙	⊙
E. INSTITUTIONAL						
1.	Town, State or Federal owned and/or operated building or facility for which such use is deemed necessary to the public convenience and welfare	⊙	⊙	⊙	⊙	⊙
2.	Convalescent homes and other licensed long-term care facilities when in accordance with Section 6.11.B.1.	x	x	x	⊙	⊙
3.	Hospitals when in accordance with Section 6.11.B.2.	x	x	x	⊙	⊙
F. OTHER						
1.	Adaptive reuse of existing structures to office buildings and/or funeral homes when in accordance with Section 6.13.B.1.	x	x	x	⊙	x
2.	Office buildings and funeral homes when in accordance with Section 6.13.B.2.	x	x	x	x	⊙
3.	A registered public utility building or facility that is deemed necessary to the public convenience and welfare.	⊙	⊙	⊙	⊙	⊙
4.	A cemetery operated by a registered non-profit organization	⊙	⊙	⊙	⊙	⊙
5.	Bus shelters erected and maintained by the State of Connecticut or Town of East Hartford	■	■	■	■	■
6.	An emergency shelter for the homeless when in accordance with Section 6.11.C.2.	⊙	⊙	⊙	⊙	⊙

TABLE LEGEND

■	■	●	⊙	⌘	x
Allowed – No Zoning Permit Required	Allowed – Zoning Permit Required (Staff)	Allowed – Site Plan Approval Required (PZC)	Allowed – Special Permit Required (PZC)	Check with Staff for type of approval required	Not Allowed

Section 2.3. Accessory Uses And Structures

The following tables identify accessory uses and structures allowed in the residential zoning districts:

Accessory uses and structures in Residential zones are subject to the requirements of [Section 2.5.A](#) in addition to any other requirements of these Regulations.

A. USES - GENERAL	R-1	R-2	R-3	R-4	R-5
1. Uses considered by the PZC/ZEO to be customary, subordinate and incidental to a permitted <u>residential</u> use.	■	■	■	■	■
2. Uses considered by the PZC/ZEO to be customary, subordinate and incidental to a permitted <u>non-residential</u> use.	⌘	⌘	⌘	⌘	⌘
B. STRUCTURES - GENERAL					
1. Structures considered by the PZC/ZEO to be customary, subordinate and incidental to a permitted <u>residential</u> use (such as tool shed, storage shed, playhouse, pet house, etc.).	□	□	□	□	□
2. Structures considered by the PZC/ZEO to be customary, subordinate and incidental to a permitted <u>non-residential</u> use.	⌘	⌘	⌘	⌘	⌘



TABLE LEGEND

■	□	●	◎	⌘	x
Allowed – No Zoning Permit Required	Allowed – Zoning Permit Required (Staff)	Allowed – Site Plan Approval Required (PZC)	Allowed – Special Permit Required (PZC)	Check with Staff for type of approval required	Not Allowed

C. PARKING / STORAGE	R-1	R-2	R-3	R-4	R-5
1. Garage or carport when in accordance with Section 6.2.A.1.					
2. Parking / storage of vehicle(s) / materials within an enclosed garage in compliance with Section 6.2.A.1.					
3. Exterior parking / storage of registered motor vehicle(s).					
4. Exterior parking / storage of unregistered motor vehicles.	x	x	x	x	x
5. Exterior parking / storage of one (1) commercial vehicle when in accordance with Section 6.2.A.2.					
6. Exterior parking / storage of recreational equipment / vehicle when in accordance with Section 6.2.B.1.					
7. A freestanding canopy or an attached canopy when in accordance with Section 2.5.A.7.					
D. HOME BASED BUSINESS					
1. Home occupation(s) when in accordance with Section 6.2.D.1.					
2. A home office of a resident of the premises when in accordance with Section 6.2.D.2.					
3. Family child care home.					
4. Group child care home.					
E. ACCESSORY DWELLING UNIT					
1. Accessory dwelling unit within or attached to a single-family dwelling when in accordance with Section 6.2.E.					
2. Accessory dwelling unit detached from a single-family dwelling when in accordance with Section 6.2.E.					

TABLE LEGEND

					x
Allowed – No Zoning Permit Required	Allowed – Zoning Permit Required (Staff)	Allowed – Site Plan Approval Required (PZC)	Allowed – Special Permit Required (PZC)	Check with Staff for type of approval required	Not Allowed

F. SIGNS	R-1	R-2	R-3	R-4	R-5
1. Signs when in accordance with Section 7.1.					
G. FARMING / GARDENING					
1. Garden.					
2. Keeping of animals on a residential parcel or a non-commercial farm when in accordance with Chapter 6 of the East Hartford Code of Ordinances .					
3. Greenhouse.					
4. Roadside stand when in accordance with Section 6.1.A.3.					
H. RECREATION FACILITIES					
1. Playground or recreation area.					
2. Swimming pool, bath house, tennis court, and similar facilities.					
3. Stable for horses.					
4. Stabling of horses when in accordance with Section 6.2.C.1.					
I. OTHER					
1. Renting of rooms when in accordance with Section 6.2.D.3.	x	x	x		
2. A residential education facility accessory to a permitted principal use when in accordance with Section 6.11.C.1.					
3. Non-profit donation drop-off boxes accessory to a legally conforming House of Worship when in accordance with Section 6.15.A.1.					
4. Temporary Classroom buildings when in accordance with Section 6.11.A.2.					

TABLE LEGEND

					x
Allowed – No Zoning Permit Required	Allowed – Zoning Permit Required (Staff)	Allowed – Site Plan Approval Required (PZC)	Allowed – Special Permit Required (PZC)	Check with Staff for type of approval required	Not Allowed

Section 2.4. Area And Dimensional Standards

			(see note #2 below)			
A. LOT AREA		R-1	R-2	R-3	R-4	R-5
1.	Minimum Lot Area (SF)	30,000	15,000	10,000	7,600	7,600
2.	Minimum Lot Area Per Dwelling Unit (SF)	30,000	15,000	10,000	3,800	3,800
B. LOT DIMENSIONS						
1.	Minimum Lot Width (Feet)	150	100	85	75	75
2.	Minimum Lot Shape (Feet)	100	90	70	60	60
3.	Minimum Street Frontage (Feet) See note #3 below	100	70	60	50	50
C. YARD SETBACKS		(See note #1 below)				
1.	Minimum Front Yard Setback (Feet)	50	40	25	25	25
2.	Minimum Side Yard Setback (Feet)	12	10	8	8	8
3.	Minimum Rear Yard Setback (Feet)	50	40	25	25	25
D. BUILDING SEPARATION						
1.	Minimum Building Separation (Feet)	10	10	10	10	10
E. COVERAGE		(See note #1 below)				
1.	Maximum Building Coverage (all buildings) (Percent)	15	25	35	35	35
2.	Maximum Impervious Coverage (Percent)	n/a	n/a	n/a	n/a	n/a
F. FLOOR AREA						
1.	Minimum Livable Floor Area For Dwelling Unit (SF)	Refer to CT State Building Code and/or CT State Health Code				
G. BUILDING HEIGHT						
1.	Maximum Building Height (Feet)	35	35	35	35	35

See [Section 8.1](#) for possible exceptions to these requirements.

Table Notes:

- #1 See [Appendix B](#) for features contributing to coverage and subject to setbacks.
 #2 See [Section 8.1](#) for possible exceptions for R-3 lots which legally existed prior to September 30, 2001.
 #3. For lots without the required street frontage, see [Section 8.1](#).

Section 2.5. Additional Requirements In Residential Zones

A. GENERAL REQUIREMENTS FOR ACCESSORY USES / STRUCTURES

In addition to any other requirements of these Regulations, accessory uses and structures in residential zoning districts shall be subject to the following requirements:

1. **Floor Area** - Accessory building(s) or structure(s) associated with a residential use:
 - a. May have a floor area of up to 600 square feet if not otherwise limited by coverage or yard setback provisions and, when accessory to a residential principal building with more than 1,800 SF of gross livable floor area may have a floor area up to one-third (1/3) of the gross livable floor area of the principal building,
 - b. Shall be located on the same lot as the principal structures, and
 - c. Shall comply with lot coverage and other standards of these Regulations.
2. **Location** – Except as provided in [Section 2.5.A.3](#) below, any permitted accessory structure shall be located as follows:
 - a. Only in the area behind the rear wall of the principal building;
 - b. At least ten (10) feet from the principal building;
 - c. At least six (6) feet from the rear or side line of the lot; and
 - d. At least thirty (30) feet from any street.
3. An accessory building or structure shall be subject to the side and rear yard requirements applicable to the principal building when:
 - a. Such building is attached to its principal building in any way, or
 - b. It is incorporated as an integral part of the principal building by having one wall or part of one wall in common with it.
4. **Height** – No accessory building or structure associated with a residential use shall exceed fifteen (15) feet in height.
5. **Special Provisions For Pools** –
 - a. Above-ground and in-ground pools shall be exempt from the limitations above for maximum floor area of accessory structures;
 - b. Swimming pool and accessory facilities for use of the pool shall not be located:
 - 1) Closer to the street than the principal building on the lot,
 - 2) In any required side yard, or
 - 3) Within six (6) feet of a rear lot line.
6. **Special Provisions For Accessory Agricultural Structures** – Accessory agricultural buildings and structures where such uses presently exist or are allowed under Special Permit shall be exempt from the limitations of maximum floor area of accessory structures.
7. **Canopy** – A freestanding canopy used for recreation or a canopy attached to principal building or accessory building and used for recreation is permitted in a rear yard subject to accessory structure requirements. A freestanding canopy or canopies attached to principal buildings or accessory buildings used for storage of vehicles, equipment, or other materials is not permitted.

3. BUSINESS ZONES & USES

- Section 3.1. [Purposes](#)
 Section 3.2. [Principal Uses And Structures](#)
 Section 3.3. [Accessory Uses And Structures](#)
 Section 3.4. [Area And Dimensional Standards](#)

Section 3.1. Purposes

1. The various business districts recognize existing development patterns in East Hartford and provide areas for business uses and development appropriate to the characteristics of each area.

B-1	Community Business
B-2	Neighborhood Business
B-3	Business / Industry
B-4	Founders Plaza
B-5	Central Business District
B-6	Silver Lane
3. The business districts may allow for approval of certain uses through a case-by-case review process (Special Permit) when it can be demonstrated that such use will be appropriate for the location proposed.








Section 3.2. Principal Uses And Structures

The following tables identify principal uses and structures allowed in the business zoning districts:






A. RETAIL-TYPE USES	B-1	B-2	B-3	B-4	B-5	B-6
1. Retail stores including grocery stores.	●	●	●	●	●	●
2. Small box discount store when in accordance with Section 6.4.A.3.	●	●	●	●	●	●
3. Artisan shops where goods (pottery, glassware, leather, etc.) other than food or beverages are manufactured and sold on the premises	●	●	●	●	●	●
4. Retail food establishment	●	●	●	●	●	●
5. Liquor stores subject to the provisions of Section 7.14 (Alcoholic Liquors).	⊙	⊙	⊙	⊙	⊙	⊙
6. Convenience Stores when in accordance with Section 6.4.A.1.	⊙	⊙	⊙	⊙	⊙	⊙
7. Sale of auto parts and/or accessories.	●	●	●	x	x	●
8. A tire / battery store.	⊙	⊙	⊙	x	x	x
9. Cannabis retailer, cannabis hybrid retailer, or dispensary subject to the provisions of Section 6.4.A.2.	⊙	⊙	⊙	x	x	x

TABLE LEGEND

					x
Allowed – No Zoning Permit Required	Allowed – Zoning Permit Required (Staff)	Allowed – Site Plan Approval Required (PZC)	Allowed – Special Permit Required (PZC)	Check with Staff for type of approval required	Not Allowed






B. SERVICE-TYPE USES		B-1	B-2	B-3	B-4	B-5	B-6
1.	Financial institutions.	●	●	●	●	●	●
2.	Personal service establishments other than Type 2.	●	●	●	●	●	●
3.	Personal service establishments - Type 2 when in accordance with Section 6.5.A.1.	◎	◎	x	◎	◎	◎
4.	Child care center as a principal use open to the public when in accordance with Section 6.5.B.1.	◎	◎	◎	◎	x	◎
5.	Substance Abuse Treatment Facilities when in accordance with Section 6.11.C.3.	◎	◎	◎	◎	◎	◎
6.	Funeral home.	x	◎	x	x	x	x
7.	Pet boarding facility or veterinary hospital	◎	◎	◎	x	◎	◎
8.	Pet training / pet day care facility.	●	●	●	x	●	●
C. RESTAURANT-TYPE USES							
1.	Full-service restaurant.	●	●	●	●	●	●
2.	Full-service restaurant serving alcoholic beverages subject to conditions under Section 7.14 (Alcoholic Liquors).	◎	◎	◎	◎	●	◎
3.	Quick service restaurant.	●	●	●	●	●	●
4.	Brewery / Distillery and Brew Pub / Distillery Pub.	◎	◎	◎	◎	◎	◎
5.	Drive-through restaurant when in accordance with Section 6.6.A.1.	x	◎	◎	x	x	⌘

TABLE LEGEND

					x
Allowed – No Zoning Permit Required	Allowed – Zoning Permit Required (Staff)	Allowed – Site Plan Approval Required (PZC)	Allowed – Special Permit Required (PZC)	Check with Staff for type of approval required	Not Allowed






D. OFFICE-TYPE USES		B-1	B-2	B-3	B-4	B-5	B-6
1. Offices.		●	●	●	●	●	●
2. Research and development laboratories when in accordance with Section 6.13.A.		⊙	●	●	x	x	⊙
E. VEHICLE-TYPE USES							
1. Sales and service of new automobiles as a principal use (including accessory sale of used cars) when in accordance with Section 6.8.A.1.		⊙	⊙	●	x	x	x
2. Sales and service of used automobiles as a principal use when in accordance with Section 6.8.A.2.		x	⊙	⊙	x	x	x
3. Sales and service of new and/or used trucks as a principal use when in accordance with Section 6.8.A.3.		⊙	⊙	●	x	x	x
4. Automobile fueling stations as a principal use when in accordance with Section 6.8.B.1.		x	⊙	⊙	x	x	x
5. Automobile service garages as a principal use when in accordance with Section 6.8.C.1.		x	⊙	⊙	x	x	x
6. Car wash establishments when in accordance with Section 6.8.C.2.		x	⊙	●	x	x	x
7. Vehicle rental establishment provided that vehicle storage and display is in accordance with Section 6.8.D.1.		x	x	●	x	x	x

TABLE LEGEND

					x
Allowed – No Zoning Permit Required	Allowed – Zoning Permit Required (Staff)	Allowed – Site Plan Approval Required (PZC)	Allowed – Special Permit Required (PZC)	Check with Staff for type of approval required	Not Allowed






F. PUBLIC ASSEMBLY-TYPE USES		B-1	B-2	B-3	B-4	B-5	B-6
1.	Place of Public Assembly Tier 1 when in accordance with Section 6.10.A.1.	⊙	⊙	x	x	⊙	⊙
2.	Place of Public Assembly Tier 2 when in accordance with Section 6.10.A.2.	⊙	⊙	x	x	⊙	⊙
3.	Catering halls when in accordance with Section 6.10.C.1.	⊙	x	x	x	x	⊙
G. LODGING-TYPE USES							
1.	Hotels and motels when in accordance with Section 6.7.A.1	⊙	⊙	⊙	⊙	x	⊙
2.	Extended Stay Hotels (Type 1) when in accordance with Section 6.7.B.1.	⊙	x	x	x	x	x
3.	Extended Stay Hotels (Type 2) when in accordance with Section 6.7.B.2.	x	⊙	x	x	x	x
H. INSTITUTIONAL-TYPE USES							
1.	Convalescent homes and other licensed long-term care facilities when in accordance with Section 6.11.B.1.	●	●	x	x	x	●
2.	Assisted living facilities.	x	x	x	x	x	●
3.	A Town, State or Federal owned and/or operated building or facility for which such use is deemed necessary to the public convenience and welfare.	⊙	⊙	⊙	⊙	⊙	⊙
4.	Residential education facility when in accordance with Section 6.11.C.1.	⊙	⊙	x	x	x	x

TABLE LEGEND

					x
Allowed – No Zoning Permit Required	Allowed – Zoning Permit Required (Staff)	Allowed – Site Plan Approval Required (PZC)	Allowed – Special Permit Required (PZC)	Check with Staff for type of approval required	Not Allowed

I. MANUFACTURING / INDUSTRIAL		B-1	B-2	B-3	B-4	B-5	B-6
1.	The manufacture, processing or assembly of goods and/or materials (including, but not limited to, food products (including confectionary, bakery, etc.), beverages (including milk and soda), printing, etc.) provided that such use shall be in accordance with Section 6.12.A.1 and Section 7.13 of these Regulations.	x	x	●	x	x	x
2.	Manufacturing, compounding or processing of goods including the accessory sale of products at retail on the premises (such as, but not limited to, confectionary, bakery, etc.) provided that such use shall be in accordance with Section 6.12.A.1 and Section 7.13 of these Regulations.	●	●	●	x	x	●
3.	Cannabis cultivator, cannabis micro-cultivator, cannabis food and beverage manufacturer, cannabis producer, cannabis product manufacturer, cannabis product packager, cannabis delivery service or cannabis transporter when in accordance with Section 6.12.A.2 .	x	x	◎	x	x	x
J. STORAGE / LOGISTICS							
1.	Wholesale storage and warehousing, provided that there shall be no unreasonable emission of dust, smoke, fumes, glare, noise, or vibration beyond the lot line.	x	x	●	x	x	x
2.	Public storage	x	x	●	x	x	x
3.	Minor Truck Terminal	x	x	●	x	x	x
4.	Major Truck Terminal when in accordance with Section 6.12.B.1	x	x	◎	x	x	x
5.	Fuel storage for retail distribution	x	x	◎	x	x	x

TABLE LEGEND

					x
Allowed – No Zoning Permit Required	Allowed – Zoning Permit Required (Staff)	Allowed – Site Plan Approval Required (PZC)	Allowed – Special Permit Required (PZC)	Check with Staff for type of approval required	Not Allowed






K. INFRASTRUCTURE		B-1	B-2	B-3	B-4	B-5	B-6
1.	A registered public utility building or facility that is deemed necessary to the public convenience and welfare.						
2.	Bus shelters erected and maintained by the State of Connecticut or Town of East Hartford.						
L. RESIDENTIAL							
1.	One family dwellings subject to the area and dimensional standards for the R-4 District (See Section 2.4).			x	x	x	x
2.	Two family dwellings subject to the area and dimensional standards for the R-4 District (See Section 2.4).			x	x	x	x
3.	Three family dwellings, provided that dwellings shall conform subject to the area and dimensional standards for the R-4 District (See Section 2.4).			x	x	x	x
4.	Multiple-family dwellings when in accordance with Section 6.3.B.1 .			x		x	x
5.	High density, mixed use, high rise development when in accordance with Section 6.3.B.2 .	x	x	x		x	x
6.	Work studio/dwelling when in accordance with Section 6.3.C.1 .	x	x	x	x		x
7.	Mixed-Use Buildings and Mixed-Use Sites in accordance with Section 6.3.D .	x		x	x		x

TABLE LEGEND

					x
Allowed – No Zoning Permit Required	Allowed – Zoning Permit Required (Staff)	Allowed – Site Plan Approval Required (PZC)	Allowed – Special Permit Required (PZC)	Check with Staff for type of approval required	Not Allowed

M. BOATING-TYPE USES		B-1	B-2	B-3	B-4	B-5	B-6
1.	Boat marinas	x	x	●	●	x	x
2.	Boat sales establishment (see Section 3.3.F.7 for accessory boat storage and display)	x	●	●	x	x	x
N. OTHER							
1.	Exterior Parking as a principal use– refer to Section 7.2 Parking Regulations for specific standards.	x	x	x	⊙	x	x
2.	Greenhouses and plant nurseries, provided that they are located on a lot of two (2) acres or more.	●	●	●	x	x	●
3.	A cemetery operated by a registered non-profit organization.	⊙	⊙	⊙	⊙	⊙	⊙
4.	An emergency shelter for the homeless when in accordance with Section 6.11.C.2 .	⊙	⊙	⊙	⊙	⊙	⊙
5.	Contractor's materials and equipment sales and storage, provided that there shall be no unreasonable emission of dust, smoke, fumes, glare, noise, or vibration beyond the lot line.	x	x	●	x	x	x

TABLE LEGEND

					x
Allowed – No Zoning Permit Required	Allowed – Zoning Permit Required (Staff)	Allowed – Site Plan Approval Required (PZC)	Allowed – Special Permit Required (PZC)	Check with Staff for type of approval required	Not Allowed

Section 3.3. Accessory Uses And Structures

The following tables identify accessory uses and structures allowed in the business zoning districts:





















































A. PARKING-RELATED	B-1	B-2	B-3	B-4	B-5	B-6
1. Exterior parking in accordance with an approved site plan and Section 7.2 of these Regulations.						
2. Parking garage as an accessory structure.	x	x	x		x	x
B. RESIDENCE-RELATED						
1. Home occupations incidental to existing one-, two-, or three-family dwellings.						
2. Renting of not more than two (2) rooms and furnishing table board for not more than three (3) boarders when incidental to existing one-, two-, or three-family dwellings.						
3. Accessory dwelling unit within or attached to a single-family dwelling when in accordance with Section 6.2.E .			x	x	x	x
4. Accessory dwelling unit detached from a single-family dwelling when in accordance with Section 6.2.E .			x	x	x	x
C. RESTAURANT-RELATED						
1. Accessory food service						
2. Outdoor dining facilities when in accordance with Section 6.6.B.1 .						
3. Food truck use accessory to a brew pub provided that all necessary permits are obtained from the Health Department.						
D. SIGN-RELATED	B-1	B-2	B-3	B-4	B-5	B-6
1. Signs when in accordance with Section 7.1 .						

TABLE LEGEND

					x
Allowed – No Zoning Permit Required	Allowed – Zoning Permit Required (Staff)	Allowed – Site Plan Approval Required (PZC)	Allowed – Special Permit Required (PZC)	Check with Staff for type of approval required	Not Allowed

E. BUSINESS-RELATED						
1. Drive-through facilities when in accordance with Section 6.9.						
2. Child care center limited to children of employees of a use on the same premises when in accordance with Section 6.5.B.1. (for principal use, see Section 3.2.B.4)						
3. Outdoor display of merchandise accessory to a retail store when in accordance with Section 6.4.B.1.	x	x	x	x		x
4. Massage therapy when in accordance with Section 6.5.A.2.						
5. Tire / battery store as an accessory use when in accordance with Section 6.4.B.2.	x	x	x	x	x	
6. Private automobile fueling station for employees of a permitted use						
7. Self-service automobile fueling station accessory to a shopping center/mall when in accordance with Section 6.8.B.2.	x	x	x	x	x	
F. OTHER ACCESSORY USES / STRUCTURES	B-1	B-2	B-3	B-4	B-5	B-6
1. Interior storage of goods						
2. Exterior storage of goods when visually screened from public streets and Residential Zones to the satisfaction of the ZEO. (see line below)						
3. Other exterior storage of goods when in accordance with Section 6.12.C.1. (see line above)						
4. Propane exchange cages when in accordance with Section 6.15.B.1.						
5. Non-profit donation drop-off boxes when in accordance with Section 6.15.A.1.						
6. A vertical take off and landing (VTOL) field, including a helicopter landing field, where such use is deemed necessary to the public convenience and welfare.	x	x	x		x	x
7. Boat storage and display accessory to a boat sales establishment provided is in accordance with Section 6.14.A.1.	x				x	x

TABLE LEGEND

					x
Allowed – No Zoning Permit Required	Allowed – Zoning Permit Required (Staff)	Allowed – Site Plan Approval Required (PZC)	Allowed – Special Permit Required (PZC)	Check with Staff for type of approval required	Not Allowed

Section 3.4. Area And Dimensional Standards

A. LOT AREA	B-1	B-2	B-3	B-4	B-5	B-6
1. Minimum Lot Area (SF)	5,000	7,500	10,000	10,000	10,000	20,000
B. LOT DIMENSIONS						
1. Minimum Lot Width (Feet)	50	75	100	80	80	100
2. Minimum Street Frontage (Feet) <small>See note #6 below</small>	40	50	60	55	n/a	70
C. YARD SETBACKS	(See note #1 below)					
1. Min. Front Yard Setback (Feet)	25	25	25	25	0 <small>(see note #2 below)</small>	40
2. Min. Side Yard Setback (Feet)						
a. No Party Wall	5	5	5	10	10	25
b. Party Wall - One Side	0	0	0	x	0	<small>(see note #3 below)</small>
3. Min. Rear Yard Setback (Feet)	10	10	10	20	20	40
4. Min. Rear Yard Setback To Residential Zone (Feet)	25	25	25	20	20	40
D. BUILDING SEPARATION						
1. Minimum Separation from any other separate building on the lot (Feet)	15	15	15	15	15	10' for each story or 12 feet of height
E. COVERAGE	(See note #1 below)					
1. Maximum Building Coverage (all buildings) (Percent)	75	75	75	75	75	25
2. Maximum Impervious Surface Area (Percent)	85	85	85	85	x	75
F. FLOOR AREA						
1. <i>(reserved)</i>	x	x	x	x	x	x
G. BUILDING HEIGHT						
1. Maximum Building Height (Feet) <small>(see note #4 and #5 below)</small>	100	100	50	210	40	50

See [Section 8.1](#) for possible exceptions to these requirements.

Table Notes:

- #1 See [Appendix B](#) for features contributing to coverage and subject to setbacks.
- #2 In the B-5 District, each lot shall have a front yard consistent with existing buildings. Buildings which are set back from the front lot line shall use courtyards, plazas or similar features to create visual continuity.
- #3 In the B-6 zone, the side yard setback shall be zero feet (0') where there is a party wall.
- #4 Any building in excess of 50 feet in building height shall be subject to applicable State and Federal Regulations dealing with air lanes.
- #5 High density, mixed use high rise development in the B-4 Zone has different height limitations (see [Section 6.3.B.2](#) for additional information).
- #6 For lots without the required street frontage, see [Section 8.1](#).

(this page intentionally left blank for pagination purposes)

1. Quick Start
2. Residence
3. Business
4. Industrial
5. Special
6. Uses-
7. Standards
8. Special
9. Procedures
10. Framework
11. Glossary
12. Appendix

4. INDUSTRIAL ZONES & USES

- Section 4.1. [Purposes](#)
 Section 4.2. [Principal Uses And Structures](#)
 Section 4.3. [Accessory Uses And Structures](#)
 Section 4.4. [Area And Dimensional Standards](#)

Section 4.1. Purposes

- The various industrial districts are intended to recognize existing development patterns in East Hartford and provide areas for industrial uses and development appropriate to the characteristics of each area.
 - I-2 Light Industry
 - I-3 Heavy Industry
- The differentiation among the industrial districts is intended to provide for variety in the size and type of uses in relation to the availability of road and rail access and water and sewer infrastructure.
- The industrial districts may allow for approval of certain uses through a case-by-case review process (Special Permit) when it can be demonstrated that such use will be appropriate for the location proposed in accordance with the standards contained in these Regulations.








Section 4.2. Principal Uses And Structures

The following tables identify principal uses and structures allowed in the industrial zoning districts:






A. MANUFACTURING	I-2	I-3
1. The manufacture, processing, or assembly of goods in accordance with Section 6.12.A.1.	●	●
2. Industrial uses in accordance with Section 6.12.A.1.	x	●
3. Brewery	◎	x
4. Cannabis cultivator, cannabis micro-cultivator, cannabis food and beverage manufacturer, cannabis producer, cannabis product manufacturer, cannabis product packager, cannabis delivery service or cannabis transporter when in accordance with Section 6.12.A.2.	◎	◎
B. WAREHOUSE / LOGISTICS		
1. Wholesale storage and warehousing/warehouse	●	●
2. Minor Truck Terminal	●	●
3. Major Truck Terminals when in accordance with Section 6.12.B.1.	◎	●
C. OFFICE / RESEARCH FACILITIES		
1. Offices	●	●
2. Research and development laboratories (including the manufacture of materials related to the research being conducted therein)	●	●

TABLE LEGEND

					x
Allowed – No Zoning Permit Required	Allowed – Zoning Permit Required (Staff)	Allowed – Site Plan Approval Required (PZC)	Allowed – Special Permit Required (PZC)	Check with Staff for type of approval required	Not Allowed

D. RESTAURANT FACILITIES		I-2	I-3
1.	Full-service restaurant or quick service restaurant	●	●
2.	Full-service restaurant serving alcoholic beverages subject to conditions under Section 7.14 (Alcoholic Liquors).	◎	◎
3.	Drive-through restaurant when in accordance with Section 6.6.A.1.	◎	◎
4.	Brewery / Distillery and Brew Pub / Distillery Pub.	◎	◎
E. BUSINESS USES			
1.	New truck sales and services when in accordance with Section 6.8.A.3.	◎	●
2.	Used truck sales and services when in accordance with Section 6.8.A.3.	◎	●
3.	Public storage	●	●
4.	Adult oriented establishments when in accordance with Section 6.16.A.	x	◎
5.	Cannabis retailer or cannabis hybrid retailer subject to the provisions of Section 6.4.B.3.	◎	x
6.	Pet boarding facility or veterinary hospital	◎	◎
7.	Pet training / pet day care facility.	◎	◎
8.	Outdoor display and storage of boats as a principal use when in accordance with Section 6.14.A.2.		●

TABLE LEGEND

					x
Allowed – No Zoning Permit Required	Allowed – Zoning Permit Required (Staff)	Allowed – Site Plan Approval Required (PZC)	Allowed – Special Permit Required (PZC)	Check with Staff for type of approval required	Not Allowed

F. OTHER USES		I-2	I-3
1.	A Town, State or Federal owned and/or operated building or facility for which such use is deemed necessary to the public convenience and welfare.		
2.	A registered public utility building or facility that is deemed necessary to the public convenience and welfare.		
3.	Substance Abuse Treatment Facilities when in accordance with Section 6.11.C.3.		
4.	A cemetery operated by a registered non-profit organization.		
5.	Bus shelters erected and maintained by the State of Connecticut or Town of East Hartford.		
6.	An emergency shelter for the homeless operated by a non-profit organization when in accordance with Section 6.11.C.2.		

TABLE LEGEND

					x
Allowed – No Zoning Permit Required	Allowed – Zoning Permit Required (Staff)	Allowed – Site Plan Approval Required (PZC)	Allowed – Special Permit Required (PZC)	Check with Staff for type of approval required	Not Allowed

Section 4.3. Accessory Uses And Structures

The following tables identify accessory uses and structures allowed in the industrial zoning districts:


























A. PARKING	I-2	I-3
1. Exterior parking in accordance with an approved site plan and Section 7.2 of these Regulations		
B. SIGN-RELATED		
1. Signs when in accordance with Section 7.1.		
C. RESTAURANT-RELATED		
1. Accessory food service		
2. Outdoor dining facilities when in accordance with Section 6.6.B.1		
D. BUSINESS-RELATED		
1. Drive-through facilities subject to the provisions of Section 6.9.		
2. Child care center limited to children of employees of a use on the same premises when in accordance with Section 6.5.B.1.		
E. RESIDENCE-RELATED		
1. Home occupations incidental to existing one, two and three-family dwellings		
2. Renting of not more than two (2) rooms and furnishing table board for not more than three (3) boarders who are not members of the family of the resident proprietor only when incidental to existing one-, two , and three-family dwellings		
3. Accessory dwelling unit within or attached to a single-family dwelling when in accordance with Section 6.2.E.		
4. Accessory dwelling unit detached from a single-family dwelling when in accordance with Section 6.2.E.		

TABLE LEGEND

					x
Allowed – No Zoning Permit Required	Allowed – Zoning Permit Required (Staff)	Allowed – Site Plan Approval Required (PZC)	Allowed – Special Permit Required (PZC)	Check with Staff for type of approval required	Not Allowed




















F. OTHER ACCESSORY USES / STRUCTURES		I-2	I-3
1.	Interior storage of goods		
2.	Exterior storage of goods when visually screened from Residential Zones and Business Zones to the satisfaction of the ZEO. (see line below)		
3.	Other exterior storage of goods when in accordance with Section 6.12.C.1. (see line above)		
4.	Non-profit donation drop-off boxes when in accordance with Section 6.15.A		
5.	Truck "Limited Repairs" as defined by CGS Section 14-51 which is subordinate, customary, and incidental to a Minor Truck Terminal when in accordance with Section 6.8.C.3.		x
6.	A vertical take off and landing (VTOL) field, including a helicopter landing field, where such use is deemed necessary to the public convenience and welfare.		
7.	A landing field for aircraft as an accessory use to a permitted use in an Industry 3 (I-3) Zone.	x	
8.	Outdoor display and storage of rental vehicles, if not associated with a new/used automobile and truck sales and service establishment, when in accordance with Section 6.8.D.1		

TABLE LEGEND

					x
Allowed – No Zoning Permit Required	Allowed – Zoning Permit Required (Staff)	Allowed – Site Plan Approval Required (PZC)	Allowed – Special Permit Required (PZC)	Check with Staff for type of approval required	Not Allowed

Section 4.4. Area And Dimensional Standards

A. LOT AREA		I-2	I-3
1.	Minimum Lot Area (SF)	20,000	40,000
B. LOT DIMENSIONS			
1.	Minimum Lot Width (Feet)	100	200
2.	Minimum Street Frontage (Feet) <small>See note #2 below</small>	70	-
C. YARD SETBACKS		(See note #1 below) (See note #3 below)	
1.	Minimum Front Yard Setback (Feet)	25	25
2.	Minimum Side Yard Setback (Feet)	10	10
3.	Minimum Rear Yard Setback (Feet)	25	25
4.	Parking Area Setback (Feet)		
a.	Front Yard Setback	-	-
b.	Side / Rear Yard Setback (See Note #3)	10	-
D. BUILDING SEPARATION			
1.	Minimum Building Separation (Feet)	10	10
E. COVERAGE		(See note #1 below)	
1.	Maximum Building Coverage (all buildings) (Percent)	75	75
2.	Maximum Impervious Surface Area (Percent)	85	85
F. BUILDING HEIGHT		(See note #4 below)	
1.	Maximum Building Height (Feet)	50	100

See [Section 8.1](#) for possible exceptions to these requirements.

Table Notes:

- #1 See [Appendix B](#) for features contributing to coverage and subject to setbacks.
- #2. For lots without the required street frontage, see [Section 8.1](#).
- #3 Side and rear lot lines adjacent to railroad rights of way shall have no setback requirement for parking areas.
- #4 Any building in excess of 50 feet in building height shall be subject to applicable State and Federal Regulations dealing with air lanes.

(this page intentionally left blank for pagination purposes)

1. Quick Start
2. Residence
3. Business
4. Industrial
5. Special
6. Uses-
7. Standards
8. Special
9. Procedures
10. Framework
11. Glossary
12. Appendix

5. SPECIAL ZONES

Section 5.1.	Flood Hazard Zone
Section 5.2.	Design Development District Process
Section 5.3.	Approved DDD Districts
Section 5.4.	Incentive Development Zone
Section 5.5.	Comprehensive Downtown Rehabilitation Zone (CDR)
Section 5.6.	Mobile Home Park (MHP) District
Section 5.7.	Planned Development District

Section 5.1. Flood Hazard Zone

The regulations applicable to the Flood Hazard Zone are contained in [Appendix A of these Regulations](#).

This is because the numbering of the Flood Hazard Zone regulations tracks the numbering system used in the 2018 DEEP Model Floodplain Management Regulations.

This was done in order to facilitate updating and maintenance of these Zoning Regulations in the future. For the correct citation, the prefix “5.1” should be added to the numbering system in the DEEP Model Regulations to reflect the Section number in the East Hartford Zoning Regulations.

Section 5.2. Design Development District Process

A. PREFACE

The proposed Design Development Zone is a zone that is not mapped when adopted, but is intended for large scale development sites. On a future date, the proposed zone will be placed on the ground at the request of the affected landowner(s) or Developer. It is felt that the proposed floating zone technique rather than conventional rigid zoning will result in more planning of land uses within these areas. Accordingly, to achieve this goal, it shall be the intent of these regulations to permit the development of multiple buildings owned by multiple owners on a single lot or on multiple lots.

B. PURPOSE

The purpose of this section is to establish special detailed use floating zones of undetermined location for large scale development sites. This regulation is intended to provide increased flexibility of land development while requiring greater administrative standards and procedures and long-range planning.

C. APPROVED DISTRICTS

Approved Design Development Districts are listed In [Section 5.3](#) of these Regulations.

D. APPLICATION PROCEDURE

1. A Design Development District zone may only be established or changed by approval of two applications submitted and processed at the same time:
 - a. A Master Plan by way of a Text Amendment Application providing the information described in [Section 9.5](#) in sufficient detail for the Commission to understand and establish the overall parameters of the proposed development. The Text Amendment Application shall be processed in accordance with [Section 9.5](#) of these Regulations where the exact wording of the change applied for shall refer to the Master Plan documents as may be approved by the Commission pursuant to this Section of the regulations;
 - b. A Zoning Map Amendment Application, processed in accordance with [Section 9.6](#) of these Regulations, locating the proposed Design Development District on the official Zoning Map.
2. Once a Design Development District is established or changed, actual development may only occur with Site Plan approval where the purpose of such Site Plan approval is to determine if the proposed development is consistent with the approved Master Plan and to document the proposed improvements.
3. Twenty (20) copies of the application shall be filed and shall contain the following information:
 - a. The current zone designation and the proposed zone designation;
 - b. Size of subject parcel;
 - c. Description of existing and proposed use of land and buildings in zone change area;
 - d. Statement regarding how the proposed zone change will be of benefit to the Town of East Hartford;
 - e. Name, address and telephone number of petitioner(s);
 - f. Name, address and telephone number of owner(s);
 - g. Signature of owner(s); .If in multiple ownership, the owners and applicants (if different from the owners) shall submit, as part of the application, an agreement binding them to act as one (1) person in developing the property;
 - h. Signature of petitioner(s);

- i. If the parcel contains one hundred (100) acres or less, name and addresses of all property owners located within a distance of five hundred (500) feet of the boundary of the proposed zone change according to the latest records of the East Hartford Assessor's Office. This information shall be keyed to a map delineating property lines within a five hundred (500) foot radius around the subject site. For parcels greater than one hundred (100) acres, the provisions of this section shall not apply unless ordered by the Commission, which order shall specify a date certain for compliance.
- j. A Master Plan of the proposed development shall be submitted to the Commission for approval, and such Master Plan shall include the following:
 - 1) Name of the project, date, true north arrow, and scale, which scale shall be 1"=200' for parcels containing more than one hundred (100) acres, or such other scale as may specified by the Commission. As part of its review, the Commission may specify mapping of a portion of the parcel or the Master Plan or of the entire parcel of such detail and scale as the Commission deems adequate to address specified impacts or concerns identified by the Commission.
 - 2) The current zone designation and the proposed zone designation;
 - 3) The boundary line of the parcel which is the subject of the proposed zone change with accurate linear and angular dimension drawn to scale;
 - 4) Existing and proposed contours with a vertical interval of two (2) feet referred to sea-level datum;
 - 5) The locations of existing buildings and other structures, open space, watercourses, bridges, culverts, storm drainage, utility lines, parking areas, walkways, traffic and pedestrian circulation, fencing, landscaping and utility easements on the land to be developed and on land to be developed and for parcels one hundred (100) acres or less, on land within fifty (50) feet of such proposed development. For parcels greater than one hundred (100) acres the Commission may accept aerial photography from including but not limited to existing sources, labeled by the applicant to identify existing features of the surrounding area, produced in accordance with the Digital Orthophoto Standards of the National Mapping Standards, in lieu of this requirement.
 - 6) The location of all designated regulated areas including wetlands and Flood Hazard Zones;
 - 7) All plans shall be certified and signed as per Connecticut General Statutes. Certification shall include both impression, ink seal and live signature of licensed design professional(s);
 - 8) Proposed land use plan which shall include:
 - (a) Site access plan including proposed principal roads;
 - (b) Long term utility plan;
 - (c) A plan of the parcel indicating proposed general use categories. Such plan shall divide the parcel into one (1) or more Development Areas and provide the following:
 - A list of use categories proposed for each Development Area;
 - Proposed aggregate square footage of buildings to be constructed therein; and
 - Proposed lot sizes if the project involves subdivision.
 - (d) Conceptual site plans: one or more sheets depicting the proposed schematic design of the site, including:
 - The identification and general location of proposed uses;
 - Existing and proposed building footprints;
 - Proposed public and private streets, sidewalks and/or pedestrian walkways, rights-of-way, and parking areas;
 - A landscaping plan, including the location of proposed buffers;
 - Information regarding the provision of water, sewer, drainage, and other utilities; and
 - The location of public and/or private open space or conservation areas.

- (e) Schematic architectural drawings: one or more sheets illustrating the schematic design of the proposed buildings and structures, including:
 - Schematic floor plans;
 - Architectural elevations of all buildings; and/or
 - Photographs of buildings similar to the proposed buildings.
 - An overall design concept to be carried out within the District. Such concept need not be identical for all of Development Areas, but should incorporate common elements to encourage compatibility within and between Development areas;
- (f) Location and areas of all proposed open space in excess of one-half (0.5) acre; and
- (g) A Phasing Plan for the construction of all proposed roads and utilities and which identifies phases of development for each designated Development Area and describes how such development will be coordinated with completion of infrastructure; and
- (h) A master parking plan shall be submitted by the applicant in compliance with the requirements set forth in this [Section 5.2.D](#) or as approved pursuant to [Section 5.2.H](#) of these Zoning Regulations. Such plan shall be completed to the satisfaction of the Commission but at a minimum, must include:
 - The anticipated parking demands, including peak hours and the method of calculation.
 - The total allocation of available parking spaces on site and for each business/tenant space.
 - Locations for alternate parking locations (as defined) should they be necessary or more appropriate.
 - An analysis of the sufficiency of all pedestrian connections including an explanation of the Bicycle and Pedestrian on site amenities provided.
- (i) Additional documentation: Depending on the nature and/or intensity of the proposed Design Development District, the following documentation may also be required by the Commission:
 - A traffic study estimating the potential traffic generation and the capacity of streets within and neighboring the district to accommodate the projected traffic;
 - A report regarding the adequacy of proposed utility services;
 - A statement on how the proposed development complies with the Plan of Conservation and Development; and
 - Any additional information as may be required by these Regulations.
- 9) The applicant shall also present a narrative detailed description of the project;
- 10) Submission of inaccurate or incomplete material or information shall be grounds for denial of the application;
- 11) The applicant shall submit additional information or material if required by the Planning and Zoning Commission; and
- 12) One (1) additional copy of the application and required maps must be filed by the applicant in the Town Clerk's Office on or before the close-out date.

- k. The Planning and Zoning Commission shall forward copies of the proposal to the following Town Departments for their comments. Failure of the Economic Development Commission, Inland Wetlands Agent, or other Town Agency or Staff to report within thirty-five (35) days after the date of submission of the proposal to it for a report shall be taken as a report of no objection to the proposal:
 - 1) A report from the Inland Wetlands Agent on the proposed development and impacts on existing wetlands/ buffer areas.
 - 2) A report from the Economic Development Commission on the economic benefits to the community.
 - 3) A report from the Town Engineer in reference to adequacy of drainage, public street design, and the engineering validity, as the design relates to the roads and utilities of the Town,
 - 4) A report from the Fire Chief on firefighting feasibility of the proposed development.
 - 5) A report from the Police Chief as it relates to security related issues.
 - 6) A report from the Local Traffic Authority on traffic impact to the community.
 - 7) A report from the Director of Parks and Recreation on the proposed uses for the proposed open space areas.
 - 8) Health Department report.
 - 9) Corporation Counsel legal review of proposed deed and declaration of covenants.

E. PUBLIC NOTICE

1. No application to establish or change a Design Development District Zone shall be granted until a public hearing in relation thereto has been held at which parties in interest and citizens shall have the opportunity to be heard. A notice of the time and place of such hearing shall be published in a newspaper having a substantial circulation in Town at least twice at intervals of not less than two (2) days, the first not more than fifteen (15) days nor less than ten (10) days and the last not less than two (2) days before such hearing.
2. The applicant shall display a sign or signs which indicate that an application for a change of zoning district has been filed for the area on which the sign or signs have been posted. Said sign or signs shall be erected and maintained by the applicant wherever the parcel abuts each public or private street from the day that the notice of public hearing has been posted until the first secular day following the public hearing. The applicant shall also send notice of the hearing by certified mail to the owners of record of all properties located within 100 feet of the subject property. The requirements of this section shall not apply to the Planning and Zoning Commission of the Town of East Hartford.
3. All requests for withdrawal without prejudice shall be made by the applicant at least one (1) calendar day prior to the scheduled public hearing date for the application. This request shall be made before the close of Town Hall business hours.
4. No petition for change of zone after public hearing has been rejected by the Planning and Zoning Commission or withdrawn by the petitioner shall be heard sooner than one (1) year from the date of rejection or withdrawal; or upon the consent of the Planning and Zoning Commission, a petition may be withdrawn without prejudice and be heard within the one (1) year period.
5. If the Planning and Zoning Commission, in its findings after a public hearing, determines that a petition is valid but requires further information or study it may request the petitioner to withdraw the petition without prejudice and be heard within the one (1) year period.

F. CHANGES IN THE APPROVED MASTER PLAN

Changes in the approved Master Plan may be permitted upon approval of the Planning and Zoning Commission. Changes to the Phasing Plan shall not constitute a change requiring a public hearing, but the applicant shall provide the Commission with a narrative description of changes which demonstrates to the Commission's satisfaction that the existing and proposed infrastructure is or will be sufficient to support the revised Phasing Plan.

If the Commission determines that proposed changes constitute a major change it shall require a public hearing and submission of a new application and Master Plan pursuant to [Section 5.2.D](#). A change shall be deemed a major change when any of the following occur:

1. Change in general use category to any general use category not included within the approved Master Plan. This shall include changes in a general use category within any Development Area to a general use category not specifically approved for that Development Area.
2. Increase in excess of the following percentage limits in the aggregate square footage of the proposed buildings for the Development Area:
 - a. If the originally approved square footage was five hundred thousand (500,000) square feet or more, five (5) percent;
 - b. If such square footage was between three hundred thousand (300,000) square feet and five hundred thousand (500,000) square feet, three (3) percent; and
 - c. If such square footage was three hundred thousand (300,000) square feet or less, one (1) percent.
3. Revision to boundaries of any Development Area which is deemed significant by the Commission in terms of overall impact of development.

G. MASTER PLAN FILING REQUIREMENTS

Within ninety (90) days of the approved Design Development District designation, the applicant shall submit two (2) paper prints and one (1) digital copy to the Planning and Zoning Commission through the Town Planner.

H. OVERALL STANDARDS

1. It is the intention of these regulations that the standards pertaining to a Design Development District shall be those which are a part of an approved Master Plan and Site Plan hereunder and those specifically set forth in these Design Development District zone regulations. Accordingly, the provisions of these East Hartford Zoning Regulations, including, without limitation, those set forth in the underlying zone shall continue to govern any Design Development District adopted by the Commission unless otherwise addressed by a specific standard contained in these Design Development District zone regulations or a standard approved by the Commission as a part of an approved Master Plan or Site Plan.
2. Any standard established by either an approved Master Plan or Site Plan which is in conflict with the East Hartford Zoning Regulations must be identified in writing as a part of such approved Master Plan or Site Plan. If any provision of a Master Plan or Site Plan for a Design Development District as approved by the Town Planning and Zoning Commission shall conflict with other provisions of these East Hartford Zoning Regulations, the provisions of the approved Master Plan and/or Site Plan shall govern.

I. SITE PLAN APPROVAL REQUIRED

No building shall be constructed and no land shall be used prior to approval of a Site Plan which shall be consistent with the approved Master Plan and shall comply with [Section 9.3](#) of these regulations and, without duplication, the following:

1. Architectural renderings and perspectives of all proposed structures and their interaction with existing on site structures;
2. Proposed use categories of all proposed buildings. When multiple uses are proposed, percentages of floor area for each use shall be shown
3. Concept building plans, including schematic floor plans and exterior elevations;
4. Traffic impact report of the area as it may be affected by the proposed development, including present and anticipated traffic counts, flow patterns, and capacity analysis of present and proposed interchanges, intersections and entrances serving the development shall be analyzed by a professional traffic engineer licensed to practice in the State of Connecticut;
5. Report on the proposed development's security plan;
6. Identification of vehicular and pedestrian circulation patterns, including location and dimension of private and public streets and common drives;
7. Location of proposed off street parking areas with dimensions, including location, size and number of parking spaces, access routes, parking barriers and walkways;
8. No building or premises shall be used or designed to be used for the sale of alcoholic liquors at retail for consumption either on or off the premises if the portion of such building or premises in which such use is conducted is situated within five hundred (500) feet in a radius from any part of any building or premises used as a public school, a duly authorized school other than a public school, a house of worship or a municipal fire station or town hall;
9. The sale of alcoholic liquors for consumption on the premises shall be permitted only as a use subordinate and incidental to a restaurant use, the principal purpose of which is the preparation and sale of food to patrons primarily seated at tables and the dining area of which shall have a floor area of at least 2,000 square feet exclusive of cocktail lounge and entertainment area.
10. The Commission may modify the parking requirements within a designated Development Area as follows:
 - a. The total number of parking spaces required may be reduced to not less than seventy-five (75) percent of the number required pursuant to [Section 7.2](#) for the individual uses proposed for the site upon demonstration by the applicant that the proposed uses have complementary parking characteristics. Any request for reduction in parking shall be accompanied by a parking study prepared by a parking engineer.
 - b. For uses which involve long term parking where parking is provided within a parking garage, the Commission may permit compact spaces for not more than twenty (20) percent of the required spaces as calculated pursuant to [Section 7.2](#). Compact spaces shall be clearly marked and shall be a minimum size of eight and one-half by sixteen (8.5x16) feet each. The Commission may also permit tandem spaces. Tandem spaces shall measure nine by thirty-six (9x36) feet each.

- c. For multiple-phased projects, within a Development Area the Commission may require the applicant to prepare a revised parking plan for any subsequent phase after the first phase if experience demonstrates that parking provided is not adequate. Such revised plan shall be submitted prior to approval of any site plan for a new phase and, shall provide parking adequate to meet the requirements of all phases as would have been required pursuant to [Section 7.2](#) or as approved pursuant to [Section 5.2.H](#).
11. Proposed pedestrian walks, malls, and other paths, public and private;
12. Priority schedule of construction of the building's landscaping, infrastructure and other elements of the plan;
13. The name and address of applicant's landscape architect, land planner, surveyor, professional engineer and architect; and
14. A plan indicating the relationship of the proposed site plan to the approved Master Plan.
15. The Design Development District area shall be delineated and identified and the acreage calculated.
16. The area of the Design Development District covered by impervious material shall be delineated and identified, including calculation of coverage percentages.
17. A proposed utility service concept plan including electric, telephone, television, sanitary sewage disposal system, storm drainage, potable water supply, and water supplies for fire protection, including an engineering report regarding disposal of storm water drainage. The Connecticut licensed engineer designing sanitary, storm and water systems shall certify "best management practices" were used in designing the systems.
18. Landscaping (including the number, sizes and species of proposed trees and/or shrubs, lawn and other groundcover, and other landscape features and natural terrain not to be disturbed). Existing tree growth shall be shown on the plan and preserved to the maximum extent possible.

J. SUBDIVISION APPROVAL

Where required, the applicant shall comply with the provisions of the Town of East Hartford Subdivision Regulations. To the extent practicable, the processing of any application for subdivision approval shall be coordinated with the processing of an application under these Design Development District regulations.

Where these regulations provide development controls substantially the same as those provided by the Subdivision Regulations, the Commission may waive any duplicative or unnecessary provisions of the Subdivision Regulations under Section 9.1 as follows:

1. The Town Planning and Zoning Commission may waive, by a three-quarters vote and subject to appropriate conditions, such requirements of the foregoing regulations which, in its judgment, are not requisite to the interests of the public health, safety and general welfare, and where conditions exist which affect the subject land and are not generally applicable to other land in the area. When making its determination as to appropriate conditions and/or waiver of any requirement of any regulation, the Commission shall first consider the regulation sought to be waived and make findings as to the following, where applicable: the location of the subject land; the necessity of requiring the particular regulation, considering the topography of the land, possible future development of the area, the nature of the development as regards its proximity to residential areas, and the objective which the regulation seeks to achieve. In the case of a request to waive sidewalk requirements, the Commission shall consider, among others, each of the following factors: proposed dwelling unit density, where applicable; distances from schools, shopping areas and the necessity for sidewalks to any such location; proximity of existing sidewalks; safety, including site lines, traffic speed and topography; and any other condition which the Commission deems relevant. The Commission shall consider each request for a waiver with regard to the particular conditions affecting the subdivision in question, and prior determinations as to requested waivers shall not be construed as precedent for any other.
2. Any request for a waiver of any requirement of these regulations shall be identified on the Preliminary Layout Application, Form F-1. Failure to request same may be grounds for denial.

K. BONDING OF STAGES

1. Upon the request of an applicant, if a Master Plan is anticipated to be developed in stages over a period of longer than five (5) years and the Commission finds that each stage, together with its required public improvements and utilities, shall be capable of complete and self-sufficient existence without the completion of the next or final stages, then notwithstanding any provision in the East Hartford Zoning Regulations to the contrary, the Commission may allow the applicant to provide the Town with a performance bond covering the cost of required improvements and utilities contained within each stage, on a stage-by-stage basis prior to the issuance of a building permit for any building or structure within each stage.
2. Said bond shall be in a sum satisfactory to the Commission, and shall be conditioned on the completion of said required public improvements and utilities for each stage.

Section 5.3. Approved DDD Districts

A. DDD-1 –

1. **Definitions** - In addition to the definitions contained in [Section 11](#) of these Regulations, the following words and phrases shall, for the purposes of this regulation, be defined as follows:

ELIGIBLE ZONE DDDI: The Industrial 3 (I-3), Industrial 2 (I-2), Business 4 (B-4), and/or Business IA (B-1A) Zone are eligible zoning districts for placement of a Design Development District I. Adjacent land in other zones may be incorporated into a Design Development District provided the combined parcel meets the requirements of Section 5.3.A.3 below.

PARCEL: Parcel shall mean any lot or tract of land which is the subject of an application for a change in zone and approval of Master Plan as set forth in [Section 5.2.D](#) of these regulations. A parcel may be in single ownership or in multiple ownership. If in multiple ownership, the owners and applicants (if different from the owners) shall submit, as part of the application, an agreement binding them to act as one (1) person in developing the property.

2. **Permitted Land Uses** - Any uses permitted within any zone under these regulations, as a permitted use, a Special Permit use or otherwise, except adult oriented establishments, as specified herein, shall be permitted uses in the Design Development District I. Uses within the Design Development District shall be located with due consideration for compatibility and reasonable transition between such uses and other uses existing in areas adjacent to or in the immediate vicinity of the proposed Design Development District.
3. **Minimum Threshold Limits For Application** -
 - a. **Size** - The size of the parcel for which application may be made for a proposed Design Development District I shall be at least twenty (20) acres. A tract of less than twenty (20) acres may be permitted to apply for Design Development District designation subject to the following:
 - 1) Subject parcel shall be incorporated into an existing Design Development Zone Master/Plan
 - b. **Utilities** - The applicant shall submit a plan to insure that the parcel is capable of being serviced adequately by Metropolitan District Commission sewer and other utilities after full build out.
 - c. **Traffic Management** - The applicant shall submit a plan to insure that the parcel shall be accessed by roads which can adequately handle the full buildout capacity, whether privately, State or Town owned. The applicant will also provide analysis for an appropriate traffic management program, which depending on the types of uses and scope of development may include such traffic management techniques as mass transit, van and car pooling or other appropriate forms of traffic management.
 - d. **Fragmented Zone Parcels** - If the parcel described in an application for a Design Development District includes less than an entire tract owned by the applicant, the Commission may require that the applicant submit plans/documentation demonstrating how future access and utility service will be provided to the balance of the tract owned by the applicant.

4. Standards -

- a. It is the intention of these regulations that the standards pertaining to a Design Development District shall be those specifically set forth in these Design Development District zone regulations and those which are a part of an approved Master Plan and Site Plan hereunder. Accordingly, the provisions of these East Hartford Zoning Regulations, including, without limitation, those set forth in the underlying zone shall continue to govern any Design Development District adopted by the Commission unless otherwise addressed by a specific standard contained in these Design Development District zone regulations or a standard approved by the Commission as a part of an approved Master Plan or Site Plan. Any standard established by either an approved Master Plan or Site Plan which is in conflict with the East Hartford Zoning Regulations must be identified in writing as a part of such approved Master Plan or Site Plan. If any provision of a Master Plan or Site Plan for a Design Development District as approved by the Town Planning and Zoning Commission shall conflict with other provisions of these East Hartford Zoning Regulations, the provisions of the approved Master Plan and/or Site Plan shall govern.
- b. The Master Plan as approved shall set forth the permitted uses of the specific Design Development District zone approved by the Commission and in approving the Master Plan, the Commission is authorized to regulate and promulgate standards to which an approved Master Plan shall be subject.
- c. The Design Development District shall be granted only when the Planning and Zoning Commission finds, after public hearing, that the proposed Master Plan is in accord with public interest, convenience, and welfare after taking into account, where appropriate:
 - 1) The nature of the proposed site including its size and shape and existing natural features;
 - 2) The resulting traffic patterns and the adequacy of proposed off-street parking and loading;
 - 3) The nature of the surrounding area and the extent to which the proposed uses or features will be in harmony with the surrounding existing uses;
 - 4) The proximity of dwellings, houses of worship, schools, parks, public buildings, and of other places of public gatherings;
 - 5) All standards contained in these regulations; and
 - 6) The Plan of Conservation and Development for the Town of East Hartford and other expressions of the purpose and intent of these regulations.

5. Buffer Requirement -

- a. **Minimum Buffer Width** - In any Design Development District in which the parcel is occupied by a building or other use and which abuts a Residence Zone, there shall be a fifty (50) foot buffer strip. The buffer strip may consist of shrubs, hedges, planted berms or trees of sufficient mass to provide, within twelve (12) months of final completion, an appropriate screen between the parcel and the adjacent Residential Zone. Land areas adjacent to other land of the applicant or to another Design Development District or Development Area thereof shall be exempt from this subsection. Land areas adjacent to a duly accepted town, state, or federal street or highway and abutting a Residence Zone shall also be exempt from this subsection provided that all buildings must be set back from a Residence Zone one (1) foot for every foot of building height.
- b. The Commission may require an enlargement of the required minimum buffer width or building setback buffer width, up to one hundred (100) feet, if the proposed uses are considered incompatible with adjacent existing uses or do not provide a logical transition from existing adjacent development, and fifty (50) feet is considered an insufficient width to provide adequate screening.

6. Open Space Requirements -

- a. **Provision For and Uses of Open Space** - It is the intent of these regulations that open space areas of significant size be provided within a Design Development District I, appropriate to the use or uses to be conducted therein. The exact amount of required open space for any particular Development Area within a Design Development District I, up to the maximum requirements set forth in subsection b. below, shall be determined by the Commission. Open space shall be incorporated into the proposed Master Plan as a design feature, to buffer the proposed development from existing development, to serve as a transition between uses within the development, and/or as a principal use in its own right. In recognition of these varied open space uses and the variety of uses which may be proposed for a particular Design Development District I or Development Area, open space may include any natural areas, landscaped and/or formal planted gardens, important wetland systems or other significant natural areas, active and passive recreation areas and/or other unimproved land areas. Open space shall include all buffer areas and all other areas not covered by buildings, paved parking areas or roadways, or other impervious surfaces.
- b. **Required Open Space** - The maximum required open space to be preserved on any parcel developed under the Design Development District 1 regulations shall be based upon the general use category or categories planned therefore, as follows:
 - 1) For industrial uses, including manufacturing, warehouse and processing and assembly of materials – fifteen (15) percent of land area
 - For retail uses, including shopping centers, retail sales and services, restaurants, hotels/motels, telecommunications services and other commercial retail uses – twenty (20) percent of land uses.
 - 2) For office uses, including low rise and high-rise office buildings and office parks – thirty (30) percent of land area
 - 3) For single or multiple family residential uses – fifty (50) percent of land area
 - 4) For mixed-use projects – that percentage which is the aggregate of the prorated percentages for the various categories of proposed uses within the parcel, not to exceed thirty (30) percent of land area.
- c. **Considerations for Reduction of Requirements** –
 - 1) The exact amount of required open space for a parcel, up to the foregoing maximum requirements, shall be determined by the Commission after a consideration of the desirability of preserving open space within the parcel, including, among other factors, any ecologically important natural features within the parcel, the types of uses proposed for the parcel, existing uses adjacent to the parcel (it being recognized that parcels abutting existing residential areas may require more land devoted to open space than parcels abutting commercial or industrial land), and any recommendations of the Inland Wetlands Agent or Economic Development Commission.
 - 2) The Commission may also reduce such requirements for a proposed Design Development District or Development Area if:
 - (a) Open space shall be provided in an adjacent Design Development District or Development Area, or in other adjacent land of the applicant, sufficient to meet the open space requirements hereof for the combined parcels; or
 - (b) The applicant can provide open space ("Alternative Open Space") at an alternative location outside the Design Development District parcel, which need not be contiguous to or in the immediate vicinity of the Design Development District parcel. Such Alternative Open Space shall be permanently preserved from future development. The Commission may substitute such Alternative Open Space for required open space on an acre for acre basis when public access is provided, and on a two (2) acres for one (1) acre basis when the Alternative Open Space is not publicly accessible, up to a maximum of fifty (50) percent of the open space which would otherwise be required, as determined by the Commission.

- d. Types of Open Space - The location and extent of all open space shall be identified on the Master Plan and designated as major or urban design. Subsequent changes in use of open space from that designated on the approved Master Plan may be permitted by the Commission by Special Permit. Urban Design open space shall include traffic islands, median strips, lawns and yards clearly associated with specific buildings, planted berms within parking lots and other improved areas of less than one-half (0.5) acre. All other open space shall be considered major open space.
- e. Authorized Preservation Methods - The applicant shall indicate at time of application how any alternative open space is to be maintained and preserved from development and shall submit a form of legal instrument designed to ensure such preservation, which methods of maintenance may consist of any of the following or any other appropriate method:
 - 1) Deed or conservation easement to the Town of East Hartford, a Land Trust, State of Connecticut or other non-profit organization dedicated to conservation of open space;
 - 2) Land held in common by a property owners association incorporated as a non-profit corporation, subject, however, to a legally binding conservation easement or restrictive covenant in favor of the Town, the State of Connecticut or another entity that will preclude future development; or
 - 3) Land held in personal, partnership, limited liability company, corporate or other form of ownership by the applicant, subject, however, to the transfer of development rights or some other method of preserving the open space from future development. Whichever method is selected, a legal instrument shall be prepared which:
 - (a) Ensures continued use of open space for its intended purpose;
 - (b) Provides for the maintenance of open space; and
 - (c) Provides the Town of East Hartford, its agents and employees the right to enter upon the open space area to inspect, remove or correct any object or condition which may be deemed a nuisance or which presents an emergency or which may be a violation of the approved plan.

7. Adjustments To Zoning Standards Applicable To DDD-1 Development -

Section	Provision Applicable to DDD-1												
Building Height (Section 4.4.F)	No building shall exceed one hundred (100) feet in height, subject to applicable State and Federal regulations dealing with air lanes.												
Impervious Coverage (Section 4.4.E.2)	(See line item in this table below referring to Section 8.1.F)												
Signs (Section 7.1)	a. Identification signs do not need to be on the lot in which the primary building is located. b. Unified signage is allowed within the limits of the Master Plan.												
General Parking Requirements (Section 7.2.C.1)	Required parking facilities shall be located on the same lot as the building or use that they serve and required spaces serving a nonresidential use may be permitted on lots within the master plan. Such off-site parking facilities may be more than five hundred (500) feet walking distance from the premises measured in a straight line to the nearest space for vehicular parking.												
Number of Parking Spaces Required (Section 7.2.D)	Unless otherwise specifically approved by the Commission, required parking facilities for passenger vehicles shall contain not less than the minimum areas set forth below. Roof top or indoor parking may be included in the required area. Where two (2) or more uses are on the same premises, the minimum number of parking spaces shall be the sum of the minimum number of parking spaces for each use as required in these specifications. Unregistered vehicles shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings. <ul style="list-style-type: none"> • Light industrial / logistics - 1 space per 5,000 sf gross floor area • High-tech manufacturing and research/development - 1 spaces per 1,000 sf gross floor area 												
Number Of Loading Spaces Required (Section 7.2.G)	In the case of light industrial-logistics, high-tech manufacturing and research/development and industrial buildings, the number of off-street loading berths required by this section shall be considered the absolute minimum. For purposes of this section, an off-street loading berth shall have minimum plan dimensions of twelve (12) feet by twenty-five (25) feet and fourteen (14) feet overhead clearance. Each loading space shall have adequate means for ingress and egress and may be a loading berth associated with the operation of the facility. Number of required off-street loading berths: For structures containing more than twenty thousand (20,000) square feet and less than forty thousand (40,000) square feet of gross floor area, one (1) berth shall be required. For structures containing forty thousand (40,000) square feet of gross floor area or more, the number of berths specified in the following table shall be provided: <table> <tr> <td>Gross Floor Area (Square Feet)</td><td>Required Number of Berths</td></tr> <tr> <td>40,000 – 99,999</td><td>2</td></tr> <tr> <td>100,000 – 159,999</td><td>3</td></tr> <tr> <td>160,000 – 239,999</td><td>4</td></tr> <tr> <td>240,000 – 319,999</td><td>5</td></tr> <tr> <td>320,000 – over</td><td>6</td></tr> </table>	Gross Floor Area (Square Feet)	Required Number of Berths	40,000 – 99,999	2	100,000 – 159,999	3	160,000 – 239,999	4	240,000 – 319,999	5	320,000 – over	6
Gross Floor Area (Square Feet)	Required Number of Berths												
40,000 – 99,999	2												
100,000 – 159,999	3												
160,000 – 239,999	4												
240,000 – 319,999	5												
320,000 – over	6												

Section	Standard Applicable to DDD-1
Parking Area Design (Section 7.2.I.1)	For a parking space to be credited as a required space, for ninety (90) degree parking, each space shall have minimum dimensions of nine (9) feet in width by eighteen (18) in length. For ninety (90) degree parking only, if necessitated by the geometry of the lot, the width of the access aisle may be reduced by no more than two (2) feet, provided the width of each adjoining parking space is increased by one (1) foot. Cars utilizing spaces adjacent to walls and fences shall be prevented from striking same by an appropriate car stop. In those instances where the parking space abuts a landscaped area of a pedestrian sidewalk of not less than six (6) feet in width, the parking space can be reduced to sixteen (16) feet in length. Each required parking area is to be exclusive of driveways and shall be permanently reserved for the temporary parking of one (1) automobile and shall be connected with a street or public right-of-way by an all-weather surfaced driveway
Front Landscaped Area (Section 7.3.C)	A front landscaped area shall be required for all uses in all zoning districts where boundaries are not buffered by existing vegetation, and only when facing Runway Road, Willow Street, East Hartford Boulevard. the required landscaped area shall be covered with grass or other ground cover and shall include appropriate trees and shrubs. At a minimum, one street shade tree shall be planted for each 50 feet of fraction thereof of lot frontage. The purpose of the landscaping is to enhance the appearance of the use on the lot but not to screen the use from view.
Parking Lot Landscaped Area (Section 7.3.E.1)	In any zone, for any proposed parking lots providing spaces for twenty (20) or more vehicles where boundaries are not buffered by existing vegetation, and only along perimeters facing Runway Road, Willow Street, East Hartford Boulevard, there shall be provided along the perimeter a landscaped area with a minimum dimension of five (5) feet planted with grass or shrubs and containing at least one (1) deciduous tree of not less than a three (3) inch caliper and at least six (6) feet in height, for every seventy-five (75) feet along the perimeter of the parking area. Such distance may be increased for lanes of ingress and egress. The parking lot shall be illuminated. Where the parking area is functionally integrated with an adjacent parking area, the Planning and Zoning Commission may approve a modification to these regulations upon the acquisition of a Special Permit.
Parking Lot Landscaped Area (Section 7.3.E.2)	All such uses providing parking spaces for more than fifty (50) passenger vehicles are also required to provide at least ten (10) square feet of landscaping for each parking space within 50' of the boundary of the paved portion of the parking area for each parking space.
Buffer Strips (Section 7.3.F.2)	In any Industrial Zone where the premises are occupied by a building or other use and abuts a Residential Zone, there shall be a fifty (50) foot landscaped buffer strip.

Section	Standard Applicable to DDD-1
Access Management (Section 7.8.C.4)	A private road, private driveway or other private vehicular way of access servicing a business or industrial use shall not be constructed through a Residential Zone or buffer strip unless it is for emergency access or multiuse recreational paths.
Impervious Coverage (Section 8.1.F) (<i>Extends impervious coverage exemption to DDD-1 and any underlying zones</i>)	Lots which existing prior to March 15, 1977 which exceed the maximum impervious surface requirement above shall be exempt from the maximum impervious surface requirement. Additions which do not increase the impervious surface area, constructed on such existing lots shall also be exempt from the maximum impervious surface requirement. The plans for any addition to such buildings must contain an on-site storm water management program that is acceptable to the Town Engineering Department.
Use Of Trailers (Section 8.7.2)	In any zone except an I-2 or I-3 Zone, tractor trailer with or without tractor attached or truck loaded with merchandise except goods in transit or for a construction project may be parked in a lot for a period exceeding seven (7) consecutive days.
Security Gates (Section 8.9)	Section 8.9 shall not apply to the Rentschler Field Master Plan

B. DDD-2 – AGE RESTRICTED RESIDENTIAL DEVELOPMENT

1. **Purpose** - The DDD-2 regulations provide for the construction of cluster type alternative housing to meet the unique and special needs of those age 55 and older. Provision for age restricted housing with special design features is desirable in order to provide a balance and variety of housing types and styles, to offer a wide choice to the prospective resident.
2. **Definitions** - In addition to the definitions contained in [Section 11](#), the following words and phrases shall, for the purposes of this regulation, be defined as follows:

Age Restricted Development”(ARD) - As used in this Section, the area defined by the Age Restricted Development Boundaries.

Bedroom - Every habitable room other than a kitchen, living room, dining room, library, or bathroom, but not including open-air or screened porches, unheated or uninsulated spaces, and basements or cellars not designed to accommodate sleeping.

3. **Age-Restriction** - Occupancy of the dwelling units is restricted to at least one of the occupants being 55 years of age or older.

8. **Permitted Uses** –

- a. Single-family detached housing and/or single-family attached housing (each single-family attached dwelling unit shall have independent ingress and egress to grade and no common exit access) at a maximum density of four (4) units per acre.
- b. No dwelling unit in an ARD shall contain more than three bedrooms and at least one bedroom shall be located on the primary living floor. The Commission shall determine which rooms shall be construed to be bedrooms.

9. **Accessory Uses** - The accessory permitted uses shall be:

- a. Recreational facilities such as tennis courts, swimming pools and club-houses to be used solely by residents of the ARD and their guests.
- b. Security and maintenance facilities such as gate houses and garden sheds to be used solely by the residents of the ARD and their employees.

10. **Open Space** –

- a. Each of the dwelling units shall be provided with a minimum of one hundred fifty (150) square feet of private usable outdoor space, such space to be directly accessible by the occupants of the dwelling unit.
- b. A minimum of thirty (30%) percent of the total ARD acreage shall be set aside as open space for recreation and/or conservation purposes and shall be permanently reserved in a manner acceptable to the Commission.

11. **Community Association** - All approved Age Restricted Residential Developments shall be required to establish and maintain a community association and such association shall certify annually to the Zoning Enforcement Officer that the Age Restricted Residential Development is in compliance with the age restricted requirements of this section. Such certification shall comply with the requirements of the United States Department of Housing and Urban Development.

12. **Standards** - The following standards shall apply to the ARD:

a. Minimum ARD Size	10 acres
b. Minimum Front Yard Setback	50 feet
c. Minimum Side and Rear Yard Setback	Attached = 45 feet Detached = 40 feet
d. Minimum Separation Of Principal Buildings: 1. From the edge of pavement of any main road. 2. From another principal building where either wall has window or door openings 3. From another principal building where neither wall has openings 4. from an accessory building	25 feet Greater of 30 feet or height of the buildings Greater of 15 feet or half the height of the building Greater of 10 feet or height of the accessory building
e. Minimum Separation Of Accessory Buildings: 1. From the edge of pavement of any main road. 2. From the edge of pavement of any cul-de-sac, parking area, or other accessory building	25 feet 10 feet
f. Maximum Building Height	2-1/2 stories/ 35 feet
g. Maximum Impervious Surface Coverage	40 percent of the total ARD lot area.
h. Minimum off-street parking (including garages and outside spaces)	2.0 paces per dwelling unit of which at least one space shall be part of the principal structure
i. Parking Setbacks	No parking spaces shall be located within 50 feet from any lot line of the ARD
j. Streets	All streets shall be private
k. Utilities	Public water, public sewer, underground utilities.
l. Landscaping	The ARD shall be suitably landscaped.

C. DDD-3 – COLLEGE DESIGN DISTRICT

1. **Purpose** - The purpose and intent of the DDD-3 Zone is to enable Goodwin University and the area around it to be developed with a mix of institutional, commercial, and residential uses in accordance with one or more Master Plans so as to create a vibrant, walkable community that will provide a place where people can live, work, and play. The overall intent for this unique area is a comprehensively designed mixed use environment, with a variety of land uses carefully integrated both horizontally and vertically in a compact form. In the designated area, development may occur using the underlying zone or, with approval of a Zone Change, may occur in accordance with the provisions of this Section.
2. **Documentation** – Approved Master Plan(s) and supporting documents for the DDD-3 Districts are on file at East Hartford Town Hall.
3. **Definitions** – The following definitions shall apply to development in the DDD-3 Zone except that, in the event there is a conflict between definitions in [Section 11](#) of these Regulations and this section, the definitions in this section shall control:

INSTITUTIONAL USE - A nonprofit, religious, or public use, such as a religious building, library, public or private school, hospital, or government-owned or operated building, structure, or land used for public purpose, including any property exempt from real property taxes pursuant to CGS Section 12-81.

MASTER PLAN – A collection of materials clearly identifying the proposed development including, but not limited to:

- Maps and plans showing existing and proposed improvements,
- Locations of wetlands, floodplains, and other environmental constraints,
- Proposed land use plan indicating general use categories in different areas.
- An overall design concept to be carried out within the District.
- A Phasing Plan for development of all proposed areas and improvements.
- A narrative detailed description of the project;

(continued on next page)

(continued from previous page)

SIGNAGE - The following definitions apply to signage in the DDD-3 Zone:

SIGN, AWNING - A sign attached to, affixed to, or painted on an awning or canopy.

SIGN, BLADE - A sign (sometimes referred to as projecting bracket mounted sign) that is attached to, in whole or in part, a building face or wall, and that projects in a perpendicular direction from such face or wall (or, in the case of a building corner, that projects in a direction that is approximately midway along the outside corner) and that contains two potential sign sides.

SIGN, CANOPY - A sign that is attached to, in whole or in part, a building face or wall and that projects in a perpendicular direction from such face or wall more than 18 inches and that includes three potential sign sides (for example, a sign commonly described as a theater marquee sign).

SIGN, MENU BOARD - A freestanding or wall-mounted sign identifying items offered for sale within a restaurant.

SIGN, SANDWICH OR A-FRAME - A portable sign which is movable and not attached to a building, structure or the ground. These signs shall not count in the calculation of Identity Signage attached to buildings.

SIGN, SITE - A sign that does not identify a particular building or establishment, but which identifies a neighborhood or other group of buildings or establishments.

SIGN, SUSPENDED - A sign that is suspended from the underside of a horizontal plane and is supported by such surface.

SIGN, TABLE UMBRELLA - A sign attached to, affixed to, or painted on an umbrella or parasol connected to an outdoor restaurant table.

SIGN, WINDOW - An identity sign that is etched onto, or otherwise attached to, the surface of a window such that visibility is maintained through the window.

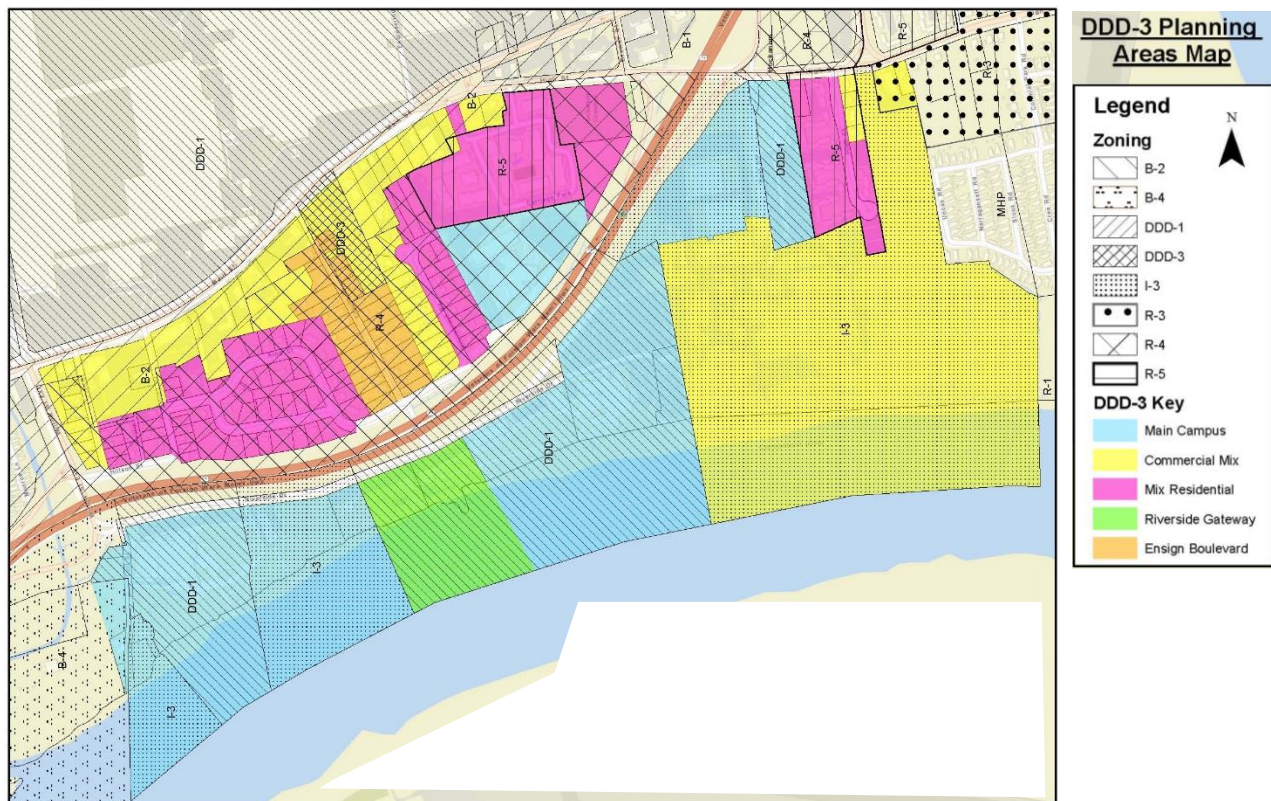
STREETSCAPE - The area within a street right-of-way that contains sidewalks, street furniture, landscaping, or trees.

4. General Process –

- a. The DDD-3 Zone may, with approval of a Zone Change application by the Commission, be applied to any parcel(s) of land within the eligible area described in Section 5.3.C.5 below.
- b. If such Zone Change to DDD-3 Zone is not applied for by the property owner/applicant or is not granted by the Commission, such property may be developed in accordance with the existing zoning designation(s).
- c. As part of any Zone Change application, the property owner/applicant shall submit a Master Plan which shall outline the proposed development on the parcel(s) applied for and such Master Plan shall be considered a Text Change application since the parameters of the Master Plan shall dictate the permitted uses, dimensional standards, and development standards for the property.
- d. The Commission shall only approve a DDD-3 Zone Change and/or Text Change (Master Plan) when it finds, after a public hearing, that the proposed Master Plan is in accord with public interest, convenience, and welfare after taking into account, where appropriate:
 - 1) The nature of the proposed site including its size and shape and existing natural features;
 - 2) The resulting traffic patterns and the adequacy of proposed off-street parking and loading;
 - 3) The nature of the surrounding area and the extent to which the proposed uses or features will be in harmony with the surrounding existing uses;
 - 4) The proximity of dwellings, houses of worship, schools, parks, public buildings, and of other places of public gatherings;
 - 5) All standards contained in these Regulations; and
 - 6) The Campus Area Master Plan for the College Design District Zone, Exhibit A, as amended from time to time, and other expressions of the purpose and intent of these Regulations.
- e. With the approval of a Master Plan, a parcel or combination of parcels may be developed according to an approved Site Plan that is found by the Commission to be consistent with the Master Plan.

5. Overall Vision –

- a. The DDD-3 Zone may be utilized on any parcel or combination of parcels in any zone within the following geographic area:
 - North boundary: south right-of-way line of Willow Street
 - East boundary: west right-of-way line of Main Street and High Street
 - South boundary: south and east property line of 1 Pent Road (Map-Lot 9-1)
 - West boundary: Connecticut River
- b. Development shall occur in accordance with the Planning Area Map as approved by the Commission, as may be amended, depicting the following five Planning Areas:
 - Commercial Mix,
 - Ensign Boulevard,
 - Mix Residential,
 - Main Campus, and
 - Riverside Gateway.



Note – Map is subject to change as the DDD-3 Zone evolves. Illustration is illustrative and is not regulatory.

- c. Development within these Planning Areas shall be in accordance with the following vision statements:

Main Campus	The Main Campus area is intended to provide for the establishment and continuing operation of institutional and educational uses. Institution's of higher education constitute a unique mix of uses, facilities and activities and this area is meant to ensure that such uses are compatible with surrounding land uses.
Ensign Boulevard	The Ensign Boulevard area will feature three-to-four story buildings with higher densities than the surrounding areas. Wide, landscaped sidewalks and outdoor terraces will allow for some outdoor cafes and display areas. Retail, restaurant, and office uses will occupy the ground floor with upper floor offices, residences, and live/work spaces. Small public ways or spaces will be incorporated into the streetscape design, enhancing the vitality and appeal of the public realm.
Commercial Mix	The Commercial Mix area is intended to balance the need for safe, active, and pedestrian-scaled areas with the need for convenient automobile access where buildings do not exceed five stories in height. Building type standards allow flexibility in building, circulation, and parking lot layout.
Riverside Gateway	The Riverside Gateway will serve as an active center of civic and retail activity and will include a hotel and restaurants. The area will take advantage of river views and incorporate outdoor seating, dining, and entertainment. Its proximity to the river makes it viable for market rate residential and similar uses. Buildings will not exceed six stories.
Mix Residential	The Mix Residential area is intended to accommodate a mix of detached and attached residential building types in a pedestrian friendly and walkable environment where buildings do not exceed four stories in height.

6. **Permitted Uses** – An approved Master Plan establishes the permitted uses. In approving the Master Plan, the Commission is authorized to regulate and promulgate standards to which an approved Master Plan shall be subject.

Main Campus	<ol style="list-style-type: none"> 1) Schools – public, private, university, college, professional school 2) Uses accessory to any school
Ensign Boulevard	<ol style="list-style-type: none"> 1) Any use in the Business 1 (B-1) zoning district (with applicable conditions) EXCEPT THE FOLLOWING: <ol style="list-style-type: none"> a) Offices accessory to a school or educational use may not exceed fifty percent (50%) of the total building gross floor area of the Planning Area built after the effective date of this amendment b) Convalescent home and other licensed long-term care facilities c) Greenhouses and plant nurseries d) Non-profit civic clubs and lodges; except those that are existing at the time Master Plan adoption e) Propane exchange cages f) Caterers and catering halls g) Drive-through facilities h) Liquor stores; except those that can meet the requirements of Section 7.14 (Alcoholic Liquors) i) Funeral homes j) New and used automobile truck sales and service k) Non-profit donation drop-off boxes l) Residential education facility m) Personal service establishments, Type 2, subject to existing distance requirement n) Substance abuse treatment facilities o) Telecommunications tower
Commercial Mix	<ol style="list-style-type: none"> 1) Any use in the Business 1 (B-1) zoning district (with applicable conditions) EXCEPT THE FOLLOWING: <ol style="list-style-type: none"> a) Offices accessory to a school or educational use may not exceed fifty percent (50%) of the total building gross floor area of the Planning Area built after the effective date of this amendment b) Convalescent home and other licensed long-term care facilities c) Non-profit civic clubs and lodges; except those that are existing at the time Master Plan adoption d) Propane exchange cages e) Liquor stores; except those that can meet the requirements of Section 7.14 (Alcoholic Liquors) f) Funeral homes g) New automobile truck sales and service h) Non-profit donation drop-off boxes i) Residential education facility j) Personal service establishments, Type 2, subject to existing distance requirement k) Substance abuse treatment facilities l) Telecommunications tower

Riverside Gateway	<p>1) Any use in the Business 1 (B-1) zoning district (with applicable conditions) EXCEPT THE FOLLOWING:</p> <ul style="list-style-type: none"> a) Offices accessory to a school or educational use may not exceed fifty percent (50%) of the total building gross floor area of the Planning Area built after the effective date of this amendment b) Convalescent home and other licensed long-term care facilities c) Non-profit civic clubs and lodges; except those that are existing at the time Master Plan adoption d) Propane exchange cages e) Caterers and catering halls f) Drive-through facilities g) Liquor stores; except those that can meet the requirements of Section 7.14 (Alcoholic Liquors) h) Funeral homes i) New and used automobile truck sales and service j) Non-profit donation drop-off boxes k) Residential education facility l) Personal service establishments, Type 2, subject to existing distance requirement m) Substance abuse treatment facilities n) Antique and second-hand stores o) Greenhouses and plant nurseries p) Manufacturing of goods to be sold on premises q) Newspaper and job printing r) Telecommunications tower
Mix Residential	<p>1) Any use in the Business 1 (B-1) zoning district is permitted EXCEPT THE FOLLOWING:</p> <ul style="list-style-type: none"> a) Schools b) Offices accessory to schools or educational uses c) Dormitory use shall not exceed twenty percent (20%) of the total building gross floor area of the Planning Area built after the effective date of this amendment d) Convalescent home and other licensed long-term care facilities e) Non-profit civic clubs and lodges; except those that are existing at the time Master Plan adoption f) Propane exchange cages g) Caterers and catering halls h) Drive-through facilities i) Liquor stores j) Funeral homes k) New and used automobile truck sales and service l) Non-profit donation drop-off boxes m) Residential education facility n) Personal service establishments, Type 2, subject to existing distance requirement o) Substance abuse treatment facilities p) Newspaper and job printing q) Research and development labs r) Telecommunications towers s) Theaters t) Offices and financial institutions u) Skilled artisan shops v) Antique and second hand stores w) Manufacturing of goods to be sold on premises

7. Dimensional Requirements –

- a. The dimensional requirements in the DDD-3 Zone are those which are in an approved Master Plan unless specified below. All DDD-3 buildings, structures and site improvements shall conform to all applicable dimensional standards proposed in the Master Plan and/or Site Plan.

Main Campus	No building or structure may exceed 100 feet in height. The Commission may allow structures higher than 100 feet when there is a compelling public interest in allowing taller structures.
Ensign Boulevard	No building or structure may exceed five stories or 60 feet in height, except as listed in Section 5.3.C.7.b below - Height Encroachments. All new buildings must be at least three stories in height.
Commercial Mix	No building or structure may exceed five stories or 60 feet in height, except as listed in Section 5.3.C.7.b below - Height Encroachments. All new buildings shall be at least three stories in height.
Riverside Gateway	No building or structure may exceed six stories or 72 feet in height. All new buildings must be at least three stories in height.
Mix Residential	No building or structure may exceed four stories or 48 feet in height, except as listed in Section 5.3.C.7.b below - Height Encroachments. All new buildings must be at least two stories in height.

- b. Height Encroachments - The following structures may exceed the established height limits, provided they do not exceed the maximum height by more than 12 feet:
- Communications tower or cell phone tower;
 - Cooling tower;
 - Clerestory;
 - Chimney and vent stack;
 - Elevator penthouse or bulkhead;
 - Flagpole;
 - Mechanical equipment room;
 - Ornamental cupola or dome;
 - Stairway access to roof;
 - Roof top deck;
 - Skylights;
 - Spire, belfry;
 - Solar panels;
 - Visual screens surrounding roof-mounted mechanical equipment; and
 - Wind turbines and other integrated renewable energy systems.

8. **Buffer Strips** – Buffer strips shall comply with [Section 7.3.F](#) of the Zoning Regulations.

9. Development Standards - General

- a. In the DDD-3, the development standards are those which are in an approved Master Plan and those of the DDD-3 zone regulations.
- b. In the event that a development standard is not specified in the approved Master Plan or the DDD-3 zone regulations, then the provisions of these East Hartford Zoning Regulations, including those specific to the zone preceding the establishment of the DDD-3 Zone, shall continue to govern any DDD-3 development.
- c. If any provision of a DDD-3 Master Plan as approved by the Commission conflicts with other provisions of these East Hartford Zoning Regulations, the provisions of the approved Master Plan and/or Site Plan shall govern.

10. Development Standards - Specific

- a. Building Access - A principal building must have its main entrance from a street or plaza.
- b. Public Roads – Public roads shall conform to the applicable section of the Subdivision Regulations except that the Commission may allow low impact development techniques when acceptable to the Town Engineer.
- c. Parking:
 - Adequate parking spaces shall be provided for all uses within the DDD-3 Zone.
 - The amount of off-street parking to be provided shall be based upon the analysis of parking demand contained in the Master Parking Study.
 - Parking facilities may be provided anywhere within the DDD-3 district (consistent with the Master Parking Study) if the Commission determines that it provides safe and convenient access to buildings and uses except that no parking spaces may be located between a public street and a building or structure in the Ensign Boulevard Planning Area.
 - A parking space may be any open or enclosed area, including any public or private garage or parking facility, carport, driveway, public or private street or other area available for parking.
 - Accessible parking spaces for handicapped individuals shall be provided in accordance with CGS Section 14-253a(h) and the State Building Code and appropriate accessways to and from the adjacent primary entrance shall be provided in association with all accessible parking spaces.
 - Whenever possible, a parking lot shall be located at the rear or side of a building. If located at the side, screening shall be provided at the lot line by landscaping or decorative walls or fences.
 - Whenever possible, a parking lot or parking structure may not be adjacent to a street intersection.
- d. Loading Areas –
 - Adequate loading spaces shall be provided for all uses and all loading areas shall be adequately sized and located to serve the applicable land uses.
 - Loading areas may be located on street or off-street and shall have appropriate signage.
 - Turning movements for the appropriate loading vehicles shall be provided to demonstrate access to the site.
- e. Water / Sewer - All development within the DDD-3 Zone shall be served by public water and sanitary sewer facilities.

- f. Drainage and Surfacing –
 - All open parking areas shall be properly drained and all such areas shall be provided with properly bound pavement.
 - The Commission may allow other surfaces, such as pervious pavement, grass pavers and other materials to be used.
- g. Fire Protection –
 - The applicant shall submit a Site Plan to the Fire Chief in order to obtain comments on the adequacy of the water supply needed for fire protection.
 - All parking areas shall conform to the applicable written requirements of the East Hartford Fire Marshal regarding adequate fire lanes and emergency vehicle access.
- h. Lighting –
 - Exterior lighting may not exceed 0.5 foot candles beyond a property line except for lighting that is either located in, or illuminates the public right of way.
 - All parking and loading areas shall be adequately illuminated in order to prevent vehicular and pedestrian safety problems.
 - All lighting fixtures shall be arranged (and, where appropriate, shielded) to prevent glare and to direct light away from any neighboring residential properties.
- i. Signage -
 - The location, dimensions, height, area, and other physical characteristics of all signs within the DDD-3 zone districts shall be consistent with the provisions of the Master Sign Package approved by the Commission.
 - Following approval of the Master Sign Package, the following types of signs are allowed with Sign Permit approval or by the Commission at the time of Site Plan approval, provided they comply with all other applicable provisions of these Regulations:
 - Awning Signs
 - Blade Signs
 - Directional Signs, both on-site and off-site
 - Grand Opening Event Signs
 - Identity Signs
 - Menu Board Sign
 - Projecting Wall Signs
 - Sandwich or A-Frame Signs
 - Site Signs
 - Suspended Signs
 - Table Umbrella Sign
- j. Refuse Management - Dumpsters and permanently placed refuse receptacles, which may be shared between properties on the same or adjacent master plans, must be located at least 20 feet from adjacent residential uses.
- k. Underground Utilities - All new utilities shall be installed underground, unless modified by the Commission due to physical constraints, impracticality, excessive cost, or other special circumstances. Utilities that are not customarily installed underground, such as transformer boxes, are not required to be installed underground.
- l. Underground Tanks - Underground tanks for the storage of petroleum products or hazardous materials are prohibited within the DDD-3 Zone.

11. Neighborhood Design Standards –

- a. In order to encourage the development of fully integrated, mixed use, pedestrian-oriented neighborhoods, proposed development within the DDD-3 shall incorporate the following neighborhood design elements:

- Neighborhoods or developments which are limited in size and oriented toward pedestrian activity;
- A variety of academic, retail, office, research and design, service, housing and public facility uses;
- Residence, retail, workplaces and civic buildings are interwoven within the neighborhood and are all within close proximity;
- A network of interconnecting streets and blocks;
- A coordinated transportation system with a hierarchy of appropriately designed facilities for pedestrians, bicycles, public transit and automotive vehicles;
- Well-configured greens, public squares, landscaped streets and parks woven into the pattern of the neighborhood and dedicated to the collective social activity, recreation and visual enjoyment of the populace;
- Compatibility of buildings and other improvements as determined by their arrangement. bulk, form, characteristics and landscaping to establish a livable, harmonious and diverse environment;
- Buildings which form a consistent, distinct edge and define the border between the public street and the private block interior; and
- Architecture and landscape which respond to the unique characteristics of the neighborhood.

- b. Building types should ensure that proposed development is consistent with the district goals for building form, physical characteristics , land use and quality:

- c. Streets/blocks and streetscape design.

- The street design used within the DDD-3 Zone may vary depending on the proposed function of the street, the anticipated adjacent land uses, the traffic load and the desired characteristics of the area.
- Construction of public streets and walkways must conform to the Town of East Hartford Standards. However, the Commission can approve the overall design of streets, walkways, and on-street parking areas.
- Street design shall balance the needs of all users, and streetscape design is critical to this balance. Providing wide sidewalks, on-street parking and an appealing streetscape encourages pedestrian activity. The streetscape may consist of the following amenities depending on the nature of the street:
 - Street trees
 - Planted median strips
 - Bicycle racks and facilities
 - Garbage and recycling bins
 - Rain gardens
 - Street and pedestrian lighting
 - Benches and seating
 - Planters

12. **Sustainable Development Standards** – The Commission set forth the following sustainable development objectives to encourage and require environmentally sensitive and sustainable site design and development in the DDD-3 Zone. These objectives are applicable to all existing properties and proposed site designs and developments subject to the requirements of this section of the Zoning Regulations.
- a. Energy Efficient Design - The Commission encourages all applicants to provide site designs for any development that encourage energy-efficient designs, and patterns of development, including but not limited to:
 - Passive solar energy techniques that maximize solar heat gain and minimize heat loss during the various seasons;
 - Renewable energy sources for heating, cooling, and electrical; and
 - Site design techniques, such as, building orientation, street and lot layout, vegetation, natural and man-made topographical features, and solar access.
 - b. Low Impact Development - In order to minimize the negative impacts of development on the environment, these Regulations require that all proposed developments, including municipal developments, implement Low Impact Development (LID) practices and techniques as the standard approach to site design and development. If LID practices and techniques cannot be utilized, the burden is on the applicant to demonstrate why LID is not feasible.
 - c. Performance Standards - All uses shall be operated as to comply with the performance standards described in this section below, and shall also be so constructed, maintained and operated as not to be injurious to the use and/or occupation of the adjacent premises by reason of noise, vibration, radiation, fire and explosive hazard, or glare.
 - Smoke, Dust, Particulate Matter, Toxic or Noxious Waste Materials: All uses shall be so operated as to not create a nuisance with off-site emissions of smoke, dust, and particulate matter, toxic or noxious materials.
 - Noise: All uses shall be so operated as to not create a nuisance with noise and shall comply with the Town of East Hartford noise standards with regard to maximum decibel output.
 - Vibrations: No use shall be operated so as to produce ground vibration, noticeable without instruments, at the lot line of the premises on which the use is located.
 - Electromagnetic Interference: No use, activity or process shall be conducted which produces electromagnetic interference (i.e. radio, television, cell phone, wifi, etc.) in any residential or commercial district.
 - Fire and Explosion Hazards: Each use shall be operated so as to minimize the danger from fire and explosion and to comply with the regulations contained in the Building Code, all applicable fire prevention codes and any other ordinance.
 - Humidity, Heat, or Glare: In the industrial zones any activity producing humidity in the form of steam or moist air, or producing heat or glare, shall be carried on in such a manner that steam, humidity, heat or glare is not perceptible at any lot line.

13. **Landscape Design Standards** – These landscaping regulations are adopted for the purpose of protecting public health, safety, welfare, and property values by preserving existing vegetation and planting of new materials; providing privacy from visual intrusion, light, dirt, and noise; preventing the erosion of soil; providing water recharge areas; and improving the quality of the environment and attractiveness of the Town of East Hartford.
 - a. Each Master Plan and each Site Plan within each Master Plan shall conform to the following landscaping standards.
 - b. All site plans shall provide landscaped areas on the site.
 - c. A landscape plan shall be submitted with any applications for new construction, or alterations to the size of existing buildings, parking, loading, and driveway areas, or a change in use that will expand the size of the building or parking, loading, and driveway areas.
 - d. Landscape plans and designs shall include a planting list, with plant names, quantities, size at planting, and size when mature. Typical sections may be shown. Existing planting shall be identified on the plan.
 - e. All landscape designs shall be sensitive to the characteristics of the surrounding properties and area and shall use native species. Invasive species shall be prohibited as part of any landscape plan.
 - f. The burden is on the applicant to demonstrate that the landscape design meets both the purpose and minimum requirements of landscape areas.
 - g. Commission may require that a certified Landscape Architect prepare the Landscape Plan.
14. **Access Management Standards** – Access management provisions in [Section 7.8](#) of these Regulations shall apply.
15. **Design Standards** – Development proposals for the DDD-3 Zone will be reviewed for appearance and compatibility with the standards set forth in this regulation and within surrounding areas. The following are general guidelines:
 - a. Development is strongly encouraged to conform to the principals of traditional neighborhood design (high density, mixed use, and pedestrian friendly). Modern architectural design will be considered when appropriate.
 - b. Relationships to land uses in abutting zones and adjacent developments within the zone (compatibility) are important considerations that will be critically reviewed by the Commission. Concerns in this regard will include buffers (vegetative and architectural), building scale/massing/configuration/ height, light spill, emissions (noise), use intensity/frequency, and signage.
 - c. Building height, size, and scale shall be considered as part of the overall design and should be designed in such a way that is compatible with the general area, even if the buildings are taller than the surrounding properties.
 - d. The general bulk and area requirements of the existing zone shall apply. However, to accommodate traditional neighborhood designs the applicant shall submit proposed bulk and area requirements as part of the DDD approval process.

16. Master Plan - Submission Requirements - To support the Master Plan application, the Applicant shall submit the following studies, each prepared by a professional with expertise in the relevant subject area:

- a. Statement of Design Intent - Statement of Design Intent for the development of the Master Plan, including information on the following:
 - General statement of intent and project vision
 - Proposed dimensional standards, including building heights and setbacks;
 - Schematic cross sections of building mass and height along streets;
 - Nature and color of building materials for facades and roofs;
 - Public and private roadway and sidewalk cross-sections and design;
 - Location and type of walkways, including paths and trails, if any;
 - Documentation that all development within a DDD-3 Zone classification shall be served by public water and sewer facilities.
- b. Design Documents -
 - Exterior building elevations of all sides of each building, including building height and exterior building materials.
 - Interior floor plans of each floor of each building, provided that the location of interior walls and partitions shall be considered preliminary and subject to change.
 - Statement of consistency with Plans, Studies and Guidelines.
- c. Master Plan Parking Study - Master Plan Parking Study for the area to be developed in accordance with the following documents: (a) the Urban Land Institute, Shared Parking; 2nd Edition, as amended; (b) the Urban Land Institute, the Dimensions of Parking, 4th Edition, as amended; or (c) Institute of Transportation Engineers, Parking Generation Manual, 4th Edition, as amended, (or) other standard reference agreed to and approved by the Town Engineer and including the following:
 - A current shared parking analysis at the time of zoning permit application submittal.
 - Overall analysis of parking demand for the area to be developed, including shared use analysis if applicable;
 - Types and approximate locations and number of parking spaces to be provided;
 - Comparison of parking demand and parking to be provided; and
 - Parking space dimensions.

- d. Master Plan Traffic Study - Master Plan Traffic Study for the area to be developed in accordance with the following documents: (a) Institute of Transportation Engineers, Trip Generation Manual, 9th Edition, as amended; (b) Institute of Transportation Engineers, Trip Generation Handbook, 3rd Edition, as amended; and (c) Institute of Transportation Engineers, Transportation Analysis for Site Development, as amended. And including:
 - Existing and projected background traffic counts on major streets located in and adjacent to the area to be developed;
 - Analysis of anticipated traffic to be generated by the land uses proposed for the area to be developed, including projected levels of service and queuing at key intersections;
 - Description of conceptual traffic improvements, including pedestrian and public transit improvements, to mitigate traffic impacts; and
 - Anticipated phasing of traffic improvements within project area.
- e. Master Plan Stormwater Drainage Study - Master Plan Stormwater Drainage Study for the area to be developed in accordance with the DOT Drainage Manual 2000 (as amended), CT DEEP 2004 Stormwater Quality Manual (as amended) and CT DEEP MS4 requirements and including:
 - Analysis of existing and proposed peak rates of stormwater discharge from the property or properties;
 - Description of stormwater drainage improvements to be constructed, including phasing; and
 - Preliminary description of stormwater quality measures to be incorporated into the area to be developed.
- f. Master Sign Package – Master Sign Package demonstrating, to the extent feasible, consistent signage throughout the Planning Area and the entire DDD-3 Zone.

Section 5.4. Incentive Development Zone

A. PURPOSE

The Incentive Development Zone is intended to establish a special flexible use zone for targeted locations for substantial property improvement. This regulation is intended to provide increased flexibility of land development while requiring greater administrative standards and procedures, promote the consolidation of small lots into a commercially viable sized lot and requiring a large quantity of financial investment. Also this section encourages creative design proposals seeking the highest and best use of the land; provides development flexibility allowing the incentive zone to be responsive to market trends; assists the Town to promote optimum economic returns on commercial property; conserves the value and promotes the viability of a designated commercial node as defined in these Regulations and provides for the general welfare of the Town.

B. PROCESS / ELIGIBILITY

1. An Incentive Development Zone may only be established through the concurrent review and approval of:
 - a. A Zone Change as described in [Section 9.6](#),
 - b. A Special Permit as described in [Section 9.4](#), and
 - c. A Site Plan review as described in [Section 9.3](#) of these Regulations.
2. The project may consist of a single lot or a number of contiguous lots under one ownership or control of the applicant.
3. No area shall be considered for an Incentive Development Zone unless it meets all of the following qualifying conditions:
 - a. The project shall be located entirely within:
 - a commercial node as defined in these Regulations; or,
 - a duly designated redevelopment area of a redevelopment plan as defined by CGS Section 8-125, as amended. Notwithstanding the foregoing, the Central Business District is not eligible for the Incentive Development Zone.
 - b. The project shall have a total combined lot area of at least 10,000 square feet.
 - c. The project shall have a minimum of seventy-five (75) feet of street frontage on a State Highway and/or a Town designated arterial or collector roadway and shall have primary ingress and egress onto said roadway.
 - d. The project being proposed shall establish to the satisfaction of the Commission that new investment is substantial. As a minimum, in existing structure(s), new investment shall exceed fifty (50%) percent of the market value of the structure. In the instance of vacant land, new investment in the completed project including land shall be four times the market value of the undeveloped lot or lots as determined by the Assessor's records of the Town of East Hartford. Market value after improvement shall be as established by an appraiser registered in the State of Connecticut and to the satisfaction of the Commission.

C. PERMITTED USES / STANDARDS

1. With regard to uses:
 - a. All uses in the Incentive Development Zone shall be treated as Special Permit uses.
 - b. Permitted uses, accessory uses, and Special Permit uses in the B-1 zone shall be permitted within the Incentive Development Zone.
 - c. A Single-Family Residential Cluster Development is a permitted use within the Incentive Development Zone.
2. With regard to development standards:
 - a. Lot sizes and areas, parking and signage requirements within the Incentive Development Zone shall be as defined in the B-1 zone except that provisions for building placement, setbacks, and density may, by Special Permit, be modified by the Commission for a Single-Family Residential Cluster Development.
3. The Planning and Zoning Commission may, by Special Permit, modify any of the requirements of Section 5.4 if it finds that the proposed use or the proposed extension or alteration of an existing use is in accord with the public interest, convenience, and welfare.
4. Where a project consists of two or more lots for a unitary project and upon issuance of a Zone Change, Special Permit, and site plan approval by the Commission and before a building permit can be issued, such lots shall be combined into one lot and recorded in the Land Records of the Town.

D. DOCUMENTATION

1. No property or building within a designated Incentive Development Zone shall be occupied or used in whole or part for any purpose until a Certificate of Zoning Compliance shall have been issued by the Zoning Enforcement Officer (ZEO, stating that the premises or building complies with all the provisions of these Regulations.
2. No extension of a use within the Incentive Development Zone shall occur until a revision of the Special Use Permit has been approved by the Commission.
3. A Certificate of Zoning Compliance is required for any change or alteration in a use.
4. No Certificate of Zoning Compliance shall be issued by the ZEO until all zoning requirements and conditions included in the Site Plan Approval and/or Special Permit(s) have been met and required filings of approvals completed.

Section 5.5. Comprehensive Downtown Rehabilitation Zone (CDR)

A. PURPOSE

The Comprehensive Downtown Rehabilitation (CDR) Zone is intended to permit greater flexibility and, consequently, more creative and imaginative design for development within the B 5 Zone than generally is possible under conventional zoning. It is further intended to promote more economical and efficient use of the land and adaptive reuse of existing buildings.

B. PROCESS / ELIGIBILITY

1. A Comprehensive Downtown Rehabilitation (CDR) Zone may only be established through the concurrent review and approval of:
 - a. A Zone Change as described on [Section 9.6](#) of these Regulations,
 - b. A Master Plan (processed as a Text Amendment) as described in [Section 9.5](#) of these Regulations, and
 - c. A Site Plan review as described in [Section 9.3](#) of these Regulations.
2. Any parcel or parcels within the Town's Central Business District zoned B-5 shall be eligible for inclusion within the CDR zone. The project may consist of a single lot or a number of contiguous lots under one ownership or control of the applicant. In the event that a proposed CDR Zone includes multiple parcels not in the same ownership, an agreement signed by owners of all property proposed for inclusion within the Zone indicating their intent to develop the project in common shall be required.
3. The Master Plan shall include the following:
 - a. Architectural renderings and perspectives of all proposed structures and their interaction with existing on-site structures
 - b. Proposed use of all proposed buildings including percentages of floor area for each use.
 - c. Proposed phasing and time lines for each phase; and
4. For any proposal in the CDR Zone, an advisory report shall be requested at least fifteen (15) days prior to the hearing from:
 - a. the Design Review Committee, and
 - b. the Economic Development Commission.

C. PERMITTED USES

1. Antique and second hand stores including outside storage or display of inventory subject to the following:
 - a. Access to retail area shall be controlled with appropriate barrier;
 - b. Sidewalk access shall be maintained; and
 - c. Any such display shall not interfere with doorways or other required access.
2. Places of public assembly (Tier 1 and/or Tier 2) including, but not limited to, auditorium, concert hall, convention hall, lecture hall, theater or similar place or public assembly.
3. Commercial bakeries engaged in processing sale and distribution of food products.
4. Commercial recreation - indoor and outdoor.
5. Offices and financial institutions.
6. Restaurant/eating establishment and restaurant / automobile oriented use including outside building food consumption subject to the following:
 - a. Access to seating area shall be controlled with appropriate barrier;
 - b. Sidewalk access shall be maintained; and
 - c. Public right of way permission shall be granted by owner.
7. Restaurant/eating establishment serving alcoholic beverages subject to the conditions under [Section 7.14](#) (Alcoholic Liquors).
8. Service establishments as defined in [Section 11.2](#) of these Regulations (excluding automobile service and repair).
9. Skilled artisan shops where goods such as, but not limited to pottery, glassware and leather are manufactured and sold on the premises.
10. Stores for the sale of goods sold at retail, first-hand (excluding automobile parts and accessories), that outside display of inventory be limited to the following conditions:
 - a. Public access to sidewalks shall be maintained;
 - b. No outside display shall extend beyond the boundaries of the storefront responsible for the display
 - c. Any such display shall not interfere with doorways or other required access.
11. Mixed-Use Buildings and Mixed-Use Sites in accordance with [Section 6.3.D](#).

D. DIMENSIONAL STANDARDS

1. Minimum Area	40,000 SF
2. Minimum Street Frontage (on at least one of the following streets: Main Street, Connecticut Boulevard Or Burnside Avenue	50 Feet
3. Maximum Building Height (The Commission may modify this requirement if demonstrated by the applicant to be in the best interest of the Town).	50 Feet
4. Maximum Building Coverage	As determined by the Planning and Zoning Commission
5. Minimum Setbacks	As determined by the Planning and Zoning Commission

E. SPECIAL PARKING PROVISIONS

1. Parking required for permitted uses shall be limited to the parking available to existing buildings since it is recognized that:
 - a. Many existing buildings within the Central Business District were built prior to the widespread use of automobiles, and thus, were not designed to accommodate parking.
 - b. Public parking is available in several locations within the district.
2. Any building additions or enlargements or new construction shall provide required parking associated with the addition, enlargement or new construction as required by [Section 7.2](#) unless the Planning and Zoning Commission grants a reduction of up to twenty-five (25) percent based on the following:
 - a. The proposed project exhibits mixed use components (e.g. office, stores, restaurants etc.);
 - b. The total number of parking spaces to be provided for mixed use components shall equal or exceed seventy five (75) percent of the total required spaced for all individual uses;
 - c. The difference between the number of spaces proposed under the shared parking plan and that required based on individual uses shall be clearly identified, and a location to provide such spaces shall be clearly designated on the site plan; and
 - d. An easement shared parking document shall be executed and filed in the Town of East Hartford Land Records for multiple parcels not in the same ownership.

F. SPECIAL DESIGN CONSIDERATIONS**1. Architectural Design -**

- a. In addition to the goal of integration with, and preservation of, the existing environment, buildings and other physical improvements within the CDR Zone shall be designed to enhance the aesthetic appearance of the community through an accepted vocabulary of architectural design, consistency of scale, and a compatibility with any adjoining neighborhood.
- b. Architectural designs shall contribute to the protection of property values, prevent future property deterioration, and promote accepted community living standards.
- c. Particular emphasis shall be placed on maintaining compatible architectural themes within the CDR Zone including, but not limited to, architectural design, signage treatment, uses, and other amenities.

2. Historic Integrity -

- a. When a site includes buildings which are listed on the National Register of Historic Places, the State Register of Historic Places, or the Historic Inventory Survey of East Hartford, the applicant shall use best efforts to incorporate the buildings into the Master Plan.
- b. The Commission shall not approve a zone change to CDR which involves demolition of a building or buildings so listed unless they make a finding that:
 - 1) Said building or buildings are so dilapidated as to be a threat to the public health, safety and welfare, or
 - 2) The benefit to the Town of such demolition substantially outweighs the benefit of preservation.

3. Landscaping -

- a. Street trees shall be required if none exist at a minimum rate of one (1) tree for every fifty (50) feet or part thereof of street frontage. Trees may be planted at intervals and/or in groups to assure the desired effect is achieved subject to the approval of the Commission.
- b. Transitional landscaping shall be employed between buildings of different size, scale, architecture or use and to provide continuity of urban design. Transitional landscaping shall provide shade and visual interest on pedestrian systems and pedestrian systems designed for the movement of people between buildings and from buildings to parking, and to the street.
- c. All accessory uses, such as utility structures, dumpsites, storage facilities, loading or parking areas or similar uses shall be screened.
- d. Landscape buffers of sufficient width and length shall be required to provide adequate treatment for residential uses from nonresidential uses. Such landscaping shall screen residential uses from visual intrusion and mitigate noise. The Commission shall determine the exact requirements.
- e. Landscaping elements may include, but are not limited to, a variety and combination of trees, shrubs, ground cover, earthworks (mounding, grading, etc.), pavement materials, fountains, flower beds, street furniture and lighting.

Section 5.6. Mobile Home Park (MHP) District

Also See [Section 8.8](#) for General Requirements For Mobile Homes

G. PURPOSE

This Section of the Regulations is intended to make provisions for existing mobile home parks in East Hartford.

A. USE-RELATED PROVISIONS

1. Any use permitted in the Residence 3 (R-3) Zone is permitted in the Mobile Home Park (MHP) District, provided that dwellings shall conform to the area and dimensional standards for the R-3 Zone as contained in [Section 2.4](#) of these Regulations.
2. Mobile home parks (also known as manufactured home parks as defined in [Section 11.2](#)) are permitted in the Mobile Home Park (MHP) District in accordance with the provisions of this Section although nothing herein is intended to enable, authorize, permit, or allow mobile home spaces created under the provisions of this section to be sold as individual lots.
3. No recreational vehicles as defined in [Section 11.2](#) shall be permitted on a mobile home space or drive, except under the following conditions:
 - a. For purposes of loading and unloading before and after recreational use;
 - b. For purposes of cleaning and repairing, except motor and mechanical vehicle parts of such equipment;
 - c. Parking of such equipment shall not be permitted more than twice in one (1) week for a period not exceeding twelve (12) hours each time; and
 - d. Mobile home park management may designate an area within the mobile home park for the permanent storage of such equipment, which area shall conform to the distance requirements of [Section 5.6.B.3](#).
4. The display, storage or commercial sale of mobile homes is expressly prohibited on the premises of any mobile home park. This shall not be construed to prohibit any sale of a mobile home where a valid certificate of occupancy has been issued by the Town of East Hartford.

B. MOBILE HOME PARK STANDARDS

The following requirements shall apply forthwith to all existing and proposed mobile home parks, provided however, that the Commission may require additional improvements as may in its judgments be required by specific circumstances.

1. Minimum Park Size –

- a. No mobile home park shall be located on a tract of land which is less than ten (10) acres in size; such ten (10) acres shall be devoted to mobile home park purposes only.
- b. Each park shall contain not less than seventy-five (75) mobile home spaces, provided that seventy-five (75) spaces shall be developed before an occupancy permit can be issued.

2. Mobile Home Spaces –

- a. Every mobile home space shall contain not less than three thousand (3,000) square feet and shall be not less than thirty-five (35) feet in width, measured perpendicular to the long axis of the mobile home.
- b. Each mobile home space shall be defined by permanent corner markers.

3. Arrangement Of Mobile Homes –

- a. Mobile homes shall be parked one (1) to a space.
- b. Mobile homes and their structural additions therein shall not be located closer than:
 - 1) Five (5) feet from any boundary of a mobile home space;
 - 2) Fifteen (15) feet from any other mobile home in the park;
 - 3) Twenty (20) feet from any building;
 - 4) Ten (10) feet from the mobile home park property line; and
 - 5) Six hundred (600) feet from any existing or proposed public building, public highway, public park, or school.

4. Drives –

- a. Every mobile home space shall abut a private drive within the mobile home park.
- b. Such private drives serving mobile home spaces shall be graded, well drained and at least forty (40) feet in width.
- c. At least twenty-four (24) feet of the drive width shall be paved with a minimum of one and one-half (1.5) inches of asphalt or other Town-approved material.
- d. When cul-de-sacs are used, a turn-around with a paved radius of at least forty (40) feet shall be constructed in accordance with Town standards.

5. Off-Street Parking –

- a. Off-street parking shall be provided as required in [Section 7.2](#) of these Regulations.
- b. Each mobile home space shall be provided with at least one (1) space.
- c. Additional parking spaces required for the park shall be in a centrally located parking lot.

6. Patios, Walkways And Sidewalks –

- a. Each mobile home space shall be provided with a patio/deck of at least one hundred eighty (180) square feet constructed of concrete, brick, flagstone, wood, or other such hard surface material (not including asphalt) and a similarly paved walkway of at least thirty (30) inches in width leading from the drive or off-street parking space to the patio.
- b. A sidewalk shall be provided in accordance with Town standards along one (1) side of the entrance roadway leading into the park from the public thoroughfare(s) serving as access to the park.
- c. Such sidewalk shall extend from the public thoroughfare to the first cross drive located within the park.

7. Service Buildings –

- a. Within a mobile home park one (1) mobile home may be used as an administrative office. Any administrative and public service buildings, if provided, housing sanitation and laundry facilities shall be of permanent structure complying with all applicable ordinances of the Town and State regarding buildings, electrical installations, plumbing, sanitation systems, etc.
- b. Public service buildings, if provided, shall be well lighted at all times of the day and night, shall be well ventilated with screened openings, shall be constructed of such moisture-proof material (including painted woodwork) as will permit repeated cleaning and washing, and shall be maintained at a temperature of at least sixty-eight (68) degrees Fahrenheit. The floors of public-service buildings shall be of water-impervious material.
- c. All service buildings and grounds of the park shall be maintained in a clean, sightly condition and kept free from any condition that would menace the health of any occupant or the public or constitute a nuisance.
- d. Service and auxiliary buildings in a mobile home park shall be constructed in accordance with regulations adopted by the East Hartford Health Department and other applicable Town regulations.

8. Recreation and open areas –

- a. Not less than eight (8) percent of the area of the park site shall be devoted to recreation facilities or open space.
- b. Recreation facilities shall include community buildings, swimming pools, adult recreation and child play areas.
- c. Recreation and open space areas shall not be developed for any other use and shall be maintained by the park owner for the life of the park.

9. Drainage –

- a. The mobile home park shall be located on ground situated so it is not susceptible to flooding, and graded to prevent any water from ponding or accumulating on the premises.
- b. Storm-water drainage facilities shall be provided in accordance with Town requirements.

10. Refuse Collection –

- a. Refuse collection shall be the responsibility of the mobile home park owner.
- b. Collections shall be twice weekly.
- c. The owner and resident shall comply with the recycling ordinance in the [East Hartford Code of Ordinances](#) and amendments thereto.

11. Utility System –

- a. The owner of a mobile home park shall provide each mobile home space located therein with an approved water supply and sewerage disposal system in accordance with requirements of the East Hartford Health Department.
- b. The Health Officer may, if needed for the preservation of the public health, require specific auxiliary buildings or facilities to be constructed or installed within the park and may, in addition, require that the mobile home space constructed in the park be of greater area than specified in these Regulations.
- c. In regard to utility installations involving gas, oil, telephone and central TV systems, requirements specified by State and local agencies and departments having jurisdiction shall be complied with.

12. Design Exceptions –

- a. When an arrangement can be shown to provide more useful open space without infringing upon the privacy of mobile home dwellers or neighboring property owners, or when the use of screening devices can be shown to compensate for any slight reductions in space between mobile homes and another buildings or properties, the Planning and Zoning Commission may approve a revised design plan if, in its opinion, the mobile home park plan submitted is equal to or better than an arrangement that would conform to [Section 5.6.B](#) of these Regulations.
- b. No minimum dimension shall be reduced by more than twenty (20) percent.
- c. For each square foot of land gained within a mobile home park through a reduction a lot size below the minimum requirements, equal amounts of land shall be retained as open space for park, recreation, and related uses.
- d. This open space shall not be developed for any other use and shall be maintained by the mobile home park owner for the life of the park.

C. ESTABLISHMENT / EXPANSION

1. No person shall establish or engage in the construction of any mobile home park or make any addition or alteration to any existing park that changes the number of spaces for mobile homes within the park or affects the facilities therein until such person first secures a Zoning Permit in accordance with [Section 9.1](#) of these Regulations and provides a financial guaranty or other security acceptable to the Town assuring the Town that the requirements of the permit are complied with. In addition to any other requirements of these Regulations, such application shall consist of the following:
 - a. A mobile home park plan containing the information prescribed in [Section 5.6.C.3](#) shall be prepared and submitted to the Planning and Zoning Commission for approval;
 - b. A check made payable to the Treasurer, Town of East Hartford, in the amount determined by the Town of East Hartford;
 - c. No plan is required to be prepared to make minor facility improvements (not including public utilities) in an existing mobile home park in which the number of mobile home spaces within the park is not affected. When no plan is required, applications for a Zoning Permit may be made directly to the Town Planner. When a plan is required, the applicant must first secure the approval of the Planning and Zoning Commission before making such application to the Town Planner;
 - d. If the application contains the necessary information and the requirements of this section are complied with, the permit shall be issued. Zoning Permits shall be nontransferable except with the written consent of the Town Planner;
 - e. The Town Planner shall make an examination of the construction at any reasonable time to determine whether the work is being done according to approved plans and specifications, and the owner shall make available any records, test data or other information essential to such determination;
 - f. An occupancy permit shall not be issued until all terms and conditions as stipulated in the Zoning Permit have been complied with; and
 - g. When any land, easements or rights-of-way are to be dedicated to public use, a final plan shall be prepared, approved and recorded as required by the Town of East Hartford subdivision regulations.

2. Application for a Zoning Permit hereunder shall be made in writing to the Commission (or ZEO , when applicable) and shall include the following:
 - a. The name of the mobile home park, the name(s) and the address(es) of the real party(ies) in interest if other than the applicant;
 - b. Proof of ownership, option or valid lease;
 - c. Construction permit fee;
 - d. One (1) original and four (4) prints of a site plan made by a licensed surveyor under seal at a scale of not less than one (1) inch to one hundred (100) feet, being an overall size of not larger than twenty-five (25) inches by thirty-seven (37) inches (including border) that contains the information described in Section 5.8.D.3 below.
3. **Site Plan Requirements:**
 - a. Date, approximate north arrow, and scale;
 - b. The boundary line of the tract with accurate linear and angular dimensions drawn to scale;
 - c. Contours with a vertical interval of two (2) feet referred to seal level datum;
 - d. The locations of existing and platted property lines, streets, buildings, watercourses, railroads, bridges, water mains, sewers, culverts, drainpipes and any utility easements, both on the land to be developed into a mobile home park and on land immediately adjoining, and the names of adjoining subdivisions or the names of recorded owners of adjoining parcels of land according to Assessor's records;
 - e. The names, locations and dimensions of proposed streets, alleys, drives, parking areas, entrances, exits, walkways, easements, recreation areas, parks and other reservations, and mobile home spaces within the park; such mobile home spaces shall be identified with specific numbers;
 - f. When deemed necessary by the ZEO or Town Engineer, profiles of all proposed Town-accepted streets showing natural and finished grades drawn to a scale of not less than one (1) inch to forty (40) feet horizontal and one (1) inch to four (4) feet vertical;
 - g. Plans of proposed utility layouts (sewer lines, water lines, storm drainage, electric lighting, etc.) showing feasible connections to existing utility systems; also, the location and number of garbage receptacles provided, if any;

Section 5.7. Planned Development District

A. PURPOSE

The Town of East Hartford has identified that significant development opportunity exists within specific commercial corridors and nodes. As such, the purpose of this District is to encourage vibrant and diverse larger-scale developments supported by smaller scale neighborhood growth within and connected to these areas. These projects will work together to create attractive, pedestrian-focused development within these target areas.

The Commission acknowledges that in specific cases, allowing certain parcels to be developed in a more flexible manner than would otherwise be allowed by the existing zoning district can ultimately facilitate more suitable development. It is crucial to ensure that any projects approved in accordance with this section contribute to the Town's overall vision and complement the goals outlined within the Plan of Conservation and Development

B. VISION

1. The overall vision for a Planned Development District is one that affords flexibility in order to encourage a higher density of activity, mixed uses, more robust design standards and environmental protection.
2. The framework of any application under this section should align with the following guiding principles:
 - a. Developments should focus on all non-motorized users, with connections to existing infrastructure (sidewalks, Charter Oak Greenway, nearby open spaces or recreation facilities, etc.). Additionally, site to site pedestrian connections should be provided.
 - b. Low Impact Development shall be implemented to minimize the generation of stormwater runoff.
 - c. Parking areas should generally be located to the rear of the property and behind the principal building, and shared parking arrangements to minimize total area devoted to parking lots are encouraged.
 - d. Mixed-use developments, including multi-family housing and commercial tenants are encouraged.
 - e. "Green" building technology and use of renewable energy techniques are strongly encouraged.
 - f. Architectural elements should include; natural materials, façade modulation, ground floor windows and be designed at a pedestrian friendly scale.

C. DISTRICT ELIGIBILITY AND BOUNDARIES

1. The Planned Development District may be applied in areas identified in the 2014 Plan of Conservation & Development Future Land Use Plan for commercial or mixed-use development or redevelopment, or to adjoining parcels, including across a road right-of-way, that serve as a transitional use to the commercial or mixed-use designated area, as interpreted by the Commission.
2. The boundaries of each Planned Development District shall be delineated by the applicant's proposed Master Plan and approved by the Commission. Following approval, the official Town Zoning Map shall be amended to reflect the placement of the Planned Development District.
3. The Zoning Regulations of the existing Zoning District upon which a Planned Development District is applied shall be superseded and amended by the Text Amendment Application, except as stated below.

D. APPLICATION PROCESS

1. The Planned Development District may only be established by approval of two applications submitted and processed at the same time:
2. A Master Plan by way of a Text Amendment Application providing the information described in [Section 5.7.F](#) in sufficient detail for the Commission to understand and establish the overall parameters of the proposed development. The Text Amendment Application shall be processed in accordance with [Section 9.5](#) of these Regulations where the exact wording of the change applied for shall refer to the Master Plan documents as may be approved by the Commission pursuant to this [Section 5.7](#) of the regulations;
3. A Zoning Map Amendment Application, processed in accordance with [Section 9.6](#) of these Regulations, locating the proposed Planned Development District on the official Zoning Map.
4. The applicant shall provide notice of the hearing by displaying a sign(s) on the subject property and also by sending notice of the hearing by certified mail to the owners of record of all properties located within 100 feet of the subject property pursuant to [Section 9.6.B.2](#).
5. Once a Planned Development District is established, actual development may only occur with site plan approval as provided in [Section 9.3](#) of these Regulations where the purpose of such site plan approval is to determine if the proposed development is consistent with the approved Master Plan and to document the proposed improvements.
6. Applicants may request preliminary discussion with Staff or with the Commission on an informal basis to receive non-binding guidance on project concepts and details.

E. APPROVAL CONSIDERATIONS

In consideration of an application made under the provisions of this section, the Commission shall act in its legislative capacity and in doing so, may exercise legislative discretion by approving, approving with amendments, or denying an application to amend the official Zoning Map and text to apply the terms of this special district.

F. MASTER PLAN REQUIREMENTS

A Master Plan of the proposed development shall be submitted to the Commission for approval, and such Master Plan shall include the following:

1. Overview of Planned Development District: a name identifying the proposed Planned Development District and a general statement regarding the intent of the proposed Planned Development District.
2. Conceptual site plans: one or more sheets depicting the proposed schematic design of the site, including:
 - a. The identification and general location of proposed uses;
 - b. Existing and proposed building footprints;
 - c. Proposed public and private streets, sidewalks and/or pedestrian walkways, rights-of-way, and parking areas;
 - d. A landscaping plan, including the location of proposed buffers;
 - e. Information regarding the provision of water, sewer, drainage, and other utilities; and
 - f. The location of public and/or private open space or conservation areas.
3. Schematic architectural drawings: one or more sheets illustrating the schematic design of the proposed buildings and structures, including:
 - a. Schematic floor plans;
 - b. Architectural elevations of all buildings; and/or
 - c. Photographs of buildings similar to the proposed buildings.
4. Data table: information regarding the proposed development, including:
 - a. Lot area and lot frontage;
 - b. Building setbacks, yards, and/or building separations;
 - c. Lot coverage (coverage by building(s) and impervious coverage);
 - d. Proposed floor area by proposed use;
 - e. Parking spaces.
5. Additional documentation: Depending on the nature and/or intensity of the proposed Planned Development District, the following documentation may also be required by the Commission:
 - a. A traffic study estimating the potential traffic generation and the capacity of streets within and neighboring the district to accommodate projected traffic;
 - b. A parking plan as defined in [Section 5.7.I.d](#);
 - c. A report regarding the adequacy of proposed utility services;
 - d. A statement on how the proposed development complies with the Plan of Conservation and Development; and
 - e. Any additional information as may be required by these Regulations.

G. PERMITTED USES

1. Recognizing the importance of matching the proposed development of the Planned Development District to the specific context of the intended district, the Commission understands there must be certain flexibility to the specific uses proposed within any Planned Development District.
2. However generally, uses within this district may include but not be limited to:
 - a. Restaurants/Eating Establishments including; Brewery & Brew Pubs, with or without outdoor dining (no drive through window)
 - b. Retail
 - c. Office
 - d. Places of Assembly: as limited by Tier I and Tier II regulations
 - e. Personal Service Establishments: as limited by Tier I and Tier II regulations
 - f. Multiple-Family Dwellings
 - g. Assisted Living Facilities
 - h. Daycare Centers/nurseries
 - i. Manufacturing, processing and assembly of goods
 - j. Research and Development Laboratories
 - k. Mixed use, combination any of the above uses

H. DESIGN PRINCIPLES

1. Architectural and site designs should utilize high quality materials, facilitate pedestrian connections, incorporate streetscape elements and attractive landscaping.
2. Structural rehabilitation and façade renovations will be encouraged to enhance the built environment.
3. Buildings within this district shall be designed or redesigned to incorporate pedestrian amenities into a mixed-use center and shall be of such scale and mass that they relate to each other and the street.

I. DESIGN STANDARDS**1. Site Bulk Standards / Height, Area and Yard Requirements:**

- a. Maximum Height of new structures shall be ten stories or one hundred twenty (120') feet, whichever is lower, in areas where the existing Zoning District has a lower maximum height;
- b. Maximum Height of new structures in areas where the existing Zoning District has a maximum height more than 120' shall be controlled by the maximum height of the existing Zoning District;
- c. Maximum building coverages shall be sixty percent 60% of the total site area in areas where the existing Zoning District has a lower maximum building coverage;
- d. Maximum building coverage in areas where the existing Zoning District has a maximum building coverage above 60% shall be controlled by the maximum building coverage of the existing Zoning District;
- e. Maximum impervious surface coverage shall be seventy-five percent 75% of the total site area in areas where the existing Zoning District has a lower maximum impervious coverage;
- f. Maximum impervious surface coverage in areas where the existing Zoning District has a maximum impervious coverage above 75% shall be controlled by the maximum impervious coverage of the existing Zoning District;
- g. Projects certified as a LEED Development by the US Green Building Council or, if to the satisfaction of the Commission the applicant has documented an overall reduction in the project's dependency on non-renewable resources, an increase of five percent (5%) beyond the otherwise maximum allowable building coverages may be approved.
- h. Front, side and rear yard setbacks shall be appropriate to the context and scale of the proposed development and surrounding properties in a manner that does not create an unsafe condition for occupants, visitors, vehicles and emergency access. In general, buildings built to the sidewalk should not exceed three stories, with taller buildings or building sections set farther back on the property.

2. Low Impact Development:

- a. These regulations require, where feasible, employment of measures in accordance with [Section 7.10](#) of these Regulations and the latest version of the Low-Impact Development Appendix to the Connecticut Stormwater Quality Manual, as amended, to control stormwater at its source and to minimize the generation of runoff collected by the municipal stormwater system.
- b. Adjoining Properties: Sites shall be graded, drained, and landscaped as to dispose of all surface water accumulation on site, and to prohibit surface water draining onto adjoining properties.
- c. Maintenance: Approved stormwater and low-impact development infrastructure shall be maintained for the duration of the use with which the approval was associated, to the standard of performance represented in the application or otherwise accepted as standards practice. Failure to maintain such infrastructure without just cause (which may be determined in sole discretion of the Zoning Enforcement Officer) is a violation of these Regulations.
- d. Construction in the 100-year Flood Zone shall be in compliance with [Section 5.1](#) of these Regulations.
- e. The use of "green" building technology and use of renewable energy techniques are strongly encouraged.

3. Site Lighting

- a. A photometric plan shall be submitted that demonstrates compliance with these Regulations. All exterior lightings and sign illumination shall be designed, located, installed and directed in such a manner as to:
 - 1) Prevent objectionable glare or light trespass;
 - 2) Be shielded to the extent possible;
 - 3) Be fully contained within the target areas
 - 4) Maximize energy conservation
 - 5) Limit the illumination to the minimum amount adequate for the intended purpose of the lighting;
 - 6) Shield direct light source(s) so that they shall not be visible at the property line at ground level or above when adjacent to residential property.
- b. As per [Section 7.11](#) of these Regulations, no direct light shall be transmitted beyond the lot where it originates. Illumination values shall not exceed 0.5 foot-candles beyond a lot line with the exception of the public right-of-way. Any unnecessary lighting shall be reduced after the close of business. The applicant may be required to control lighting through timing devices and/or motion detectors.
- c. Fixtures - To reduce off-site glare, lighting fixtures for all parking areas shall be full cut off type fixtures or fully shielded/recessed fixtures where the lens is recessed or flush with the bottom surface and mounted perpendicular to the ground.

4. Parking, Access and Loading

- a. All applications submitted within the Planned Development District shall be accompanied by a parking plan. Such plan shall be completed to the satisfaction of the Commission but at a minimum, must include:
- b. The anticipated parking demands, including peak hours and the method of calculation.
- c. The total allocation of available parking spaces on site and for each business/tenant space.
- d. Locations for alternate parking locations (as defined) should they be necessary or more appropriate.
- e. An analysis of the sufficiency of all pedestrian connections including an explanation of the Bicycle and Pedestrian on site amenities provided.
- f. Demonstration that the parking provided is adequate for all combined uses and that any parking facility design conforms to [Section 7.2](#) of these Regulations.

5. Landscaping and Open Space

- a. A minimum of fifteen (15%) percent of the total Planned Development District acreage shall be set aside as open space for recreation, conservation purposes, landscaped with persistently maintained plantings, or be maintained in natural, vegetated condition.
- b. Open space may include any natural areas, landscaped and/or formal planted gardens, important wetland systems or other significant natural areas, active and passive recreation areas and/or other unimproved land areas. Open space shall include all buffer areas and all other areas not covered by buildings, paved parking areas or roadways, or other impervious surfaces.
- c. The location and extent of all open space shall be identified on the Master Plan and designated as major or urban design. Subsequent changes in use of open space from that designated on the approved Master Plan may be permitted by the Commission by Special Permit. Urban Design open space shall include traffic islands, median strips, lawns and yards clearly associated with specific buildings, planted berms within parking lots and other improved areas of less than one-half (0.5) acre. All other open space shall be considered major open space.
- d. Landscaping shall make use of native, non-invasive plantings and shall otherwise follow the provisions of [Section 7.3](#) of these Regulations, except that if buildings are built to the sidewalk, no landscaping shall be required in between building and sidewalk. In this case, however, a landscaped strip a minimum of five feet wide (5') shall be provided in between the sidewalk and any roadway.
- e. An operations plan for the continual maintenance of the open space areas shall be submitted and approved by the Commission.

J. MODIFICATIONS

Any modification of an approved Master Plan may be approved by site plan approval in accordance [Section 9.3.F.3](#) Minor Site Plan Modifications of these Regulations if the modification does not substantially alter the characteristics of the approved Master Plan.

K. EXPIRATION

1. The approval of the Master Plan shall expire if:
 - a. The improvements authorized by the Master Plan / Text Amendment are not completed within five years, or
 - b. The Commission has not extended the approval period for up to an additional five years prior to the expiration of any five-year period.
2. A Master Plan which has expired may be reinstated by a new Text Amendment application

6. USE-RELATED PROVISIONS

Section 6.1.	<u>Agriculture / Open Space Activities</u>
Section 6.2.	<u>Residential Accessory Uses</u>
Section 6.3.	<u>Residential Development</u>
Section 6.4.	<u>Retail-Related Uses</u>
Section 6.5.	<u>Service-Related Uses</u>
Section 6.6.	<u>Restaurant-Related Uses</u>
Section 6.7.	<u>Lodging-Related Uses</u>
Section 6.8.	<u>Vehicle-Related Uses</u>
Section 6.9.	<u>Drive-Through Facilities</u>
Section 6.10.	<u>Public Assembly Related Uses</u>
Section 6.11.	<u>Institutional Related Uses</u>
Section 6.12.	<u>Industrial-/ Logistics Related Uses</u>
Section 6.13.	<u>Office / R&D / Related Uses</u>
Section 6.14.	<u>Boating-Related Uses</u>
Section 6.15.	<u>Miscellaneous Accessory Uses</u>
Section 6.16.	<u>Other Uses</u>

Section 6.1. Agriculture / Open Space Activities**A. AGRICULTURE-RELATED ACTIVITIES**

1. Commercial farms, including the keeping of livestock, may be allowed in a Residential District where so indicated in these Regulations provided the keeping of livestock:
 - a. Shall be on a parcel of five (5) acres or more; and
 - b. Shall not include the raising of swine or animals for pelts;
 - c. Shall be in accordance with generally accepted agricultural practices as determined by the Commissioner of Agriculture and with Chapter 6 of the [East Hartford Code of Ordinances](#).
 - d. Shall require that any building used for the keeping of livestock shall be located one hundred (100) feet from any lot line.
2. Truck gardens, greenhouses and plant nurseries may be allowed in a Residential District where so indicated in these Regulations provided they are located on a lot of two (2) acres or more.
3. A temporary seasonal roadside stand for the sale of produce or products fresh fruit, vegetables and flowers that have been grown on site may be allowed as an accessory use in any Residential District where so indicated in these Regulations provided that such roadside stand shall:
 - a. Have a maximum area of one hundred (100) square feet.
 - b. Be located a minimum distance of twenty (20) feet from any street and one hundred (100) feet from any street or road intersection.
 - c. Abide by the side yard requirements for a principal building for the zone in which it is located.
 - d. Be removed within ten (10) days after its use is discontinued for that particular growing season.











B. OPEN SPACE-RELATED ACTIVITIES

1. Public parks and open space may be allowed in any Residential District where so indicated in these Regulations provided:
 - a. Minimum lot size requirements shall not apply;
 - b. Front and side yard requirements shall be the same as those for the zoning district(s); and
 - c. Not more than fifty (50) percent of the area of the lot shall be occupied by buildings.

Section 6.2. Residential Accessory Uses**A. PARKING-RELATED ACTIVITIES**

1. Private garage(s) and/or carport(s), attached and/or detached, limited to a combined total maximum of three (3) motor vehicles except that the Planning and Zoning Commission may, by Special Permit, allow one (1) additional garage and/or carport space up to a combined total maximum of four (4) motor vehicle spaces.

2. Overnight parking / storage of one (1) commercial vehicle may be allowed as an accessory use on a residential lot in any District provided that:
- The graphic below indicates that the type of vehicle is allowed in a Residential Zone.
 - Such vehicle shall be stored on the paved driveway of the occupied residential lot or the paved parking area leased to the residential occupant.

Type GVWR	Generally <u>Not</u> Considered A Commercial Vehicle And May Be Parked In A Residential Zone	If Considered A Commercial Vehicle, One Such Vehicle May Be Parked In A Residential Zone	Generally Considered A Commercial Vehicle Which Shall Not Be Parked / Stored In A Residential Zone
Passenger Car	 SEDAN ROADSTER WAGON		
Class 1 Truck (≤6,000)	 SUV Minivan Full Size Pickup	 Full Size Pickup Utility Van	
Class 2 Truck (6-10,000)	 Minivan	 Full Size Pickup Utility Van	 Step Van
Class 3 Truck (10-14,000 GVWR)		 Full Size Pickup	 City Delivery Walk In Mini Bus
Class 4+ Truck (14,000+)			 Single Axle Van Landscape Utility Bucket
			 Dump Medium Semi Tractor
	FARM VEHICLES <ul style="list-style-type: none"> Vehicles used on a farm for activities associated with that farm shall not be considered commercial vehicles. 	RELEVANT FACTORS <ul style="list-style-type: none"> The presence of logos or markings identifying a trade, business, service or commodity Modifications such as equipment racks Public utility emergency vehicle 	OTHER VEHICLE TYPES <ul style="list-style-type: none"> School bus Earth moving equipment and similar types of construction equipment.

B. EQUIPMENT STORAGE

1. Outside storage of major recreational equipment (including but not limited to a recreational vehicle, travel trailer, camper, boat, jet-ski, ski mobile, dirt bike, all-terrain vehicle, and the like including trailers, cases, or boxes used for transporting such vehicles) may be allowed as an accessory use in a Residential District where so indicated in these Regulations provided that:
 - a. Such equipment shall have a total length of thirty (30) feet or less,
 - b. If not parked or stored in a garage or other completely enclosed structure, such equipment shall be parked or stored in the side or rear yard area but not closer than five (5) feet to any lot line nor closer than twenty five (25) feet to any adjoining residence; and
 - c. During loading and unloading, such vehicle may be parked anywhere on the residential premises for a period not exceeding twenty-four (24) hours.

C. HORSE STABLES

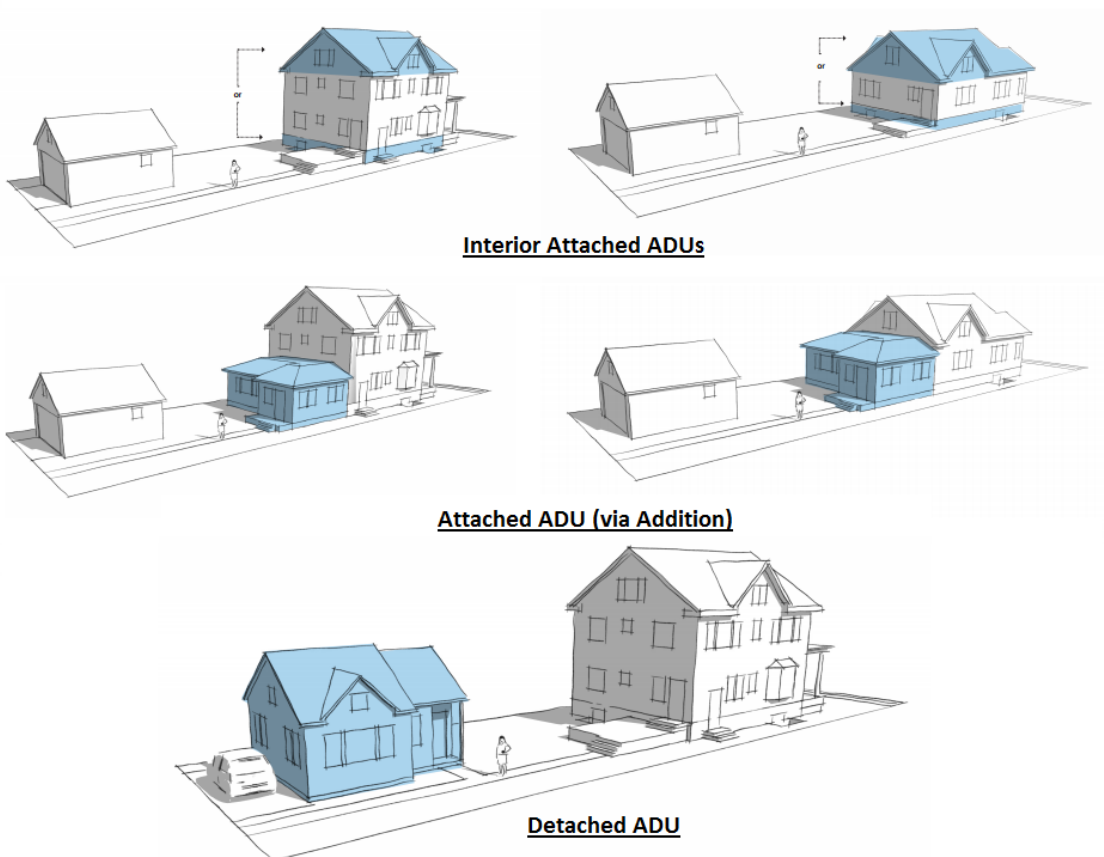
1. Stabling of horses for personal use by residents of the premises (not for commercial purposes or for stabling or boarding of animals of others) may be allowed as an accessory use in any Residential District where so indicated in these Regulations provided:
 - a. The portion of the lot or parcel upon which any horse or horses are stabled, pastured or exercised shall have a minimum area of four (4) acres in addition to the minimum lot area required for the dwelling on the lot or parcel;
 - b. Such portion of the lot or parcel shall contain one (1) additional acre for each horse being stabled, pastured or exercised after the first two (2) horses; and
 - c. All buildings and structures for the stabling and exercising of horses shall be located at a minimum of two hundred seventy (270) feet from a street line or of any dwelling or public building.

D. HOME-BASED BUSINESS ACTIVITIES

1. Home occupation(s) may be conducted as an accessory use in a Residential District where so indicated in these Regulations provided that such uses(s) shall:
 - a. Be carried on entirely within the dwelling unit;
 - b. Be clearly secondary to the use of the dwelling unit for living purposes,
 - c. Not change the residential characteristics of the dwelling unit nor have any exterior evidence of such secondary use,
 - d. Not have any workers or employees who are not residents of the premises,
 - e. Not occupy, in the aggregate, more than twenty-five (25) percent of the gross floor area of the dwelling unit or more than five hundred (500) square feet, and
 - f. Not create a nuisance, odor, noise, glare, or vibration noticeable off the premises.
2. A home office for a resident of the premises may be conducted as an accessory use in a Residential District where so indicated in these Regulations provided that such home office:
 - a. Shall be located in the dwelling,
 - b. Shall be secondary and incidental to the use of the premises for dwelling purposes,
 - c. Shall not occupy more than twenty-five (25) percent of the floor area of the dwelling unit, and
 - d. Shall not change the residential characteristics or appearance of the dwelling. .
3. Renting of up to two (2) rooms and furnishing table board for up to three (3) boarders who are not members of the family of the resident proprietor may be conducted as an accessory use to an owner-occupied dwelling in a Residential District where so indicated in these Regulations.

E. ACCESSORY DWELLING UNIT

1. An accessory dwelling unit is allowed in a single-family dwelling unit or on a single-family residential lot in any zone pursuant to these Regulations.
2. An accessory dwelling unit may be attached to or located within the proposed or existing principal dwelling, or detached from the proposed or existing principal dwelling and located on the same lot as such dwelling;
 - a. Unless specified otherwise, an accessory dwelling unit within or attached to a single-family dwelling is allowed by right with a building permit and zoning approval.
 - b. A detached accessory dwelling unit may be permitted by the Planning and Zoning Commission only by Special Permit pursuant to [Section 9.4](#).



For the purposes of accessory dwelling units, such unit shall be considered detached unless it shares an enclosing wall with the principal unit.

3. General Requirements

- a. If the property is located in the R-1, R-2, or R-3 district, at least one (1) of the occupants of either dwelling unit shall be an owner of record of said property.
- b. Adequate off-street parking shall be provided.
- c. The minimum floor area of the dwelling unit shall comply with the Connecticut State Building Code. If located in a detached structure, the minimum size for an accessory dwelling unit shall be 300 square feet.
- d. The maximum floor area of the accessory dwelling unit shall not exceed the lesser of either:
 1. Thirty percent (30%) of the floor area of the principal dwelling; or
 2. One thousand (1,000) square feet.
- e. The accessory dwelling unit shall not be located in a mobile home, recreational vehicle, or travel trailer.
- f. The accessory dwelling unit shall be self-contained, with cooking, sanitary and sleeping facilities for the exclusive use of the occupant(s) and shall meet all applicable health, building, and safety requirements.
- g. The accessory dwelling unit shall include no more than two (2) bedrooms as the term “bedroom” is defined by the Building or Health Code, whichever definition is more restrictive.
- h. The accessory dwelling unit, whether attached or detached, shall be no taller than the existing or proposed house.
- i. New structures for accessory dwelling units shall not be located within six (6) feet of a side or rear property line. There shall be no setback requirement for nonconforming structures.
- j. Additional curb cuts for an accessory dwelling unit are not permitted.

Section 6.3. Residential Development

A. MULTIPLE FAMILY DWELLINGS IN A RESIDENTIAL DISTRICT

1. Multiple-family dwellings may, with Special Permit approval by the Commission, be allowed in the R-5 District provided that:
 - a. **Minimum Lot Area** - The minimum lot area shall be ten thousand (10,000) square feet;
 - b. **Maximum Density** - The minimum lot area shall be two thousand five hundred (2,500) square feet per dwelling unit;
 - c. **Minimum Average Lot Width** - The minimum average lot width shall be seventy-five (75) feet plus four (4) feet for each dwelling unit, with a maximum required width of four hundred (400) feet;
 - d. **Frontage** - The minimum street frontage shall be seventy-five (75) feet plus one (1) foot for each dwelling unit, with maximum required street frontage of one hundred fifty (150) feet;
 - e. **Setbacks / Building Separation** –
 1. The lot shall have a front yard not less than thirty (30) feet in depth;
 2. Each separate dwelling structure shall be located not less than fifteen (15) feet from any lot line;
 3. Each separate structure shall be separated from another separate structure on the same lot by the height of the tallest building but not less than thirty (30) feet;
 - f. **Coverage** - Not more than twenty-five (25) percent of the area of the lot shall be covered by buildings;
 - g. **Dwelling Entrance** - The principal entrance for each separate dwelling structure shall front on a separate yard not less than thirty (30) feet in depth with access to the public right-of-way and with adequate emergency vehicle access to each dwelling structure;
 - h. **Access** -The street which the lot is located on and uses for access shall:
 - Have a right-of-way width of at least fifty (50) feet and a pavement width of at least thirty (30) feet, and
 - Connect to main arterial roads directly or indirectly by streets not less than these widths.
 - i. **Parking** –
 1. No parking shall be permitted in any required front setback;
 2. All parking and parking access drives other than garage access shall be located at least fifteen (15) feet from any dwelling structure or any side or rear lot line.
 3. When located within thirty (30) feet of any lot line, parking and parking access drives shall be screened from abutting property lines by fencing with a minimum height of six (6) feet or by shrubs, hedges, planted berms or trees of a sufficient mass to be opaque.

- j. **Floor Area** - Each dwelling unit shall provide a minimum livable floor area in accordance with applicable codes; and
 - k. **Open Space / Recreation** - Each multiple-family development shall provide open space and recreation areas at a minimum level of ten (10) percent of the total tract size for both active and passive recreation on the site. No more than fifty (50) percent of the open space area shall be composed of land that lies in a regulated Flood Hazard Zone, inland wetlands, or that is regulated by any other State or Federal environmental agency.
2. Housing for senior citizens may, with Special Permit approval by the Commission, be allowed in a Residential District where so indicated in these Regulations provided that:
 - a. The parcel shall contain at least one thousand (1,000) square feet of lot area for each dwelling unit.
 - b. A studio or one-bedroom unit shall contain at least three hundred twenty (320) square feet of living area.
 - c. A two-bedroom unit shall contain at least four hundred (400) square feet of living area.
 - d. At least one (1) parking space shall be provided for each dwelling unit.
 - e. The housing must be self-contained and physically accessible to elderly citizens.

B. MULTIPLE FAMILY DWELLINGS IN BUSINESS DISTRICTS

1. **Multiple-Family Dwellings** - Multiple-family dwellings may, with Special Permit approval by the Commission, be allowed in the B-1 District, the B-2 District, or the B-4 District provided that:
 - a. The development complies with the following area and dimensional standards:

	B-1 / B-2	B-4
Minimum Lot Area (SF)	10,000	25,000
Minimum Lot Area Per Unit (SF)		
• If building less than 50 feet in height	2,500	2,500
• If building 50 feet or more in height	2,500	500
Lot Frontage (Feet)		
• Minimum requirement	75 plus 1 foot per dwelling unit	80 plus 1 foot per dwelling unit
• Maximum required	150	200
Average Lot Width (Feet)		
• Minimum requirement	75 plus 4 feet per dwelling unit	80 plus 4 feet per dwelling unit
• Maximum required	400	425
Minimum Front Yard Setback (Feet)	30	25
Minimum Side Yard Setback (Feet)	15	25
Minimum Rear Yard Setback (Feet)	15	25
Structure Separation Requirement (Feet)	1 foot separation per foot of building height, 30' minimum	1 foot separation per foot of building height, 30' minimum
Maximum Building Coverage (%)	25	35

- b. The principal entrance for each separate dwelling structure shall front on a separate yard not less than thirty (30) feet in depth with access to the public right of way and provide adequate emergency vehicle access to each dwelling structure.
- c. The lot shall be located on and have direct access to a street having a right of way width of fifty (50) feet and a pavement width of thirty (30) feet minimum connecting to main arterial roads directly or indirectly by streets not less than these widths.
- d. No parking shall be permitted in any required front setback.
- e. All parking and parking access drives, other than garage access, shall be located at least fifteen (15) feet from any dwelling structure or any side or rear lot line.
- f. When located within thirty (30) feet of any lot line, parking and parking access drives shall be screened from abutting property lines by fencing, with a minimum height of six (6) feet or by shrubs, hedges, planted berms or trees of a sufficient mass to be opaque.
- g. Each multiple-family development shall provide open space and recreation areas on the site for both active and passive recreation:
- h. In the B-1 Zone, at a minimum level of ten (10) percent of the total tract size. No more than fifty (50) percent of the open space area shall be composed of land that lies in a regulated Flood Hazard Zone, inland wetlands, or that is regulated by any other State or Federal environmental agency.
- i. In the B-2 Zone and the B-4 zone, as deemed appropriate by the Planning and Zoning Commission

2. **High Density Multiple-Family Dwellings** - High density, mixed use high rise development consisting of office/retail, restaurants and/or multiple-family dwellings in one (1) or more buildings may, with Special Permit approval by the Commission, be allowed in the B-4 District provided that:
 - a. The minimum development site size shall be five (5) acres. A development site is defined as a parcel or parcels of land under the control of a single entity at the time the application for a Special Permit is made upon which the proposed development is to be constructed. High-rise multiple-family dwellings in excess of one hundred (100) feet in height will qualify under this section with a minimum development site of thirty thousand (30,000) square feet;
 - b. The site shall have frontage on the Connecticut River. For the purposes of this section, frontage shall be defined as property that abuts the Connecticut River in which the applicant has a legal or equitable interest that gives the applicant and its assignees the right to limit building development on the property;
 - c. The maximum height of any building(s) on the site shall be three hundred (300) feet, subject to applicable State and Federal regulations dealing with air lanes;
 - d. The minimum livable floor area shall be in accordance with applicable codes;
 - e. The minimum front, side and rear yards shall be as set forth in [Section 3.4](#) of these Regulations for the B-5 District. However, said minimum front, side and rear yard requirements for the building(s) and parking shall not apply in the event that the development provides for a plaza developed for usable open space that meets the following criteria:
 - 1) Such plaza is a portion of the principal building(s).
 - 2) Such plaza does not exceed a height equal to fifty (50) feet above sea level and shall not be lower than the top of the existing flood protection wall located on the Connecticut River.
 - 3) Accessory uses including, but not limited to, walkways, stairways, amphitheaters, handicapped access ways and water related structures may be located at a height lower than the top of the existing flood protection wall.
 - 4) Such plaza has access to grade.
 - 5) Only uses such as vehicular parking, mechanical equipment required to operate and maintain said principal building(s) or vehicular parking area, storage areas or retail or restaurant establishments may be located beneath such plaza.
 - 6) Such plaza shall be accessible on a normal basis to all the occupants, tenants, visitors, employees or patrons of the use or uses located in said principal building(s) and shall not unduly burden the public's access to the Connecticut River.

- 7) Such plaza shall be furnished with benches, chairs, plantings, works of art, adequate illumination and/or other appropriate features conducive to usable open space purposes.
 - 8) Such furniture, kiosks and other obstructions shall occupy not more than a total of fifty (50) percent of the floor area of such plaza and shall be located as not to impede the free flow of pedestrian traffic or be of such a nature, material or design to endanger the health or safety of the users of the plaza, the users of said principal building(s) or the general public.
 - 9) In the event that no exterior walls are provided from grade level to the plaza level, the parking or other uses located beneath such plaza shall be screened with suitable landscaping or other material.
 - 10) The entire plaza perimeter except where access is provided or required shall be enclosed by adequate fencing, railings or plantings. A plaza is defined as a continuous above grade area constructed of hard surfaced material surrounding and/or connecting one (1) or more buildings not intended for the permanent shelter, housing or enclosure of persons, animals and/or materials, is primarily open to the sky and is open to the occupants, tenants, visitors, employees or patrons of the use or uses located in said building(s) on a regular basis for possible recreational purposes; provided, however, that the foregoing shall not be deemed a limitation of the uses permitted in such area and the applicant may make such use of the plaza that is not inconsistent with the above.
- f. The buildings may cover up to seventy-five (75) percent of the area of the site. Where plazas are developed for usable open space, said plazas and buildings may cover up to one hundred (100) percent of the area of the Site, provided that the buildings shall not cover more than seventy-five (75) percent of the site;
 - g. The separate buildings on the site shall be at least thirty (30) feet from any other separate building on the site;
 - h. After the issuance of a Special Permit and in the event the site or a portion of it be developed as a condominium, the control of the site may be divided among two (2) or more entities and the so-divided parcels need not meet the acreage, front, side and rear yard and building coverage requirements set forth herein, provided that the development as a whole meets these requirements.
 - i. Notwithstanding anything in these Regulations to the contrary, the minimum number of parking spaces required shall be as follows:
 - 1) Retail stores, personal service shops or similar business - buildings one (1) space for each two hundred fifty (250) square feet of gross floor area.
 - 2) Restaurant/eating establishment - one (1) space for every three (3) legal occupants.
 - 3) Residential use - One and one-half (1.5) spaces per dwelling unit for dwelling unit not assigned a tandem space. Tandem parking may be used for two-bedroom units. A tandem space shall be a minimum, of thirty-four (34) feet in length by nine (9) feet in width.

C. LIVE/WORK UNITS IN BUSINESS DISTRICTS

1. Work studio/dwelling may, with Special Permit approval by the Commission, be allowed in the B-5 District provided that:
 - a. Work studio/dwelling unit shall be confined to structures existing at the time of adoption of this section;
 - b. No building or structure containing said use shall be enlarged or structurally altered except in accordance with the development provisions of the Business 5 (B-5) zoning district and as such as may be required for safety, or as may be necessary to secure or insure the continued advantageous use of the building or structure;
 - c. No building or structure adaptable for joint work studio/dwelling purposes shall be subdivided into joint residential/work quarters having a combined gross floor area of less than six hundred twenty-five (625) square feet. The residential portion of the work studio/dwelling quarters shall be in accordance with applicable codes;
 - d. All spaces used for work studio/dwelling purposes shall be physically separated, when on the same floor, or shall be located above existing commercial or industrial uses which may be part of a mixed occupancy building or structure; in no instance shall space utilized for work studio/dwelling purposes be located below any such commercial or industrial use; and
 - e. All work activity shall be conducted within the existing building or structure. The owner or his agent shall certify annually that the work studio/dwellings continue to conform to the requirements of this section and other applicable sections of these Regulations.

D. MIXED-USE BUILDINGS AND MIXED-USE SITES

1. Mixed-Use Buildings and Mixed-Use Sites are permitted in the B-2 and B-5 zones subject to the following requirements:
 - a. On parcels with frontage on Main Street, at least 50% of floor area on the ground floor of the mixed-use buildings shall be limited to commercial uses permitted by site plan or administrative zoning permit under section 3.2. Any proposed first floor use subject to a special permit under section 3.2 shall apply for a special permit.
 - b. In instances where the commercial space cannot occupy at least 50% of the ground floor area of a mixed-use building, the applicant shall apply for a special permit and should demonstrate that the proposed reduction in commercial space is related unique characteristics of the building, site, or proposed use as determined by the Planning and Zoning Commission.

Section 6.4. Retail-Related Uses**A. TOWN-WIDE RETAIL PROVISIONS**

1. **Convenience Store** - Convenience stores may, with Special Permit approval by the Commission, be allowed in any Business District where so indicated in these Regulations provided that:
 - a. No part of the building or premises shall be situated within one thousand (1,000) feet from any other building or premises being used as a convenience store.
 - b. Such convenience store shall have at least 1,000 square feet of gross floor area unless it is ancillary to an automobile fueling station or farm.
 - c. Such convenience store shall not have more than 3,500 square feet of gross floor area.
2. **Cannabis Retailer, Hybrid Retailer, and Dispensary Requirements.**
 - a. A cannabis retailer, hybrid retailer, and dispensary shall be located according to the following criteria and standards:
 - 1) Shall not be located on any parcel which is adjacent to a parcel which is used as a public or private school, a town park, town recreational facility, or town hall.
 - 2) Such establishment shall not be located within 2,500 feet of any portion of any building used as a cannabis retailer or hybrid retailer, or dispensary located in the Town of East Hartford.
 - b. Any application for cannabis retailer, hybrid retailer, and dispensary shall include the following elements in addition to those which may be required by Section 9 or elsewhere in these regulations:
 - 1) A security plan which shall be outlined in a report to be reviewed and approved by the East Hartford Chief of Police.
 - 2) A sign package for all proposed signage.
 - 3) A parking and circulation plan.
 - 4) A lighting plan.
 - c. In addition to any conditions imposed pursuant to Sections 9.3 and 9.4 of the Regulations, all special permits for Cannabis Retailers, Hybrid Retailers, and Dispensaries shall be subject to the following conditions:
 - 1) Any approval granted shall be approved with the condition that the applicant continuously maintains the appropriate licensure issued by the State of Connecticut.
 - 2) The conditional approval shall not be considered fully executed until a copy of the State issued license has been provided to the Town Planner. Such approval must be filed with the Town within six months of the issuance of the Special Permit.
 - a. The Town Planner may issue not more than two six-month extensions to this requirement provided the applicant can demonstrate that an application has been filed with the Department of Consumer Protection and the expected decision date will fall within the timeframe of the extension.
 - b. The Planning and Zoning Commission may allow an additional extension of time to the State license filing requirement when the applicant can demonstrate a good faith effort to obtain a State license and the expected decision date will fall within the timeframe of the decision.
 - 3) No entity shall commence operations, sales, or advertisements without a valid, current license from the State and fully executed Special Permit from the Town.
 - 4) Hours of operation shall be limited to between 8:00 AM and 9:00 PM, Monday through Saturday, and between 10:00 AM and 6:00 PM, Sunday.

-
3. **Small Box Discount Store** - No building or premises shall be used for a small box discount store if any part of such building or premises is located within two thousand (2,000) feet from any other building or premises having a small box discount store.

1. Quick Start
2. Residence
3. Business
4. Industrial
5. Special
6. Uses-
7. Standards
8. Special
9. Procedures
10. Framework
11. Glossary
12. Appendix

B. ZONE SPECIFIC RETAIL PROVISIONS

1. In the B-5 zone, outside display of inventory may be allowed as an accessory use to a permitted retail store or artisan shop provided that:
 - a. Any outside display shall not extend beyond the boundaries of the storefront responsible for the display;
 - b. The owner shall have received any necessary permission to use public property (such as a sidewalk within the road right-of-way);
 - c. Public access to sidewalks shall be maintained at all times;
 - d. Any such display shall not interfere with doorways or other required access; and
 - e. Outside storage or overnight outside display of inventory is not permitted.
2. In the B-6 zone, a tire / battery store may be allowed as an accessory use to a retail building of at least one hundred fifty thousand (150,000) square feet of floor area provided that:
 - a. Such tire / battery store shall be accessory to and associated with such retail building and the tire / battery store facility must be owned and operated by the same entity that owns and operates the retail facility.
 - b. The portion of the building used as a tire / battery and accessory store shall not exceed seven thousand five hundred (7,500) square feet.
 - c. Routine vehicle maintenance and car care services may be performed as part of the tire / battery and accessory store, however, no major engine repairs or auto body work shall be performed and no automobiles may be serviced which are inoperable or unregistered.

Section 6.5. Service-Related Uses

A. PERSONAL SERVICE-RELATED USES

1. Type 2 Personal Service Establishment provided that:
 - a. No building or premises shall be used for a Type 2 Personal Service Establishment if any part of such building or premises is situated within one thousand (1,000) feet from any other building or premises having any type of Type 2 Personal Service Establishment except that this distance requirement shall not apply to a Type 2 Personal Service Establishment within a shopping center/mall as defined in these Regulations.
 - b. The windows and doors of any Type 2 Personal Service Establishment shall not be covered or obscured in any fashion of shades, curtains, beads, screens, pictures, walls, painting, artwork, or any other means.
2. **Massage Therapy** - Massage therapy may only be provided only when accessory to and subordinate to the following (massage therapy may not be provided as a standalone or principal business or use) :
 - a. Licensed medical practice,
 - b. Licensed chiropractic practice,
 - c. Licensed physical therapy practice,
 - d. Licensed sports medicine practice,
 - e. Fitness and training center,
 - f. Multi-disciplined beauty salon business with a minimum floor area of two-thousand five hundred (2,500) square feet.

B. DAY CARE-RELATED USES

1. **Child Care Center** – Child care centers as defined in CGS Section 19a-77, provided that:
 - a. When the child care center is a principal use open to the public, the minimum lot size shall be:

Zoning District	Minimum Lot Size
R-1	<i>Not permitted</i>
R-2	<i>Not permitted</i>
R-3	<i>Not permitted</i>
R-4	15,000 SF
R-5	15,000 SF

I-2	40,000 SF
I-3	80,000 SF

Zoning District	Minimum Lot Size
B-1	15,000 SF
B-2	15,000 SF
B-3	20,000 SF
B-4	20,000 SF
B-5	<i>Not permitted</i>
B-6	20,000 SF

- b. No playground equipment or other equipment used in connection with such facility shall be maintained on the required front setback or side yards of the premises on which such facility is located;
 - c. Vehicle parking and circulation pattern shall be arranged and designed to avoid conflicts with pedestrian traffic associated with the drop-off and delivery of children;
 - d. A minimum outdoor play area of seventy-five (75) square feet per registered child shall be provided on site unless greater requirements are imposed by the regulations of any other State or Federal agency and this play area shall be:
 - 1) Fenced to a minimum height of at least four (4) feet.
 - 2) Effectively screened with evergreen shrubs or trees against abutting properties in a manner required by the Commission.
 - 3) Designated and located for safety as to avoid the possibility of receiving bodily injury from accident hazards;
 - e. All exterior lighting associated with the operation of the facility shall be designed not to interfere with adjacent properties; and
 - f. Required parking shall be one (1) space for each five hundred (500) square feet of building gross floor area exclusive of the dedicated office area plus one (1) space for each teaching station, and one (1) space for each two hundred (200) square feet of gross dedicated office area.

2. **Adult Day Care Facility** – Adult Day Care Facility, provided that:
 - a. The minimum lot size shall be twenty thousand (20,000) square feet
 - b. Adult Day care Facility shall not change the essential characteristics of the surrounding residential area, and shall not create a nuisance to the surrounding residential area relating to vehicular parking or noise. An Adult Day care Facility shall not create additional vehicular congestion in excess of residential uses in the neighborhood;
 - c. Access to the facility shall be by means of a collector street or larger;
 - d. The hours of operation shall not exceed twelve (12) hours within a twenty-four (24) hour period. Activity between the hours of 8:00 PM and 6:00 AM shall be limited so that it is not disruptive to neighboring residents or businesses;
 - e. Outdoor activities shall be limited to daylight hours;
 - f. All exterior lighting associated with the operation of the facility shall be designed not to interfere with adjacent properties;
 - g. All pick-up and drop-off area/s shall be provided with an inclement weather shelter and arranged and designed to avoid conflicts with vehicular parking and circulation patterns for the site;
 - h. Appropriate onsite garbage disposal facilities shall be provided as approved by the East Hartford Health Department;
 - i. An Adult Day care Facility shall be certified by the Connecticut Association of Adult Day Centers in coordination with the Connecticut Department of Social Services within one year of opening the operations.

Section 6.6. Restaurant-Related Uses

A. RESTAURANT-TYPE USES

1. Drive-through restaurant (no separate approval shall be required for the drive-through facility) provided that:
 - a. The drive through facility shall be in accordance with Section 6.9.
 - b. In the B-1 zone and B-6 zone, a drive through restaurant shall only require Site Plan approval when it is an integral part of a shopping center/mall as defined in these Regulations.
 - c. In the B-1 zone and B-6 zone, such drive through restaurant may occupy space in a building with other uses or may be in an independent building provided:
 - 1) The minimum lot size shall be twenty thousand (20,000) square feet.
 - 2) All exterior lighting associated with the operation of the facility shall be designed not to interfere with adjacent properties.
 - 3) Vehicle parking and circulation pattern shall be arranged and designed to avoid conflicts with pedestrian traffic associated with the carry out operation.
 - d. In the B-2 zone and B-3 zone, such drive through restaurant shall:
 - 1) Be located on a lot of a least forty thousand (40,000) square feet with a street frontage of at least two hundred (200) feet;
 - 2) Have lanes of ingress and egress at least thirty (30) feet wide and clearly defined by curbing; and
 - 3) Have parking areas separated from the street and adjacent property lines by curbed and landscaped buffer strips at least five (5) feet in width.
 - e. In the B-5 Zone, such drive through restaurant, including outside building food consumption, shall:
 - 1) Control access to seating area with appropriate barrier(s);
 - 2) Maintain sidewalk access; and
 - 3) Obtain permission for any use of the public right of way.

B. OUTDOOR DINING

1. **Outdoor Dining Facilities** –Outdoor food and beverage service accessory to a restaurant / eating establishment is allowed by Site Plan approval in accordance with the following:

- a. Location :

Location	Standards
On public sidewalks and other pedestrian pathways abutting the area for the permitted principal use	<ul style="list-style-type: none"> Additional conditions imposed by the official or agency that issues right-of-way or obstruction permits;
Off-street parking spaces associated with the permitted use	<ul style="list-style-type: none"> Dining areas shall be adequately protected from vehicle intrusion (planters, bollards, etc.)
On any lot, yard, or open space abutting the permitted principal use	<ul style="list-style-type: none"> Such lot, yard, court or open space shall be located in a zoning district where the operation of food establishments is permitted. If a separate lot, the applicant shall provide written authorization from the owner of such lot, yard, court or open space to engage in such service

- b. Parking – Adequate parking shall be provided for the indoor and outdoor facilities.
- c. Seating areas shall be adequately protected from vehicular access areas.
- d. An ADA-compliant pathway at least four feet in width shall be provided and maintained to and through any outdoor food and beverage service area
- e. Any such outdoor food and beverage service shall cease by 9:00 PM unless a later time is authorized by the Commission.
- f. No vehicular access or egress or driveway shall be located or allowed in the area proposed for outdoor food and beverage service.
- g. Such accessory use shall not result in the expansion of a nonconforming use,

Section 6.7. Lodging-Related Uses

A. HOTELS / MOTELS

1. Hotels and motels may, with Special Permit approval by the Commission, be allowed in a Business district where so indicated in these Regulations provided that:
 - a. **Minimum Lot Size** – The minimum lot size shall be forty thousand (40,000) square feet in the B-1 Zone, B-2 Zone, B-3 Zone, and B-6 Zone.
 - b. **Parking And Circulation** – Vehicle parking and circulation pattern shall be arranged and designed to avoid conflicts with pedestrian traffic.
 - c. **Alcoholic Beverages** – As part of the Special Permit application, a hotel or motel may be authorized to serve alcoholic beverages under a hotel permit, as defined under Connecticut General Statutes, provided that:
 - 1) The parcel of land shall contain at least forty thousand (40,000) square feet of lot area if located in the B-1 Zone, B-2 Zone, or B-6 Zone.
 - 2) The building (or group of buildings on the same premises) shall offer at least the following number of rooms for the accommodation of, and rental by, guests:
 - One hundred (100) rooms in the B-1 Zone and the B-6 zone, and
 - Fifty (50) units in the B-2 Zone, B-3 Zone, and B-4 Zone.
 - 3) Such hotel or motel meets the conditions established under Section 7.14 (Alcoholic Liquors).

B. OTHER LODGING

1. Extended Stay Hotels (Type 1) may be allowed in the B-1 District with Special Permit approval, provided that:
 - a. The minimum lot size shall be two (2.0) acres;
 - b. The lot shall have a minimum of three hundred (300) feet of lot frontage on State of Connecticut Interstate I-84;
 - c. Vehicle parking and circulation pattern shall be arranged and designed to avoid conflicts with pedestrian traffic;
 - d. Accessory facilities available to hotel guests, such as for eating and recreational purposes may be provided. The inclusion of restaurants, recreational, or other facilities open to the general public, other than hotel guests, will only be permitted if the Commission finds that adequate additional seating area is available to accommodate the facilities and their generated parking needs;
 - e. The minimum room size shall be three hundred and fifty (350) square feet;
 - f. A maximum of 56% of the hotel shall be permitted Extended Stay units.
 - g. No part of the building shall be occupied for permanent residential use.
 - h. Temporary residence is offered for pay to persons (hotel guests) for a maximum stay of 15 days within the hotel Extended Stay Suites contingent that said person(s) has a contract to work within the State of Connecticut. Hotel shall be vacated upon separation of contract or employment within the State of CT or 15 days, whatever comes first.

-
2. Extended Stay Hotels (Type 2) may be allowed in the B-2 District with Special Permit approval, provided that:
- i. The minimum lot size shall be forty thousand (40,000) square feet;
 - j. The lot shall have a minimum of seventy five (75) feet of lot frontage on State of Connecticut Interstate I-84;
 - k. Vehicle parking and circulation pattern shall be arranged and designed to avoid conflicts with pedestrian traffic;
 - l. Accessory facilities available to lodgers, such as for eating and recreational purposes may be provided. The inclusion of restaurants, recreational, or other facilities open to the general public, other than lodgers, will only be permitted if the Commission finds that adequate additional seating area is available to accommodate the facilities and their generated parking needs;
 - m. The minimum room size shall be four hundred square feet;
 - n. A maximum of seventeen (17) extended stay units shall be permitted within an extended stay hotel;
 - o. No part of the building shall be occupied for permanent residential use.

Section 6.8. Vehicle-Related Uses**A. VEHICLE-SALES**

1. **Vehicle Sales (New)** – Sales and service of new automobiles and/or trucks may be allowed in a Business district where so indicated in these Regulations provided that:
 - a. The lot shall have:
 - 1) An area of at least forty thousand (40,000) square feet.
 - 2) Lot frontage of at least two hundred (200) feet on one (1) street.
 - b. Uses accessory to the sales and service of new automobiles and/or trucks may include:
 - 1) Service and repair only when conducted as part of, or in connection with, a sales facility and only when the sale of new automobiles or trucks constitutes the principal business conducted on the premises.
 - 2) Sales of used automobiles and/or trucks when subordinate to the sale of new automobiles and/or trucks.
 - c. The use and service area of the lot shall be separated from the street and adjacent property lines by curbed and landscaped islands at least five (5) feet in width except for clearly defined lanes of ingress and egress.
 - d. No vehicles shall be parked in the landscaped front yard area unless specifically approved by the Commission.
 - e. Areas used for the outside storage of vehicles shall be screened from abutting residential properties by berm(s), ornamental fencing, landscaping, or a combination of these, as approved by the Commission.
 - f. No automobile fueling station shall be permitted nor may there be any sale of fuel in connection with the permitted uses.
 - g. In addition to receiving approval from the Commission, site location approval shall be obtained in accordance with applicable provisions of the Connecticut General Statutes.

2. **Vehicle Sales (Used)** – Sales and service of used automobiles and/or trucks may, with Special Permit approval by the Commission, be allowed in a B-2 District or B-3 District as a principal use provided that:
 - a. Service and repair may only be conducted as part of, or in connection with, a sales facility and only when the sale of automobiles or trucks constitutes the principal business conducted on the premises.
 - b. The lot shall have an area of at least:
 - 1) Forty thousand (40,000) square feet in a B-2 zone.
 - 2) Twelve thousand (12,000) square feet in a B-3 zone.
 - c. The lot shall have street frontage on one (1) street of at least:
 - 1) Two hundred feet in a B-2 zone.
 - 2) One hundred (100) feet in a B-3 zone.
 - d. The use and service area of the lot shall be separated from the street and adjacent property lines by curbed and landscaped islands at least five (5) feet in width except for clearly defined lanes of ingress and egress.
 - e. No vehicles shall be parked in the landscaped front yard area unless specifically approved by the Commission.
 - f. The outside storage of vehicles shall be screened from abutting residential properties by berm(s), ornamental fencing, landscaping, or a combination of these, as approved by the Commission.
 - g. No automobile fueling station shall be permitted nor may there be any sales of fuel in connection with the permitted uses.
 - h. In addition to receiving approval from the Commission, site location approval shall be obtained in accordance with applicable provisions of the Connecticut General Statutes.
3. **Truck Sales And Services** – Sales and services of new and/or used trucks provided that:
 - a. The lot shall have an area of at least eighty thousand (80,000) square feet and have a street frontage on one (1) street of at least two hundred (200) feet.
 - b. The use and service area of the lot shall be separated from the street and adjacent property lines by curbed and landscaped islands at least five (5) feet in width, except for clearly defined lanes of ingress and egress.
 - c. No vehicle shall be parked in the required front setback.
 - d. No truck fueling station shall be permitted nor may there be any sale of fuel/diesel in connection with the permitted uses.
 - e. The outside storage of vehicles shall be screened from abutting properties by appropriate ornamental fencing, landscaping or a combination of these, as approved by the Commission although no such screening shall be required along any property line which abuts any State of Connecticut non access highway line.
 - f. Service and repair may be conducted only as part of, or in connection with, a sales facility and only when the sale of automobiles or trucks constitutes the major portion of the business conducted on the premises.

B. VEHICLE-FUELING

1. **Fueling Station (Principal)** – Automobile fueling stations may, with Special Permit approval by the Commission, be allowed in a B-2 District or B-3 District as a principal use provided that:
 - a. The lot shall have an area of at least:
 - 1) Twenty thousand (20,000) feet in a B-2 Zone.
 - 2) Ten thousand (10,000) square feet in a B-3 Zone.
 - b. The lot shall have a street frontage on one (1) street of at least:
 - 1) Two hundred (200) feet in a B-2 Zone.
 - 2) One hundred (100) feet in a B-3 Zone.
 - c. The use and service area of the lot shall be separated from any street line and adjacent property lines by curbed and landscaped islands at least five (5) feet in width, except for clearly defined lanes of ingress and egress that shall be thirty (30) feet in width at the lot line with a ten (10) foot curb radius;
 - d. All pumps and other service equipment shall be located at least fifteen (15) feet from any side or front lot line;
 - e. Any fueling station or other service station providing self-service car wash shall provide five (5) additional off-street parking spaces for each installation.
 - f. In addition to receiving approval from the Commission, site location approval shall be obtained in accordance with applicable provisions of the Connecticut General Statutes.
2. **Fueling Station (Accessory)** – In the B-6 District, a self-service automobile fueling station may be allowed as an accessory use when associated with and located on a Shopping Center/Mall site as defined in these Regulations provided that:
 - a. The facility must be owned and operated by the same entity that owns and operates the retail anchor facility with at least forty thousand (40,000) square feet of gross floor area.
 - b. No automobile services or maintenance shall be performed.
 - c. Maximum number of dispensing facilities shall not exceed ten (10).
 - d. A limit of one self-service automobile fueling station shall be allowed for each shopping center/mall site.
 - e. The self-service accessory use shall be exempt from the requirement of Section 6.2 of these Regulations.

C. VEHICLE-SERVICE

1. **Service Garage** – Automobile service garage may, with Special Permit approval by the Commission, be allowed in a B-2 District or B-3 District as a principal use provided that:
 - a. The lot shall have an area of at least:
 - 1) Twenty thousand (20,000) feet in a B-2 Zone.
 - 2) Ten thousand (10,000) square feet in a B-3 Zone.
 - b. The lot shall have a street frontage on one (1) street of at least:
 - 1) Two hundred (200) feet in a B-2 Zone.
 - 2) One hundred (100) feet in a B-3 Zone.
 - c. The use and service area of the lot shall be separated from any street line and adjacent property lines by curbed and landscaped islands at least five (5) feet in width, except for clearly defined lanes of ingress and egress that shall be thirty (30) feet in width at the lot line with a ten (10) foot curb radius;
 - d. All service equipment shall be located at least fifteen (15) feet from any side or front lot line;
 - e. Any service garage or other service station providing self-service car wash shall provide five (5) additional off-street parking spaces for each installation; and
 - f. In addition to receiving approval from the Commission, site location approval shall be obtained in accordance with applicable provisions of the Connecticut General Statutes.
2. **Car Wash** – Car wash establishments, including a self-service car wash having more than two (2) car wash installations, may be allowed in a B-2 District or B-3 District as a principal use provided that:
 - a. The lot shall have an area of at least:
 - 1) Twenty thousand (20,000) square feet in the B-2 zone.
 - 2) Ten thousand (10,000) square feet in the B-3 zone.
 - b. The lot shall have a street frontage on one (1) street of at least one hundred (100) feet.
 - c. The use and service area of the lot shall be separated from any street line and adjacent property lines by curbed and landscaped islands at least five (5) feet in width, except for clearly defined lanes of ingress and egress that shall be thirty (30) feet in width at the lot line with a ten (10) foot curb radius.
 - d. Unless otherwise approved by the Commission, all service equipment shall be located at least sixty (60) feet from the front lot line and twenty (20) feet from any side lot line.
 - e. Adequate disposal facilities shall be provided so that no wastewater flows or tracks onto a public street.
 - f. Four (4) off-street parking spaces shall be provided for each service bay or work station.
3. **Truck Repair** - Truck "Limited Repairs" as defined by CGS Section 14-51 which is subordinate, customary, and incidental to a Major Truck Terminal, provided that:
 - a. Limited Repairer license shall be subordinate, customary and incidental to the Major Truck Terminal and shall not exceed twenty-five (25) percent of the total aggregate building area.
 - b. Repairs of vehicles shall be conducted only between the hours of 7:00 AM and 5:00 PM on Weekdays only. Saturday & Sunday repair operations are expressly excluded.

D. VEHICLE-STORAGE / DISPLAY

1. **Rental Vehicle Storage / Display** – Outdoor display and/or storage of rental vehicles (automobiles and/or trucks) may be allowed in a B-2 District or B-3 District provided that:
 - a. In a B-2 District, such outdoor display and/or storage shall be accessory to an automobile fueling station or a service garage.
 - b. In a B-3 District, such outdoor display and/or storage shall be accessory to an approved vehicle rental establishment, an automobile fueling station, or a service garage.
 - c. Rental vehicles adjacent to the rear property line (the property line approximately opposite to that adjoining street which has the widest paved travel width) but in no case closer than twenty-five (25) feet from any street line.:
 - d. When the rear or side property line of the site storing boats adjoins a lot which is occupied by a residential structure, a decorative fence having a minimum height of six (6) feet, or other screening device, as required, to be installed along said rear or side property line. Said required fence or screening devices shall extend along the rear and/or side of the parking spaces being used for storage.
 - e. Before any fueling station or service premises shall be occupied by rental vehicles, an accurate plan drawn to scale shall be submitted to and approved by the Zoning Enforcement Officer showing :
 - 1) The location of existing buildings and improvements,
 - 2) Existing off-street parking spaces required for the principal use,
 - 3) The location and dimensions of parking spaces for rental vehicles,
 - 4) The number, types and sizes of the rental vehicles,
 - 5) Fencing and/or landscaping to be provided,
 - 6) Dimensions and area of the premises. And
 - 7) Such other information as the Zoning Enforcement Officer shall require.

Section 6.9. Drive-Through Facilities

A. GENERAL REQUIREMENTS

1. **Front Yard Setback Prohibition** – Drive-through facilities, including required queuing lane(s), shall not be located in the required front setback.
2. **Queuing Lanes And Spaces** –
 - a. Adequate queuing lane(s) (stacking lanes to the drive-through facilities) shall be provided as part of any drive-through facility.
 - b. Queuing lanes shall:
 - 1) Be a minimum of ten (10) feet wide.
 - 2) Be separated from other circulation lanes.
 - 3) Be identified by pavement striping or internal islands.
 - 4) Have entrances which are:
 - Clearly marked.
 - Located at least sixty (60) feet from the property line at the street line (measured to the beginning of the queuing lane(s) entrance).
 - 5) Queuing lanes shall not enter or exit directly into a public right-of-way.
 - c. The minimum length of each queuing line (measured from the queuing lane entrance to the first order board or service window) shall be:
 - 1) Twelve (12)-queuing spaces for a drive-through restaurant,
 - 2) Four (4)-queuing spaces for a non-food retail operation,
 - 3) Two (2)-queuing spaces for a bank.
 - d. Each queuing space shall be twenty-two (22) feet long.
 - e. Queuing spaces shall not be calculated as part of required parking.
 - f. If the separate queuing lane is curbed, an emergency by-pass or exit shall be provided.
 - g. The Planning and Zoning Commission may, based on the traffic impact study, allow a fifty percent reduction of the required queuing spaces provided that all calculated queuing spaces are unimpeded by other required standard parking spaces.

B. TRAFFIC CIRCULATION

1. **Overall Circulation –**
 - a. On-site circulation shall be configured to function effectively to:
 - 1) Prevent circulation congestion, both onsite and on adjacent public streets,
 - 2) Separate drive-through traffic from site circulation.
 - 3) Not impede or impair access into or out of parking spaces.
 - 4) Not impede or impair vehicle or pedestrian traffic movement.
 - 5) Minimize conflicts between pedestrian and vehicular traffic with physical and visual separation between the two.
 - 6) Avoid interference between the operation of the queuing lanes and the operation of loading and trash storage areas.
2. **Traffic Impact Study –** A traffic impact study shall be required in accordance with the requirements in the East Hartford Design Manual for public streets in the vicinity and the following additional specific considerations:
 - a. Projected impacts of the proposed drive-through with emphasis on location of queuing lanes and overall number of queuing spaces and its overall interaction with the proposed site.

C. ADDITIONAL CONSIDERATIONS

1. **Outdoor Loudspeakers –** Outdoor loudspeakers utilized for any drive-in window shall produce a noise level no greater than what is allowed by [East Hartford Code of Ordinances](#) (Article 7 Control Of Noise Pollution Emitted By Sound Amplifying Equipment) as amended.
2. **Outdoor Service Facilities –**
 - a. Any outdoor service facilities (including but not limited to menu boards, speakers, etc.) shall be a minimum of fifty (50) feet from the property line of residential uses.
 - b. Menu boards shall be maximum of twenty (20) square feet, with a maximum height of six (6) feet in height and shall be shielded from any public street and residential properties, unless otherwise permitted or required by the Commission on a site-specific basis following the submittal of supportive documentation and a determination of compliance with the Special Permit Criteria in [Section 9.4.E](#).
3. **Vehicular Emission Control –** Vehicular emission control associated with queuing lanes shall be required in accordance with the following:
 - a. Applicants shall demonstrate what steps will be employed to protect employees of the drive-through facility from emissions caused by idling vehicles.
 - b. Queuing lanes shall not be located adjacent to patios and other pedestrian use areas, other than walkways.
 - c. Queuing lanes are discouraged in close proximity to residential uses, existing or planned.

Section 6.10. Public Assembly Related Uses**A. PUBLIC ASSEMBLY**

1. Place of Public Assembly Tier 1, provided that:
 - a. Minimum lot size is fifteen thousand (15,000) square feet.
2. Place of Public Assembly Tier 2, provided that:
 - a. Minimum lot size is fifteen thousand (15,000) square feet.
 - b. The building, premises, or space shall not be located within a Commercial Node as defined in these Regulations.

B. HOUSE OF WORSHIP

1. Houses of worship and residential use(s) accessory thereto (customary, subordinate, and incidental) may be allowed where so indicated in these Regulations provided that:
 - a. Minimum lot size be sixty thousand (60,000) square feet;
 - b. Front and side yards shall be two (2) times the required side and front yards for permitted uses; and
 - c. Not more than fifty (50) percent of the area of the lot shall be occupied by buildings.

C. CATERING HALL

1. **Catering Hall** – Catering halls may be allowed where so indicated in these Regulations provided that:
 - a. The minimum lot size shall be:
 - 1) Fifteen thousand (15,000) square feet in a B-1 Zone.
 - 2) Forty thousand (40,000) square feet in a B-6 Zone.
 - b. When said premises abut a Residential Zone:
 - 1) There shall be a thirty (30) foot landscaped buffer strip which may consist of shrubs, hedges, planted berms or trees of sufficient mass to be opaque.
 - 2) Buildings shall be set back from Residential Zones at least two (2) feet for every foot of building height.
 - c. Any service of alcoholic beverages shall be subject to the provisions of Section 7.14 (Alcoholic Liquors).
 - d. Sale of alcoholic beverages shall be confined to the interior of the building, and shall be incidental to a catered function.

Section 6.11. Institutional Related Uses**A. EDUCATIONAL FACILITIES**

1. **Colleges** – Colleges may be allowed where so indicated in these Regulations provided that:
 - a. Minimum lot size be sixty thousand (60,000) square feet;
 - b. Front and side yards shall be two (2) times the required side and front yards for permitted uses; and
 - c. Not more than fifty (50) percent of the area of the lot shall be occupied by buildings.
2. **Temporary Classrooms** – Temporary classroom buildings may be allowed where so indicated in these Regulations when located on the premises of an existing or proposed school or college provided that:
 - a. Such buildings may be sited for a period of one year from the date of Certificate of Occupancy issuance, renewable for not more than two additional one-year periods.
 - b. Temporary classroom structures shall meet the yard requirements for permitted uses within that zone.

B. MEDICAL / CONVALESCENT CARE FACILITIES

1. **Convalescent Home** – Convalescent homes and other licensed long-term care facilities may be allowed where so indicated in these Regulations provided that:
 - a. The minimum lot size shall be twenty thousand (20,000) square feet, plus one thousand (1,000) square feet of land area for each patient bed in excess of five (5) patient beds;
 - b. No parking shall be permitted in any required front setback;
 - c. A front yard shall be at least twenty-five (25) feet in depth;
 - d. A rear yard shall be at least forty (40) feet in depth;
 - e. Each yard shall be increased by one (1) foot in depth or width for each one (1) foot that such building exceeds thirty (30) feet in height; and
 - f. Not more than twenty-five (25) percent of the lot shall be covered by buildings.
2. **Hospital** – Hospitals provided that:
 - a. In addition to the required minimum lot size, there shall be two thousand five hundred (2,500) square feet of land area for each patient bed; and
 - b. Not more than fifty (50) percent of the area of the lot shall be occupied by buildings.

C. SPECIAL FACILITIES

1. **Residential Education Facility** – A residential education facility may be allowed where so indicated in these Regulations provided that:
 - a. Such facility is licensed by the Connecticut Department of Children and Families.
 - b. Such facility is operated by a non-profit organization.
 - c. Said residential education facility is not within five hundred (500) feet of a similar facility; and
 - d. In a residential district, the development of the premises and the construction or remodeling of the building shall be compatible with the surrounding neighborhood and residence district.
 - e. In a business district, any newly constructed building shall conform to the area and dimensional requirements in [Section 2.4](#) for the R-5 zone.

2. **Emergency Shelter** – An emergency shelter for the homeless may be allowed where so indicated in these Regulations provided that:
 - a. Such shelter is operated by a non-profit organization;
 - b. The site shall be located within two hundred (200) feet of a bus stop;
 - c. The applicant shall submit a report to the Planning and Zoning Commission, the Town Council, Mayor and Director of Social Services of the Town of East Hartford certifying the need for the facility;
 - d. The site shall be of sufficient size and shape to provide an area for outdoor activity; provided, however, the Commission may waive this requirement for a facility not designed to serve children; and
 - e. The applicant shall provide parking at a rate of one (1) parking space for one (1) employee and/or volunteer on the largest shift plus one (1) space for every three (3) beds.

3. **Substance Abuse Treatment Facility** – Substance Abuse Treatment Facilities provided that:
 - a. No building or premises shall be used as a substance abuse treatment facility if any part of such building or premises is situated within:
 - 1) One thousand (1,000) feet in radius from any part of a building or premises used for a public schools, a duly authorized school other than a public school, house of worship, charitable institution whether supported by public or private funds, hospital, library, public playground, day care facilities, or of any lot or parcel classified as Residential Zoned.
 - 2) One thousand five hundred (1,500) feet radius any other conforming or nonconforming substance abuse treatment facility.
 - b. Measurement of the radius shall be made from the outermost boundaries of the lot or parcel upon which the substance abuse treatment facility will be situated.

Section 6.12. Industrial-/ Logistics Related Uses**A. MANUFACTURING / INDUSTRIAL USES**

1. Industrial and/or other uses except the following uses:
 - a. Acetylene gas manufacture
 - b. Ammonia, chlorine or bleaching power manufacture
 - c. Animal black, lamp black or bone black manufacture
 - d. Asphalt manufacture or refining
 - e. Blast furnaces, except cupolas or converters used in foundries
 - f. Coke ovens, except in the manufacture of gas and incidental by products by a public utility
 - g. Crematory, except in a cemetery
 - h. Creosote treatment of manufacture
 - i. Distillation of coal, petroleum, refuse, grain, wood or bones except in the manufacture of gas
 - j. Fireworks and explosives manufacture or storage except small arms ammunition
 - k. Fertilizer manufacture
 - l. Glue, size or gelatin manufacture, where the processes include the refining or recovery of products from fish, animal refuse or offal
 - m. Grease, lard, fat or tallow rendering for refining
 - n. Grain drying or food manufacture from refuse, mash or grain
 - o. Outdoor storage or baling of scrap paper, rags, iron, bottles or junk
 - p. Incineration, reduction, storage or dumping of slaughterhouse refuse, rancid fats, garbage, dead animals or offal, except by the municipality or its agent
 - q. Oil cloth or linoleum manufacture
 - r. Paint, oil varnish, turpentine, shellac or enamel manufacture
 - s. Petroleum refining
 - t. Raw hides or skins storage, cleaning, curing or tanning
 - u. Commercial slaughtering
 - v. Smelting of iron, copper, tin, zinc or lead from ores
 - w. Starch, glucose or dextrin manufacture
 - x. Stock yards
 - y. Sulfurous, sulfuric, nitric, picric, carbonic or hydrochloric acid manufacture
 - z. Nuclear reactors
 - aa. Storage or disposal of radioactive and or toxic wastes generated outside the Town of East Hartford
 - bb. Manufacturing of cement, lime, gypsum, plaster of Paris and distillation of kerosene
 - cc. Motor vehicle junkyards
 - dd. Similar uses to the above which are dangerous by reason of fire, explosion, radioactivity, or injurious or detrimental to the surrounding area by reason of the emission of dust, odor, fumes, smoke, wastes, refuse material, noise, vibrations, traffic, environmental impacts or because of any objectionable feature except storage plants for kerosene, gas, or fuel oil.

2. Cannabis cultivator, cannabis micro-cultivator, cannabis food and beverage manufacturer, cannabis producer, cannabis product manufacturer, cannabis product packager, cannabis delivery service or cannabis transporter facility, licensed by the Department of Consumer Protection, provided that:
 - a. The production and/or storage of cannabis shall be conducted indoors.
 - b. A proposed security plan for any cannabis facility shall be outlined in a report to be reviewed and approved by the East Hartford Chief of Police.
 - c. The Fire Department shall review and approve the storage of fertilizers associated with the production of cannabis and the fire-fighting feasibility of the proposed cannabis facility.
 - d. The production and/or storage of cannabis shall not create the emission of dust, odor, fumes, smoke, wastes, noise, vibrations, traffic, and environmental impacts to surrounding properties.
 - e. As part of the application for a cannabis establishment other than a cannabis delivery service or cannabis transporter facility, the applicant shall demonstrate that the facility has provisions for odor monitoring and mitigation, even with an interruption to power supply, and that odors and fumes will be substantially removed from the air prior to being vented from the building.
 - f. Hours of operation for a delivery service shall be limited to between 6:00 AM and 12:00 AM, Monday through Saturday, and between 8:00 AM – 8:00 PM on Sunday.
 - g. The applicant shall submit a sign package for review and approval by the Commission.

B. LOGISTICS USES

1. Major Truck Terminals provided that:
 - a. The minimum lot size shall be ten (10) acres.
 - b. The minimum street frontage on one (1) street shall be:
 - 1) Two hundred (200) feet in a B-3 Zone.
 - 2) One hundred fifty (150) feet in an I-2 Zone.
 - c. In the I-2 Zone, a docking platform shall be at least ninety (90) feet from any facing lot line.
 - d. No docking apron space shall be used for parking of vehicles not at the docking platform.
 - e. No building shall be within:
 - 1) Twenty (20) feet of any lot line in a B-3 Zone.
 - 2) Forty (40) feet of any lot line in an I-2 Zone.
 - f. There shall be not more than two (2) curb cuts having a fifty (50) foot radius at the curb and having a width of at least forty (40) feet at the street.

C. EXTERIOR STORAGE

1. The accessory outside storage of inventory, machinery, or other materials not approved by the ZEO in accordance with [Section 3.3.F.2](#) or [Section 4.3.E.2](#) may, with approval by the Commission as a modification to the Site Plan approval and/or a modification to the Special Permit approval, be allowed in a Business or Industrial district where so indicated in these Regulations provided that such exterior storage shall be screened to the satisfaction of the Commission from abutting properties, streets, and highways by grading and/or by appropriate fencing and landscaping.

Section 6.13. Office / R&D / Related Uses**A. RESEARCH / DEVELOPMENT-TYPE USES**

1. Research and development laboratories may be allowed in a Business district where so indicated in these Regulations provided that any assembling, manufacturing, or fabricating processes must be incidental and subordinate to the research and development activities:

B. OFFICE-TYPE USES

1. In the R-4 District, the Commission may, with Special Permit approval, allow adaptive reuse of an existing structure to an office building and/or funeral home, provided:
 - a. The lot has street frontage on and direct access to a street having a right-of-way of at least fifty (50) feet in width and a pavement of at least thirty (30) feet in width;
 - b. No parking shall be located in any required front setback; and
 - c. Not more than twenty-five (25) percent of the area of the lot shall be covered by buildings.
2. in the R-5 District, the Commission may, with Special Permit approval, allow an office building and/or funeral home provided that:
 - a. The lot has street frontage on and direct access to a street having a right-of-way of at least fifty (50) feet in width and a pavement of at least thirty (30) feet in width;
 - b. No parking shall be located in any required front setback; and
 - c. Not more than twenty-five (25) percent of the area of the lot shall be covered by buildings.

Section 6.14. Boating-Related Uses**A. BOATING-TYPE USES**

1. Outdoor display and storage of boats as an accessory use subject to the following:
 - a. In the B-2 Zone and B-3 Zone, such outdoor display and storage shall only be permitted when accessory to conforming boat sales and boat marinas.
 - b. Boats shall be parked adjacent to the rear property line (the property line approximately opposite to that adjoining street which has the widest paved travel width) but in no case closer than twenty-five (25) feet from any street line.
 - c. When the rear or side property line of the site storing boats adjoins a lot which is occupied by a residential structure, a decorative fence having a minimum height of six (6) feet, or other screening device, as required, to be installed along said rear or side property line. Said required fence or screening devices shall extend along the rear and/or side of the parking spaces being used for storage.
 - d. For the purpose of this regulation, when said premises is a corner lot, the rear property line shall be interpreted as being the property line parallel or approximately parallel to that adjoining street which has the widest paved travel width.
 - e. An accurate site plan drawn to scale shall be required to be filed with and approved by the Zoning Enforcement Officer before any boat marina or new/used boat sales and service premises shall be occupied by boats. Such site plan shall show the location of existing buildings and improvements, existing off-street parking spaces required for the principle use, the location and dimensions of parking spaces for boats, the number, types and sizes of the boats, fencing or landscaping to be provided, dimensions and area of the premises and such other information as the Zoning Enforcement Officer shall require.
2. In the I-3 Zone, outdoor display and storage of boats as a principal use provided that:
 - a. Boats may be parked adjacent to the rear property line but in no case closer than twenty-five (25) feet from any street line.
 - b. When the rear or side property line of the site storing boats adjoins a lot which is occupied by a residential structure, a decorative fence having a minimum height of six feet, or other screening devices shall be installed along said rear or side property line. Said required fence or landscaping shall extend along the rear or side of the parking spaces provide for storage.
 - c. For the purpose of this regulation, when said premises is a corner lot, the rear property line shall be interpreted as being the property line parallel or approximately parallel to that adjoining street which has the widest paved travel width.

Section 6.15. Miscellaneous Accessory Uses

A. DROP-OFF BOXES

1. **Drop-Off Boxes** – Non-profit donation drop-off boxes may be allowed where so indicated in these Regulations provided that :
 - a. **Accessory Use** – The donation drop-off boxes shall be accessory to a legally conforming House of Worship.
 - b. **Lot Area** – The lot size is at least ten thousand (10,000) square feet unless the House of Worship is subject to an existing Special Permit;
 - c. **Location** –
 - 1) The donation drop-off boxes shall only be placed within the buildable area of the lot;
 - 2) The donation drop-off boxes shall only be located on paved/ concrete surfaces or crushed stone;
 - 3) The donation drop-off boxes shall not block or restrict vehicular sight lines internal or external to the site;
 - 4) The donation drop-off boxes shall not be placed in required parking spaces;
 - d. **Number / Size / Design** –
 - 1) There shall be no more than two (2) donation drop-off boxes per lot;
 - 2) The donation drop-off boxes shall not be larger than six (6) feet wide, by six (6) feet deep or eight (8) feet high;
 - 3) The donation drop-off boxes shall only have an exterior earth tone color finish;
 - e. **Ownership / Operation** –
 - 1) The donation drop-off boxes shall only be owned and operated by a duly authorized not-for-profit organization that has tax exempt status under Section 501c3 of the Internal Revenue Code as amended (evidence of the owner and operator's non-profit status shall be submitted with the Special Permit application);
 - 2) The donation drop-off boxes shall contain the identification of the organization responsible for the drop-off box, along with a local or toll-free phone number and address clearly visible on the donation drop-off box;
 - 3) All donations shall be fully enclosed in a donation drop-off box and any donations that are not fully enclosed in a donation drop-off box will be considered a public nuisance and subject to removal by the Town of East Hartford at the lot owner's expense (the expense of the removal may constitute a lien on the whole lot where the donation drop-off box is located).

B. PROPANE EXCHANGE CAGES

1. **Propane Exchange Cages** – Propane exchange cages associated with and accessory to a conforming retail store or automobile fueling station provided that :
 - a. Cages must be placed within the buildable area of the lot.
 - b. The minimum lot size shall be ten thousand (10,000) square feet unless the propane exchange cages are located on premises that are subject to an existing Special Permit.
 - c. Cages shall not result in sight line concerns for vehicular circulation internal or external to the site.
 - d. Cages shall not be placed in required parking spaces and shall be located on a paved / concrete surface only.
 - e. There shall be no more than two (2) propane exchange cages per lot.
 - f. Cages shall be lockable ventilated metal locker or rack that prevents tampering and pilfering.
 - g. Cages shall be no larger than 44" width, 29" depth and 50" overall height.
 - h. All propane exchange/storage shall be accomplished within the fully enclosed cage(s).
 - i. Signs shall be installed on the cages listing exchange procedures and shall contain the identification of the company name along with a local or toll free phone number and address clearly visible on the cages.
 - j. Advertising on the cages shall not be allowed.
 - k. Signs requiring that customers leave LPG containers outside shall be posted at the building entrance(s).
 - l. Cage location and installation shall be approved by the Town of East Hartford Fire Marshall and shall be in accordance with the Connecticut Liquefied Petroleum Gas and Liquefied Natural Gas Code (NFPA 58 as adopted and amended).

Section 6.16. Other Uses

A. ADULT-ORIENTED ESTABLISHMENTS

The Constitution and laws of the State of Connecticut grant to the Town powers, especially police power, to enact reasonable legislation and measures to protect the public health, safety, and welfare.

Studies have shown that “adult oriented establishments,” if not properly managed or regulated, can have impacts on the public health, safety, and welfare of the patrons of such establishments as well as the health, safety and welfare of the town’s citizens.

For that reason, the Town of East Hartford and the Planning and Zoning Commission have adopted these Regulations, adopted other ordinances, and have implemented other aspects of the Building Code, Fire Code, and Health Code to provide for the reasonable regulation and supervision of such “adult oriented establishments.”

In enacting this regulation, It is not the intent of the Commission to:

- Deny or restrict to any person rights to speech protected by the United States and/or State Constitutions,
- Deny or restrict the rights of any adult to obtain and/or view any sexually oriented materials protected by the United States and/or State Constitutions, or
- Impose any additional limitations or restrictions on the contents of any communicative materials, including sexually oriented films, videotapes, books and/or other materials.

1. **Adult-Oriented Establishments** – Adult-oriented establishments (as defined in this Subsection) may be located where so indicated in these Regulations subject to the following:
 - a. Any parcel of land proposed for an adult-oriented establishment shall be located at least one thousand (1000) foot from any other parcel of land containing an existing adult-oriented establishment.
 - b. No adult-oriented establishment shall be conducted in any manner that permits the observation of any material depicting or describing Specified Sexual Activities (as defined in this Subsection) or Specified Anatomical Areas (as defined in this Subsection) from any public way. This provision shall apply to any building exterior display, decoration, sign, show window or other exterior opening.

Adult-Oriented Establishment-Related Terms

ADULT ORIENTED ESTABLISHMENT – Shall include, without limitation, adult bookstores, adult motion picture theaters, adult mini-motion picture theaters and further means any premises to which the public, patrons or members are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms, studios, compartments or stalls separate from the common areas of the premises for the purpose of viewing adult-oriented motion pictures, adult cabaret, or wherein an entertainer provides adult entertainment to a member of the public, a patron or a member, when such adult entertainment is held, conducted, operated or maintained for a profit, direct or indirect. An adult-oriented establishment further includes, any premises that are physically arranged and used as such, whether advertised or represented as an adult entertainment studio, rap studio, exotic dance studio, encounter studio, sensitivity studio, modeling studio or any other term or like import.

ADULT BOOKSTORE – An establishment having a substantial or significant portion of its stock and trade in books, films, video cassettes, or magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas as defined below, and in conjunction therewith, has facilities for the presentation of adult material, as defined below, and including adult-oriented films, movies, or live entertainment for observation by patrons therein.

ADULT CABARET – An Establishment such as but not limited to a nightclub, bar, restaurant, or similar establishment that regularly features live performances that are characterized by the exposure of Specified Anatomical Areas or by Specified Sexual Activities, or films, motion pictures, video cassettes, slides or other photographic reproductions in which a substantial portion of the total presentation time is devoted to the showing of material that is characterized by any emphasis upon the depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas for observation by patrons therein.

ADULT MOTION PICTURE THEATER – An enclosed building with a capacity of fifty or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas, as defined below, for observation by patrons therein.

ADULT MINI-MOTION PICTURE THEATER – An enclosed building with a capacity for less than fifty (50) persons regularly used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas for observation by patrons therein.

(continued on next page)

(continued from previous page)

ADULT MATERIAL – Shall include but is not limited to accessories, books, films, video cassettes, or live entertainment, for observation by patrons therein, or magazines and other periodicals or any combination thereof which are distinguished or characterized by their emphasis on matter depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas as defined herein.

ADULT MATERIAL IN STOCK OR TRADE, SUBSTANTIAL OR SIGNIFICANT – Shall be defined as an adult oriented establishment having more than twenty-five (25) percent of its stock or trade devoted to adult material as defined herein.

SPECIFIED ANATOMICAL AREAS – This term includes:

- Less than completely and opaquely covered human genitalia and pubic region; buttocks, anus; or female breast below a point immediately above the top of the areola.
- Human genitalia in a discernibly turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES – This term includes:

- Human genitalia in a state of sexual stimulation or arousal;
- Acts of human masturbation, sexual intercourse or sodomy; or
- Fondling or other erotic touching of human genitalia, pubic region, buttocks, anus, or female breasts.

As used in these Regulations, this term is not intended to include any medical publications or films or bona fide educational publication or films, nor does it include any art or photography publications which devote at least twenty-five (25) percent of the lineage of each issue to articles and advertisements dealing with subjects of art or photography. Nor does this definition apply to any news periodical which reports or describes current events and which, from time to time, publishes photographs of nude or semi-nude persons in connection with the dissemination of the news. Nor does this definition apply to publications or films which describe and report different cultures and which, from time to time, publish or show photographs or depictions of nude or semi-nude persons when describing cultures in which nudity or semi-nudity is indigenous to the population.

7. DEVELOPMENT STANDARDS

Section 7.1.	<u>Signs</u>
Section 7.2.	<u>Parking & Loading</u>
Section 7.3.	<u>Landscaping, and Screening</u>
Section 7.4.	<u>Slopes And Grading</u>
Section 7.5.	<u>Soil Erosion and Sediment Control</u>
Section 7.6.	<u>Environmental Review</u>
Section 7.7.	<u>Transportation Review</u>
Section 7.8.	<u>Access Management</u>
Section 7.9.	<u>Fences & Walls</u>
Section 7.10.	<u>Stormwater Management</u>
Section 7.11.	<u>Site Lighting</u>
Section 7.12.	<u>Accessibility For People And Bicycles</u>
Section 7.13.	<u>Noise / Performance Standards</u>
Section 7.14.	<u>Alcoholic Liquors</u>
Section 7.15.	<u>Refuse Management</u>
Section 7.16.	<u>Design Review</u>

Section 7.1. Signs

A. PURPOSE

The intent of these regulations is to enhance the health, safety, and welfare of the community and also insure that signs do not impair the safe flow of traffic and are in harmony with the structure to which they relate and adjacent area. Signs should facilitate efficient communication between businesses and the patrons they wish to attract. Signs should blend with the architectural style of the building to which they relate and should be visually pleasing and attractive.

B. DEFINITIONS

SIGN – Any device for visual communication used for the purpose of bringing the subject thereof to the attention of the public, but not including any flag or insignia of any government or religious agency or of any fraternal, civic, charitable or religious organization.

ADVERTISING SIGN (BILLBOARD) – A sign that directs attention to a business, product, service, or activity not conducted, sold or offered upon the premises where such sign is located.

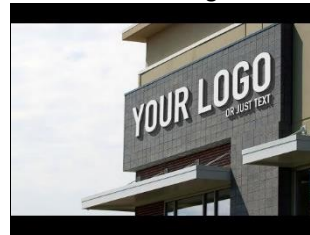
Advertising Sign (Billboard)



Animated Sign



Business Sign



ANIMATED SIGN - A sign which includes action, motion or color changes, or the optical illusion of action, motion, or color changes, including signs set in motion by a control mechanism or the atmosphere. Animated signs shall also include signs made up of a series of sections, panels, or faces that turn or rotate.

BUSINESS SIGN – A sign advertising a business, product, service, activity, or entertainment conducted, sold or offered upon the premises where such sign is located and where reference to any name brand is clearly secondary and incidental to the business, product, service activity or entertainment so offered.

CHANGING SIGN – A sign that is capable of changing the position or format of letters, words, pictures, symbols, messages, graphics, or other displays of the sign face. Or that can change the visible display of letters, words, pictures, symbols, messages, graphics, or other displays on the sign face, by the use of electronic lamps, moveable parts, sections or panels, light apertures, or other methods, and any such changes are made by use of an electronic or mechanical control mechanism, or the atmosphere, rather than being made manually on the face of the sign.

EMC (ELECTRONIC MESSAGE CENTER) SIGN – A sign whose display area is comprised of light emitting devices. The display area can be controlled remotely or set to operate on a predetermined schedule and shall have photosensitive equipment that automatically adjusts the brightness of the sign to ambient light conditions and also have a manual brightness control. This definition does not include electronically changed digital billboard as per Section 30I (Billboard Sign/Sign Ordinance) in the [East Hartford Code of Ordinances](#).

FLASHING SIGN – A sign in which the illumination or color is not kept stationary or constant in intensity at all times when in use, or which exhibits sudden or marked changes in lighting effects.



FUEL PRICE SIGN – Any sign whose only function is the display of information about the current price of fuel associated with a bona fide automobile fueling station.

REVOLVING SIGN (ROTATING SIGN) – Any sign that revolves or rotates, by use of a control mechanism or the atmosphere.

TIME AND TEMPERATURE SIGN – Any sign whose only function is the display of information about current time and/or temperature.

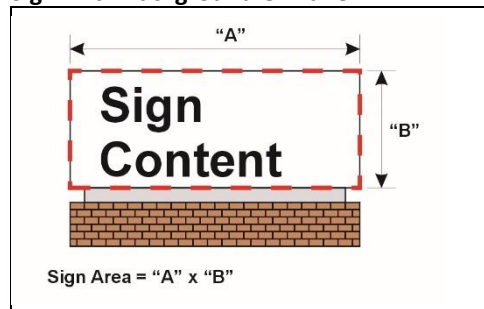
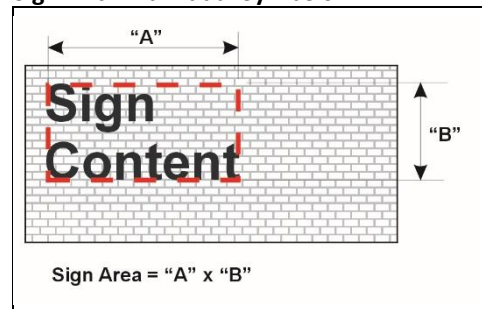
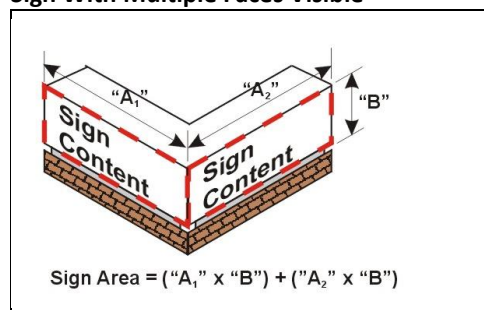
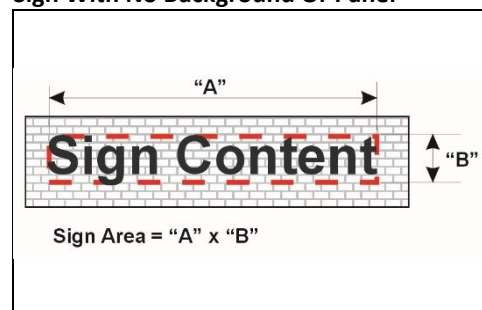


WINDOW SIGN – A sign painted, stenciled, or affixed on a window.



C. MEASUREMENT OF SIGN AREA AND SIGN HEIGHT

1. Sign area shall be measured as provided below:
 - a. In the case of any sign consisting of one or more sign panels (or a background different from the building where the background is considered by the ZEO to be an integral part of and clearly related to the sign), the sign area shall be the smallest rectangle which encompasses the sign panel and all of the lettering, wording and accompanying designs or symbols.
 - b. In the case of any sign consisting of individual letters or symbols affixed to, attached to, or painted on a wall, window, or other part of the building, the sign area shall be the smallest rectangle which encompasses all of the letters or symbols and accompanying designs.
 - c. In the case of a projecting sign or a detached sign:
 - 1) The area of only one display face and any decorative trim shall be counted in computing the maximum sign area provided the sign faces are identical and the sign faces are parallel and the interior angle formed by the faces is 45 degrees or less.
 - 2) The sign area shall not include the vertical, horizontal and/or diagonal supports which affix the sign to the ground or the building, unless such supports are evidently designed to be part of the sign.
2. The height of a free-standing sign shall be measured from average ground level at the base of the sign to the top of the structure containing the sign.

Measurement of Sign Area**Sign With Background Or Panel****Sign With Individual Symbols****Sign With Multiple Faces Visible****Sign With No Background Or Panel**

D. SIGNS ALLOWED IN A RESIDENTIAL ZONE

1. The following signs are allowed in a Residential Zone provided:
 - a. The sign is established and maintained in accordance with the requirements stated herein,
 - b. Approval from the Site Plan Review Committee, ZEO, and Town Planner is obtained for any sign requiring a Sign Permit, and
 - c. No free standing sign, except directional signs, shall be more than six (6) feet in height.

Type of Sign	Maximum Sign Area	Maximum Number	Type of Permit
1. A nameplate or sign for permitted use that gives only the name of the occupant or use of the premises and where the length of such signs shall not be more than two (2) times the width	1.5 SF	1 per property	Sign Permit Not Required
2. A sign that advertises the sale or lease of the premises on which such sign is displayed	24 SF	Subject to aggregate area limit	Sign Permit Not Required
3. Contractor's sign(s) displayed on a building under construction	24 SF Aggregate	Subject to aggregate area limit	Sign Permit Not Required
4. A sign that advertises an approved subdivision for a period of not more than one year (may be renewed annually)	30 SF Aggregate	Subject to aggregate area limit	Sign Review / Sign Permit
5. Sign identifying only the name of a subdivision or group housing project located at the street entrance.	24SF	1 per entrance	Sign Review / Sign Permit
6. Sign(s) advertising the use of the premises for Special Permit uses	24 SF Aggregate	Subject to aggregate area limit	Sign Review / Sign Permit
7. Sign(s) identifying houses of worship, synagogues, and similar religious uses One sign may be a free-standing sign used for notices and announcements of events at the religious institution.	First sign / frontage may be up to 20 SF and the other sign may be up to 10 SF.	2 per street frontage	Sign Review / Sign Permit
8. Directional sign(s), not exceeding 8 feet in height indicating the location of houses of worship , schools, hospitals, parks, scenic or historic places of general interest.	1.5 SF each		Sign Permit Not Required

Nameplate Sign**Real Estate Sign****Contractor Sign****Special Permit Use Sign**

E. SIGNS ALLOWED IN A BUSINESS OR INDUSTRIAL ZONE

1. The following signs are allowed in a Business or Industrial Zone provided:
 - a. The sign is established and maintained in accordance with the requirements stated herein,
 - b. Approval from the Site Plan Review Committee, ZEO, and Town Planner is obtained for any sign requiring a Sign Permit, and
 - c. No business is to have a total of more than two (2) signs, with the exception of a directory sign and a sign stating the hours the store is open for business, not to exceed one (1) square foot.
 - d. In no event shall the aggregate of the signs associated with any business exceed two hundred (200) square feet.
 - e. If the use of the premises does not include a main building, the total area of signs may not exceed thirty-two (32) square feet.

2. Wall Signage	Maximum Sign Area	Maximum Number	Type of Permit
a. Business Wall Signage – 1 SF per lineal foot of façade of the principal building which the business occupies	1 SF / LF of façade	Subject to number limit and aggregate area limit above	Sign Review / Sign Permit
b. Projecting / Overhanging Signage – Shall not project beyond a property line or over a public right of way with minimum clearance of 10 feet from ground level	24 SF	Subject to number limit and aggregate area limit above	Sign Review / Sign Permit
c. Window Signage – Temporary or permanent signs displayed from the interior of building windows (are not calculated in the allotment for exterior advertising signage).	Shall not cover more than 25% of the interior window space	-	Sign Permit Not Required

3. Ground Signage	Maximum Sign Area	Maximum Number	Type of Permit
a. Ground Signage – Set back a minimum of 10 feet from the property line and not to exceed 15 feet in height	32 SF	Subject to number limit and aggregate area limit above	Sign Review / Sign Permit



(continued on next page)

(continued from previous page)

4. Shopping Center Signage	Maximum Sign Area	Maximum Number	Type of Permit
a. Shopping Center Signage - including Ground and Wall Signs	400 SF total including Wall and Ground Signs	1 of each per store	Sign Review/Sign Permit
		>1 of each per store	Site Plan/Special Permit
b. EMC Signage – An electronic message center (EMC) sign associated with a shopping center/mall provided: <ul style="list-style-type: none"> Any changes to the position, format or visible display of letters, words, pictures, symbols, messages, graphics or other displays on the EMC sign face shall not occur more than once every hour. Free standing ground EMC signs, in addition to conforming to all other requirements of these Regulations shall be shielded in such a manner so that no direct source of light is cast into residential zoned/use properties or into a public street or right-of-way or shall not show any direct light source beyond any lot line nor more than one-half (0.5) foot-candle beyond any lot line. EMC signs shall not interfere with pedestrian or motorist vision. The illumination shall not be reflective or phosphorescent and shall perform in a steady non-undulating or non-undulation manner and shall be placed in a manner that will not create a nuisance to other premises or interfere with vehicular movements. 	As may be approved by PZC by Special Permit	Subject to aggregate area limit	Special Permit

5. Other Signage	Maximum Sign Area	Maximum Number	Type of Permit
Directional Signage - Directional signs for nonresidential structures that are needed for safe guidance of vehicular and pedestrian traffic through the site shall be allowed as follows:			
a. Vehicular Directory Signs	3 SF	2	Sign Review / Sign Permit
		>2	Site Plan
b. Non-residential structures Pedestrian Directory	1 SF per Tenant	1	Sign Review / Sign Permit
		>1	Site Plan
c. Directional signs for shopping center / mall	6 SF per Business	-	Site Plan
d. Directional sign with advertising for an accessory use repair facility associated with a new automobile and truck sales and service licensed establishment. No free-standing directional sign with advertising shall be allowed.	25 SF	1 wall mounted sign	Site Plan

F. TEMPORARY AND PORTABLE SIGNS**1. Temporary Signs -**

- a. Civic And Non-Profit Organizations - Signs announcing special events, and/or political signs shall be permitted only for a period of sixty (60) days prior to and including the duration of the activity which such sign describes, and such sign shall be removed within one (1) week after completion of such activity that said sign describes.
 - i. in a Business or Industrial Zone, all temporary signs shall not exceed a maximum of thirty-two (32) square feet.
 - ii. In a Residence Zone, signs shall not exceed twelve (12) square feet per sign.
 - iii. All signs shall be set back in such a manner as not to create a public hazard or impede traffic sight lines.
- b. Public Hearing Signs / Removal - Any sign issued by the Town for the purpose of announcing a public hearing shall be displayed for a period not to exceed seven (7) days after said public hearing.

2. Portable Signs - Portable signs shall include any mobile sign or wind sign or sign structure not securely attached to the ground or to any other structure and shall be subject to the following requirements (this Section shall not apply to temporary signs as identified in Section 7.1.F.1 above):

- c. Portable signs and wind signs as defined herein may be erected on the premises of an establishment having a grand opening, special event, special promotion or sale, provided that such signs shall be displayed for a single period not to exceed thirty (30) days within any six month period. Said use of portable or wind signs shall be approved by the Director of Permits and Inspections before each use. Such display may be permitted for one (1) additional period up to thirty (30) days upon approval of the Site Plan Review Committee.

G. PROVISIONS APPLICABLE TO ALL SIGNS

1. Except as may be provided in Section 7.1.C.12 below, billboards are prohibited and any billboard in existence prior to the adoption of these regulations is nonconforming.
2. Permanently strung and festoon lights are prohibited.
3. All signs shall be non-animated and non-flashing, excluding public service signs showing time and temperature or road safety information. No sign shall be illuminated between the hours of 12:00 midnight and 6:00 a.m., except signs on premises open for business during those hours.
4. No business is to have a total of more than two (2) signs, with the exception of said directory sign and a sign stating the hours the store is open for business, not to exceed one (1) square foot.
5. No sign shall be painted directly on the exterior surface of any wall. All exterior attached signs, except awning signs, shall be painted, posted, or otherwise securely affixed to the wall of the building.
6. The construction of the sign shall comply with the Connecticut State Building Code.
7. All advertising signs shall be located on the parcel of land on which the business is located.

8. No sign shall project above the highest point of the roof.
9. No sign shall project over the property line.
10. EMC signs, flashing signs, animated signs, changing signs and revolving signs are prohibited except:
 - a. When required by the Federal Aviation Agency or other state or federal governmental unit; or
 - b. As set forth in Section E Table Above.
11. Any sign required by any Town, State or federal laws, governmental order or regulation is not subject to these regulations. For municipally owned property and/or public facilities, the Commission may approve a sign package that modifies these regulations.
12. In accordance with Section 3-30(C) (Billboard Sign/Sign Ordinance), as amended 02/06/06, of the [East Hartford Code of Ordinances](#), a billboard sign, approved by the Town Council under Section 3-30(C), is not subject to Section 7.1.G, Subsection #1, #3, #4, #5, #7, #8, #9, and #10 of these Regulations. Any new billboard to be constructed under this exception is subject to Section 7.16 "Design Review" and the following supplementary regulations:
 - a. Each billboard sign structure shall only be located on a parcel that has frontage on Interstate 84 (I-84) and within the Industrial Two (I-2) Zoning District;
 - b. Each billboard sign structure shall be separated from adjacent billboard sign structures by a distance of not less than five hundred (500) feet. For purposes of this provision, the distance between billboard sign structures shall be measured from the closest point of one billboard structure to the closest point of another and shall apply to both sides of a street or highway;
 - c. Each billboard sign structure shall be built with a monopole construction and is limited to a maximum of up to two sign faces, each of which shall be no larger than six-hundred and seventy two square feet (672 SF) per sign face, with a minimum width of fourteen (14) feet and a maximum length of forty eight (48) feet per sign face. The area shall be measured by the outer limits of the advertising space;
 - d. Any extension of the billboard sign face above, below or to the side of the sign face shall be counted in the area of the sign face and height of the billboard sign structure.
 - e. Each billboard sign structure shall be located at a minimum of one hundred (100) feet from any building or two hundred and fifty (250) feet from any residential or residential use;
 - f. Each billboard sign structure shall be setback a minimum of fifty (50) feet from all property lines. For purposes of measuring the setback, the distance shall be measured from the nearest point of the billboard sign structure to the closest point of the property line;
 - g. Maximum height of a billboard sign structure shall be no more than fifty (50) feet measured from the natural grade of the area under the sign to the highest point of the sign;
 - h. Each billboard sign structure shall not be located within five hundred (500) feet of an interchange, measured along Interstate 84 (I-84) from the billboard sign structure to the nearest point of the beginning or ending of pavement widening at the exit from or entrance to Interstate 84 (I-84).
 - i. Electronically changed digital billboard(s) shall not:
 - contain flashing, intermittent or moving lights or any illumination that moves, appears to move or changes in intensity during the static display period;
 - have a duration of the static message time of less than six (6) seconds;
 - have a transition time of no more than two (2) seconds;
 - show any direct light source beyond any lot line nor more than one-half (.5) foot-candle beyond any lot line.

H. SIGN DESIGN AND PLACEMENT

To create architecturally harmonious and visually attractive signs, the following standards shall be used as criteria when making decisions concerning the design and placement of signs:

1. Signs should be designed as an architectural element of the building and should complement the architectural style of a building.
2. Signs should be in good proportional scale to the building and site to which they relate.
3. Whenever possible, individual sign letters should be attached directly to the building, and signs should be located on the building's sign frieze.
4. Sign materials, lettering style, and form should be compatible with the building's design and use and there should be an architectural harmony and unity of signs within a unified business center. Sign type, color scheme, lettering, size, placement of signs and illumination should be coordinated among all signs and should be compatible with the architecture of the center.
5. Sign colors should be limited in number and be compatible with the building's facade.
6. Signs should relate to the business at hand and not advertise brand names or symbols of products unless fifty (50) percent or more of the floor space of the premises is directed to the sale or manufacture of the product.
7. The number of graphic elements on a sign should be held to a minimum and should not contain selling slogans or product descriptions.

I. SIGN APPLICATION REQUIREMENTS

1. The Application for Sign Permit form must first be submitted to the Department of Inspections and Permits for review and approval by the Zoning Enforcement Officer, and subsequently to the Department of Development for review and approval by the Town Planner. Any sign required to be submitted to the Department of Development shall be submitted for the next regularly scheduled Site Plan Review Committee meeting, provided the application is submitted at least two (2) working days prior to the meeting.
2. A check must be made payable to the Treasurer, Town of East Hartford, in an amount determined by the Town of East Hartford. The prescribed fee will be waived if a sign permit application is made in conjunction with a Special Permit or site plan review application.
3. A detailed rendering of the sign in true and actual color shall be submitted, showing its design and graphic details clearly. The drawing should also show where the sign will be located in relation to the building and site. These drawings should be in a scale suitable to show architectural style in sufficient detail.
4. A recent photograph showing the existing building and site in its current condition shall be submitted with the application to determine compatibility of design pursuant to Section 7.1. Any abandoned wall signage or components thereof, such as brackets or anchors, shall be removed prior to the issuance of any sign permit.
5. Failure to fulfill the application requirements or submission of inaccurate information is grounds for denial of the application.

J. SIGN REVIEW AND APPROVAL

Before a sign permit can be issued for any sign allowed in Section 7.1 of these Regulations, height, size, location and design must be approved by the Site Plan Review Committee or the Zoning Enforcement Officer and Town Planner. The Zoning Enforcement Officer and Town Planner may refer any sign application to the Site Plan Review Committee if further review is required to determine conformance with the regulations. If dissatisfied with the final determination, the applicant may appeal the decision to the Town Planning and Zoning Commission for a re-determination.

1. All new ground or pole signs shall be reviewed and approved by the Site Plan Review Committee.
2. All signs other than new ground or pole signs shall be reviewed and approved by the Zoning Enforcement Officer and Town Planner.
3. An approved sign permit does not constitute building permit approval. Other permits, such as building and electrical permits are required for certain types of signs as may be required by the State Building Code.
4. Signs shall be subject to the limitations of size, location and height as stated in this Section, except that the Commission in approving a Site Plan application, may, in harmony with the purposes of this Section and these Regulations, permit appropriate modifications in the permitted number of signs, size, location and height provisions for a particular sign or group of signs. Planning and Zoning Commission shall not approve any sign modifications regarding number, size or location of signs in excess of fifty percent (50%) of the original requirements of Section 7.1.
5. EMC sign/s associated with shopping center/mall may be allowed by Special Permit under Section 9.4. The Commission may allow two free standing ground EMC signs or combination EMC and standard sign with maximum of thirty six feet in height. In no case shall the EMC portion of the sign face on a free standing ground EMC sign exceed one hundred fifty square feet. The sign area for EMC signs is counted towards the total allowable free-standing sign area for a shopping center/mall.

K. SIGN MODIFICATION

The Site Plan Review Committee, Zoning Enforcement Officer or Town Planner may require modifications of a proposed sign if deemed necessary to conform to the requirements of these regulations. Compliance with any required modification shall be a condition of approval.

L. DISCONTINUED SIGNS

The Zoning Enforcement Officer has the power to remove any sign that is discontinued for a period of at least sixty (60) consecutive days.

Section 7.2. Parking & Loading

A. PURPOSE

This Section is intended to require provision of parking and loading spaces in such number, location and configuration to accommodate the vehicles of occupants, employees, customers, and other persons normally visiting a use at any one time.

B. APPLICABILITY

Parking and loading facilities shall be provided in accordance with the standards hereinafter specified to serve all buildings erected, moved, altered, or enlarged and all premises otherwise developed.

C. GENERAL REQUIREMENTS

1. Parking and loading spaces shall be located on the same lot with the use they are intended to serve except that the Commission may, by Special Permit, allow the use of off-site parking spaces serving a nonresidential use provided that evidence as to the permanency of jointly provided parking spaces shall be provided by the applicant and further provided that such off-site parking facilities shall be not more than five hundred (500) feet walking distance from the premises measured in a straight line to the nearest space for vehicular parking.
2. Parking and loading spaces required to be provided for a particular use by this Section shall be permanently maintained and made available for use for the full duration of such use.
3. All required parking spaces shall be available for use at all times and no storage of vehicles or equipment shall be carried on in any parking space.
4. Where two (2) or more uses are on the same premises, the minimum number of parking spaces and/or loading spaces shall be the total of the minimum number of parking spaces and/or loading for each use as required in these specifications.
5. Loading spaces shall include adequate space for standing, turning, loading and unloading activities to be conducted entirely on-site without interfering with the use of streets or alleys and without encroachment on any off-street parking area. The design vehicle to be used in the design of the loading spaces shall be a "WB-50" unless otherwise approved by the Town Engineer. Loading areas which will include the parking or storage of trailers shall provide a reinforced concrete pad for the trailer's supports.
6. When the calculation of the number of required parking or loading spaces results in a fractional number or remainder, any fraction shall be interpreted as the next higher whole number.
7. Where the parking standards provided in this Section are based on legal occupancy, such legal occupancy shall be determined by the Fire Marshal.

D. NUMBER OF PARKING SPACES REQUIRED

Unless otherwise specified elsewhere in these Regulations and/or specifically approved by the Commission, parking facilities shall contain at least the minimum number of spaces set forth below.

1. RESIDENTIAL	Number Of Parking Spaces Required
Single Family Dwellings	Two (2) spaces.
Accessory Dwelling Units (ADUs) <ul style="list-style-type: none"> • Studio / One-bedroom units • Two+-bedroom units 	One (1) space per/ unit Two (2) spaces per units
Two Family Dwellings / Three Family Dwelling	Two (2) spaces per unit
Multi-Family Development <ul style="list-style-type: none"> • Studio / One-bedroom units • Two+-bedroom units 	One (1) space per unit Two (2) spaces per unit
Mobile Home Parks <ul style="list-style-type: none"> • Studio / One-bedroom units • Two+-bedroom units 	One (1) space per mobile home Two (2) spaces per mobile home, except that mobile home parks which provided one (1) parking space for each mobile home on October 1, 1972 shall only be required to maintain one (1) parking space.
Home Occupation	One (1) space in addition to the required parking for the dwelling.
2. RETAIL-AND SERVICE-TYPE USES	
Retail Stores Or Similar Business	4.0 spaces per 1,000 SF of gross floor area.
Personal Service Shops Or Similar Business	4.0 spaces per 1,000 SF of gross floor area.
Retail Food Establishment	4.0 spaces per 1,000 SF of gross floor area.
3. OFFICE-TYPE USES	
Offices (in other than a B-4 zone)	4.0 spaces per 1,000 SF of gross floor area, except in a Business 4 (B4) zone in which the following office parking formula shall be conformed with:
Offices (in a B-4 zone) <ul style="list-style-type: none"> • 0 To 90,000 SF Cumulative Building Gross Floor Area On Site • 90,001 To 280,000 SF Cumulative Building Gross Floor Area On Site • Over 280,001 SF Cumulative Building Gross Floor Area On Site 	4.0 spaces per 1,000 SF of gross floor area. 3.6 spaces per 1,000 SF of gross floor area, not less than 360 spaces. 3.3 spaces per 1,000 SF of gross floor area, not less than 1,008 spaces.

(continued on next page)

(continued from previous page)

4. RESTAURANT-TYPE USES	Number Of Parking Spaces Required
Full Service Restaurant, Brew Pub	One (1) space for every three (3) legal occupants.
Drive-Through Restaurant As A Free Standing Building	10.0 spaces per 1,000 SF of gross floor area or minimum of twenty (20) spaces whichever is greater.
Drive-Through Restaurant As Integrated Part Of A Shopping Center/Mall	One (1) space for every three (3) legal occupants.
Quick Service Restaurant	4.0 spaces per 1,000 SF of gross floor area.
Catering Halls	One (1) space for each three (3) legal occupants.
Accessory Food Service	No additional parking spaces required
5. VEHICLE-TYPE USES	
Fueling Stations, Service Garages, And Auto Body Repair Shops	Four (4) spaces for each service or work station, i.e., area in which an automobile is fueled or serviced.
6. LODGING-TYPE USES	
Hotels, Motels	One (1) space for each room offered for rent.
Rooming Houses	One (1) space for each room offered for rent.
7. PUBLIC ASSEMBLY-TYPE USES	
Houses Of Worship , Commercial Recreation, Theaters, Public Assembly Halls, And Stadiums	One (1) space for every three (3) legal occupants.
8. MANUFACTURING / INDUSTRIAL	
Manufacturing Plants	1.0 space per 1,000 SF of gross floor area or one (1) space for every 1.5 employees, whichever is greater.
9. STORAGE / LOGISTICS	
Truck Terminals, Wholesale Storage And Warehouses	1.0 space per 1,000 SF of gross floor area OR 4.0 spaces per 1,000 SF of office area and one (1) space for each two (2) employees in the largest shift, whichever is greater.
Public Storage	1.0 space per 125 storage units but not few than 10 parking spaces.

(continued on next page)

(continued from previous page)

10. INSTITUTIONAL-TYPE USES	Number Of Parking Spaces Required
Museums Operated By A Non-Profit Corporation	1.9 spaces per 1,000 SF of gross square floor area at least one parking space per 40 total parking spaces dedicated to school buses with a rider capacity of not less than forty five (45) people.
Hospitals	One (1) space for each two (2) patient beds plus one (1) space for each employee on the largest shift.
Convalescent Homes And Assisted Living Facilities and other licensed long-term care facilities	One (1) space for each three (3) beds, plus one (1) space for each employee on the largest shift.
Schools With Grades K Through 8	Two (2) spaces for each teaching station.
Schools With Grades 9 Through 12 And Institutions Of Higher Learning	Five (5) spaces for each teaching station.
Public Schools With Grades 9 Through 12	Three and three quarters (3.75) spaces for each classroom.
11. OTHER	
Bowling Alleys	Five (5) spaces for each alley
Financial Institutions	One (1) space for each two hundred and fifty (250) square feet of gross floor area.
Funeral Homes	One (1) space for each three (3) legal occupants plus three (3) spaces for special vehicles.
12. USES NOT LISTED	
Uses Not Listed	Where a use is not specifically listed, the Commission shall determine the required number of required parking spaces based on information such as : <ul style="list-style-type: none"> • Institute of Transportation Engineers Parking Generation, as may be amended, and/or • Other parking utilization/ site impact studies.

E. PARKING FOR PERSONS WITH DISABILITIES

Parking spaces for persons with disabilities shall be provided in accordance with of the State of Connecticut Building Code 29-252-1b, as amended.

F. POTENTIAL REDUCTION OF PARKING REQUIREMENTS

The Commission may authorize a reduction in the number of parking spaces as follows:

1. **Permanent Parking Reduction For One Property** – The Commission may, by Special Permit, reduce the cumulative number of required parking spaces for one property provided the Commission finds one or more of the following based on information provided by the applicant:
 - a. Peak parking demands among uses occur at different hours of the day and this offset results in a lower overall peak parking demand;
 - b. Synergistic relationships among uses allow patrons to park once while accessing multiple locations or allow for multiple purpose trips to occur within the development(s); or
 - c. The uses are likely to generate transit, bicycle or pedestrian trips and accommodations have been made to support these alternative forms of transportation.
2. **Permanent Parking Reduction For Multiple Properties** – The Commission may, by Special Permit, reduce the cumulative number of required parking spaces for two or more properties provided that a functional and interconnected parking arrangement is provided within and between the properties, that an agreement for joint access and parking, in perpetuity, acceptable to the Commission is filed on the land records, and further provided the Commission finds one or more of the following based on information provided by the applicant:
 - a. Peak parking demands among uses occur at different hours of the day and this offset results in a lower net peak parking demand;
 - b. Synergistic relationships among uses allow patrons to park once while accessing multiple locations or allow for multiple purpose trips to occur within the development(s); or
 - c. The uses are likely to generate transit, bicycle or pedestrian trips and accommodations have been made to support these alternative forms of transportation.
3. **Permanent Mixed-Use Development Reduction** – In a development with mixed-use buildings designed and built in a walkable and pedestrian friendly configuration, the Commission may consider the following shared parking factors in reviewing a Special Permit application requesting a reduction of the number of parking spaces (the shared parking factor is applied to the sum of the individual parking requirements):

Shared Parking Factor

	Residential	Lodging	Office	Retail
Residential	100%	-		
Lodging	90%	100%		
Office	70%	60%	100%	-
Retail	80%	75%	80%	100%

4. **Temporary Change of Use Exemption** – In the event that no new buildings or structures are being established and the land area, structures or permitted uses are simply being changed from one permitted use to another permitted use allowed under these Regulations, no additional parking spaces shall be required provided that:
 - a. The number of spaces that presently exist on the property is at least 90 percent of the cumulative parking requirement for the new use(s) and the other existing use(s) on the property, and
 - b. No “grandfathering” or other exception shall be provided relative to any future use of such premises.
5. **Temporary Parking Installation Reduction** – The Commission may, by Special Permit, defer the immediate installation of up to 25% of the required parking spaces where sufficient evidence has been presented, in the judgment of the Commission, to show that the reduced parking facilities will adequately serve the proposed use. The Special Permit shall be applicable only to the particular use or occupancy of land, buildings, or other structures specified in the application, and such Special Permit and Certificate Of Zoning Compliance issued for the use shall become null and void in the event that such use or occupancy is changed to another use or occupancy. Before approval of a deferral by the Commission, the applicant shall show upon the site development plan the complete layout for the full parking requirements and the design of the complete stormwater management system designed to handle the deferred parking pavement. The owner shall file the plan approved by the Commission in the Office of the Town Clerk, stipulating that:
 - a. The complete stormwater management system shall be installed at the time of initial development, and
 - b. The owner, or the successor and assigns of the owner, will install as many of the deferred parking spaces as the Commission deems necessary within six months of the Commission’s request, when, in the opinion of the Commission, such installation is needed.
6. **Reduction In B-5 District** – It is recognized that many existing buildings within the Central Business District were built prior to the widespread use of automobiles, and thus, were not designed to accommodate parking. It is further recognized that public parking is available in several locations within the district. Therefore, required parking for permitted uses shall be limited to the parking available to existing buildings. All change of uses which are permitted uses shall be deemed to have sufficient parking. Moreover, any building additions, enlargements or new construction shall provide required parking associated with the addition, enlargement or new construction as required by [Section 7.2](#).

G. NUMBER OF LOADING SPACES REQUIRED

1. Uses involving the receipt or distribution of vehicles, materials, or merchandise shall make provision for loading spaces as set forth below.

	Minimum Number Of Loading Spaces
Up to 19,999 SF GFA	None required
20,000 SF to 39,999 SF GFA	1.0 loading space required
40,000 SF to 99,999 SF GFA	2.0 loading spaces required
100,000 SF to 159,999 SF GFA	3.0 loading spaces required
160,000 SF to 239,999 SF GFA	4.0 loading spaces required
240,000 SF to 319,999 SF GFA	5.0 loading spaces required
320,000 SF GFA Or More	6.0 loading spaces required

2. Unless otherwise specifically approved by the Commission, loading facilities shall be located on the same lot with the use they are intended to serve.
3. In the case of hospitals, institutions, hotels, retail, wholesale and industrial buildings, the number of off-street loading berths required by this section shall be considered the absolute minimum.
4. For purposes of this section, an off-street loading berth shall have minimum dimensions of twelve (12) feet wide by twenty five (25) feet long with fourteen (14) feet overhead clearance.
5. Each loading space shall have adequate means for ingress and egress.

H. LOCATION OF PARKING SPACES

1. **Parking In Required Front Setback** – No off-street parking space or access aisle shall be located in any required front setback in any zoning district except that, in a residential zone only, the paved portion of the driveway that gives access to said facility may be used for parking within the required front setback.
2. **Parking In Required Side Yard** – In any zone, no parking facilities shall be located within five (5) feet of any rear or side property line except in the paved portion of the driveway that gives access to said facility.
3. **Special Provisions In B-4 Zone** – In the B-4 Zone, surface parking areas shall be set back twenty five (25) feet from the front lot line and ten (10) feet from the side and rear lot lines, except where the side and rear lot lines are adjacent to railroad rights of way.

I. PARKING AREA DESIGN

1. For a parking space to be credited as a required space, each space shall have minimum dimensions of nine (9) feet in width by eighteen (18) feet in length except that a parallel parking space, where authorized by the Commission, shall have minimum dimensions of eight (8) feet in width by twenty-two (22) feet in length.
2. The width of the travel aisle providing access to and from parking spaces shall be 24 feet wide for two-way traffic flow. For one-way traffic flow, the travel aisle width may be reduced to 18 feet for a 60-degree parking configuration or 13 feet for a 45-degree parking configuration. Travel aisles shall not dead-end unless specifically approved by the Commission.
3. The parking facilities shall provide for safe access and movement of vehicles and pedestrians.
4. Cars utilizing spaces adjacent to walls and fences shall be prevented from striking same by an appropriate car stop or bollard.
5. Parking lot landscaping shall be provided in accordance with [Section 7.3](#).

J. PARKING AREA CONSTRUCTION

1. Parking facilities accessory to a single or two-family dwelling shall be suitably graded and properly drained.
2. Parking facilities for other than a single or two-family dwelling shall:
 - a. Be suitably graded and properly drained with appropriate drainage facilities in accordance with Section 7.10 of these Regulations
 - b. Have a minimum of three (3) inches of asphalt or bituminous concrete (or suitable alternative surface approved by the Commission upon recommendation of the Town Engineer).
 - c. Have a minimum base of six (6) inches of processed stone or gravel.
 - d. Have appropriate curbing or pavement edge treatment based on the stormwater management approach.
 - e. Be marked by painted lines or other means to indicate individual spaces.
 - f. Be illuminated in accordance with Section 7.11.
 - g. Have signage in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) subject to the review of the Local Traffic Authority.
3. If it is determined that the proposed parking facility requires more structure due to the nature or intensity of the facility, a greater thickness of surface or base may be required by the Commission upon recommendation of the Town Engineer.

K. ELECTRIC VEHICLE CHARGING STATIONS

The purpose of this section is to support the use of electric vehicles (EVs) by providing for EV charging facilities subject to reasonable conditions to protect the environment, public health, safety, and welfare.

1. Definitions

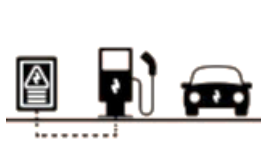
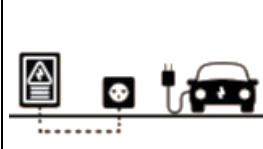
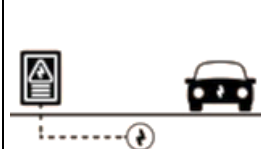
ELECTRIC VEHICLE (EV) - A motor vehicle containing a battery powered electric motor as a means of propulsion.

ELECTRIC VEHICLE CHARGING STATION (EVCS) - A parking space with the necessary apparatus (such as pylons, stanchions, conductors, connectors, attachment plugs, and all other necessary fittings and devices) for transferring electrical energy to an electric vehicle.

LEVEL 1 EVCS – A 110 to 120-volt alternating current (AC) connected to a 20 Ampere or higher capacity circuit. Generally adds 3 to 5 miles of range per hour of charge.

LEVEL 2 EVCS – A 208 to 240 volt alternating current (AC) connected to a 40 Ampere or higher capacity circuit. Generally adds 12 to 80 miles of range per hour of charge.

LEVEL 3 EVCS - A 208-480 Volt direct current (DC) charger with 70 Ampere or higher capacity service. Generally adds 180 to 1200 miles of range per hour of charge.

EVCS INSTALLED	EVCS READY	EVCS CAPABLE
		
A designated Level 2 or higher capacity EVCS with equipment installed and operational.	A designated EVCS provided with Level 2 or higher capacity panel capacity and with a junction box or 240-volt outlet at the parking space location.	Electrical panel capacity, breaker service, and conduits to the parking space location to support eventual installation of Level 2 EVCS or higher panel capacity.

Residents and property owners are encouraged to plan ahead for the future demand for EV chargers and to provide sufficient space and expansion capacity in electrical panels, underground conduits, junction boxes, electrical equipment, and other components of the system.

- 2. When Permitted** - Subject to the provisions of Section 7.2.K.3 below, Electric Vehicle Charging Stations are allowed as follows:

	When Accessory To Residential Dwellings	When Accessory To Non-Residential Uses	When A Principal Use
Level 1 EVCS	Allowed	Zoning Permit in a Business Zone or Industrial Zone	Special Permit in a Business Zone Or Industrial Zone only
Level 2 EVCS	(electrical permit may be required)		
Level 3 EVCS			

3. When Required –

- In all districts, Level 2 EVCS-capable spaces meeting or exceeding 10 percent of all new parking spaces are required as part of new construction, expansion of parking areas, and/or significant change in use which will result in the addition of ten (10) or more parking spaces.
- Such spaces shall be subject to the provisions of this Section 7.2.K.

4. Provisions

- The installation of EV charging stations shall not reduce the number of parking spaces or the dimensions of any parking space below that required by these Regulations except that the Commission may, by Special Permit, allow the use of compact car spaces (16' depth) and/or a reduction of up to 10% in the number of parking spaces as part of retrofitting an existing parking area for operational EV charging stations (to compensate for potential loss of area resulting from above ground equipment installation).
- EV charging station equipment shall be protected by curbing, wheel stops, or bollards.
- Charging equipment shall be designed and located (i.e., retractable cords) so as not to create hazards or impede vehicular, bicycle, or pedestrian travel.
- Notwithstanding any other section of these Regulations, the apparatus associated with an EV charging station shall not be required to adhere to side yard or rear yard setback requirements.
- Notwithstanding any other sections of these Regulations, proprietary EV charging stations systems capable of serving only specific vehicle brands shall require a Special Permit unless such proprietary systems are less than 50% of all EV charging stations systems being installed.

- f. Signage and parking space paint shall clearly identify EV charging stations as well as any restrictions regarding users and time limits. Where public or shared access is permitted, rates shall be posted with sufficient size and visibility to be read before entering the parking space. Directional signage leading to EV charging spaces is permitted in addition to any other directional signage.
- g. EV charging stations may include signage or electronic displays that provide operating instructions and advertising provided such signage and displays, unless otherwise approved by the Commission by Special Permit;
 - 1) Shall not exceed one square foot (144 square inches) in cumulative area per charging station.
 - 2) Shall use only static images.
 - 3) Shall be located and oriented so that any electronic displays are either not visible from public roadways or residential buildings or use reduced lighting intensity from dusk to dawn.
 - 4) Shall not emit audible sound.
- h. Electric vehicle charging stations are not permitted within the Town or State right-of-way except at municipal sites and adjacent to designated on-street parking.



*Size of Display And/Or Advertising
Only Allowed By Special Permit*

*Size of Display And/Or Advertising
Only Allowed By Special Permit*



Section 7.3. Landscaping and Screening

A. PURPOSE

This Section of the Regulations is intended to preserve existing vegetation and encourage or require the planting of new screening and landscaping material in order to enhance the appearance and natural beauty of the Town and to protect property values. Specifically, these standards are intended to reduce excessive heat, glare and accumulation of dust, to provide privacy from noise and visual intrusion, and to prevent the erosion of the soil, excessive run-off of drainage water, and the consequent depletion of the ground water table and the pollution of water bodies, watercourses, wetlands and aquifers.

B. GENERAL REQUIREMENTS

The following provisions shall apply to any use in all zoning districts:

1. **Landscaping / Maintenance Required** – Any portion of a developed lot or property which is not used for the location of buildings, structures, accessory uses, off-street parking and loading areas, sidewalks, or similar purposes, shall be landscaped and maintained in such manner as to minimize storm water runoff.
2. **Existing Vegetation** –
 - a. To the extent possible, existing trees, vegetation, and unique site features such as stone walls shall be retained and protected.
 - b. Existing healthy, mature trees, if properly located, shall be fully credited against the requirements of these Regulations.
 - c. The Director of Public Works / Tree Warden shall be consulted if the proposed development required the removal of any existing trees located on Town property.
3. **New Planting** –
 - a. All regraded areas shall be covered with loam to a depth of six inches and seeded.
 - b. Landscaping, trees, and plants required by these Regulations shall be planted in a growing condition according to accepted horticultural practices and they shall be maintained in a healthy growing condition.
 - c. Any landscaping, trees, and plants which are in a condition that does not fulfill the intent of these Regulations shall be replaced by the property owner during the next planting season for the particular plant material.
 - d. Permanent watering systems shall be encouraged.
 - e. At the time of planting, trees shall be the following minimum size:
 - 1) Shade trees: three-inch caliper measures three feet above grade
 - 2) Evergreen trees: seven-foot height
 - 3) Flowering trees: two-inch caliper, single stem, eight-foot height
 - f. All landscaping, trees, and planting material adjacent to parking areas, loading areas, or driveways shall be properly protected by barriers, curbs, or other means from damage by vehicles.
4. **Screening Fence / Wall** – A screening fence or wall required by these Regulations shall be maintained by the property owner in good condition throughout the period of the use on the lot.
5. **Maintenance** – Failure to maintain any landscaped area or buffer strip required by these Regulations shall constitute a violation of these Regulations.

6. **Planting Season** – Unless otherwise shown on the plans or directed by the Town Planner, the planting season shall be as indicated below and no planting shall be done in frozen ground or when the ground is snow covered, or when the soil is otherwise in unsatisfactory condition for planting.

	Spring	Fall
Deciduous Material	March 1 – May 15 (inclusive)	October 15 – December 15 or until the ground freezes
Evergreen Material	March – June 1 (inclusive)	August 15 – October 1 (inclusive)

7. **Landscape Plan** –
- A plan shall be provided showing the proposed landscaping for the site including size, type, number, location and types of plantings, seeding schedule and planting details.
 - All extensive landscape plans shall be prepared by a registered Landscape Architect.
 - Other landscape plans shall be prepared by a registered Landscape Architect if required by the Design Review Committee.

C. FRONT LANDSCAPED AREA

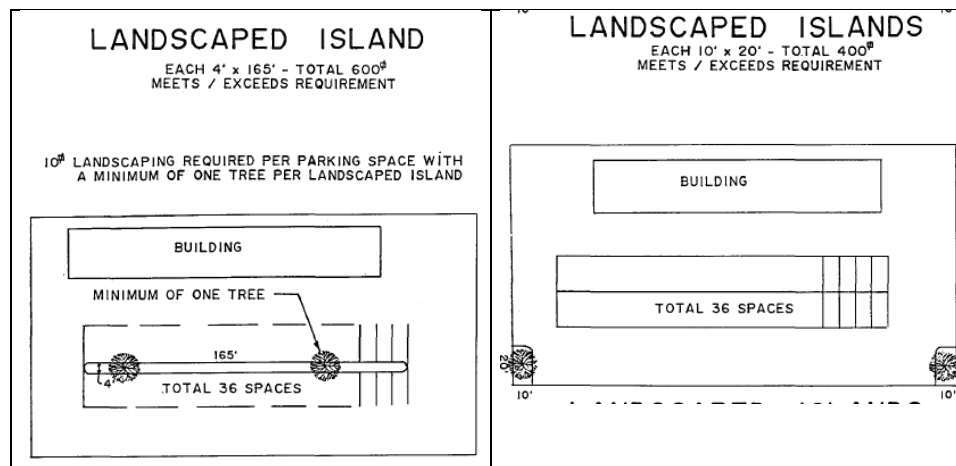
- A front landscaped area shall be required for all uses in all zoning districts:
 - The required front landscaped area shall be covered with grass or other ground cover and shall include appropriate trees and shrubs.
 - At a minimum, one street shade tree shall be planted for each 50 feet or fraction thereof of street frontage.
 - The purpose of the landscaping is to enhance the appearance of the use on the lot but not to screen the use from view.
 - In cases where the edge of the pavement or sidewalk within a public right-of-way does not coincide with the front lot line, the property owner shall landscape the area between the front lot line and the edge of the street, pavement, or sidewalk.
- Residential Districts** – In all residential districts, the required front setback, except for the driveway, shall be landscaped, but in no case shall it be required to exceed 30 feet from the front lot line.
- Commercial and Industrial Districts** – In all non-residential districts, a strip 10 feet wide along and contiguous to the front lot line shall be landscaped except if a more stringent standard is provided in the district regulation.
- Alternative Arrangements** – Where lot size and shape or existing structures make it infeasible to comply with the requirements for a front landscaped area or landscaped parking area, the Commission may accept the substitution of planters, plant boxes or pots containing trees, shrubs, and/or flowers to comply with the intent of these Regulations.

D. SIDE LANDSCAPED AREA

- No parking facilities shall be located within five (5) feet of any rear or side property line in any zone, as provided in [Section 7.2.H.2](#) except in the paved portion of the driveway that gives access to said facility and such area shall be appropriately landscaped.

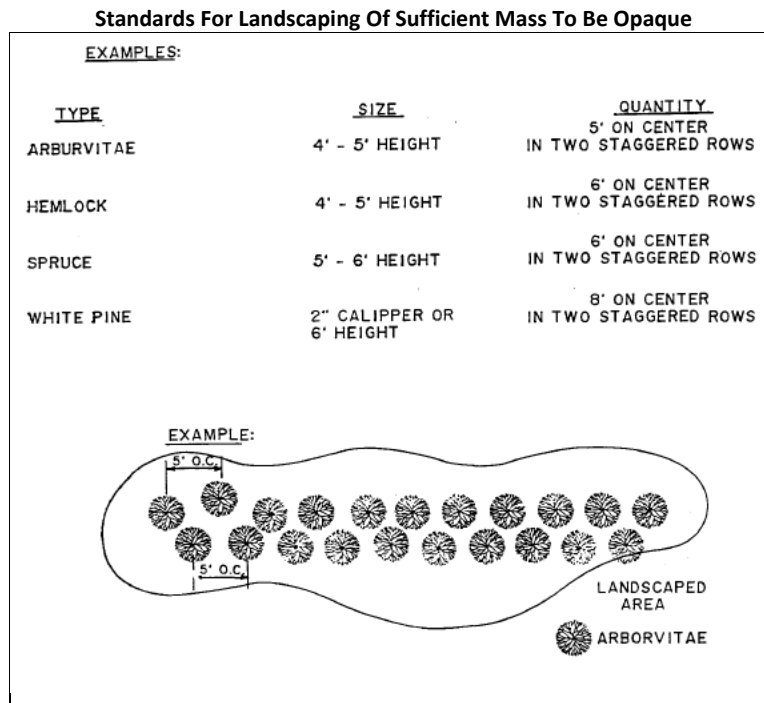
E. PARKING LOT LANDSCAPED AREA

1. Any parking lot in any zone providing spaces for twenty (20) or more vehicles shall include a perimeter landscaped area around such parking lot (except for driveway access) with:
 - a. A minimum dimension of five (5) feet
 - b. Planting(s) of grass or shrubs, and
 - c. At least one (1) deciduous tree of not less than a three (3) inch caliper and at least six (6) feet in height, for every fifty (50) feet along the perimeter of the parking area.
 - d. Such distance may be increased for lanes of ingress and egress.
2. Any parking lot in any zone providing spaces for fifty (50) or more vehicles shall:
 - a. Include at least ten (10) square feet of interior landscaping for each parking space within the boundary of the paved portion of the parking area for each parking space.
 - b. For each separate landscaped area so required:
 - 1) Contain a minimum area of one hundred (100) square feet,
 - 2) Have a minimum dimension of at least nine (9) feet, and
 - 3) Include at least one (1) deciduous tree of not less than three (3) inch caliper, at least six (6) feet in height.
3. Where the parking area is functionally integrated with an adjacent parking area, the Planning and Zoning Commission may, by Special Permit, approve a modification to these parking lot landscaped area regulations.



F. PERIMETER BUFFER STRIPS

1. **Buffer Strip Materials** – The required buffer strip shall consist of shrubs, hedges, planted berms or trees of sufficient mass to be opaque.



2. **Basic Perimeter Buffer** – When the premises are occupied by a building or other use in the zoning districts and situations listed below, a landscaped buffer strip of the indicated width shall be provided:

	Buffer Strip Width
B-1 Zone To Residential Zone	15 Feet
B-2 Zone To Residential Zone	15 Feet
B-3 Zone To Residential Zone	25 Feet
B-4 Zone To Residential Zone	15 Feet
B-5 Zone To Residential Zone	n/a
B-6 Zone To Residential Zone	15 Feet
I-2 Zone To Residential Zone	50 Feet
I-3 Zone To Residential Zone	50 Feet
Special Permit Use In A Residential Zone	15 Feet

3. **Additional Buffer Width Due To Building Height** – Subject to the exceptions of Section 7.3.F.4 below or unless modified by the Planning and Zoning Commission by granting of a separate Special Permit, the following additional buffer width shall be provided based on building height:

	Basic Building Height Allowance	Additional Buffer Width Required For Each Foot Of Building Height Over Allowance
B-1 Zone To Residential Zone	25 Feet	1 Foot
B-2 Zone To Residential Zone	50 Feet	1 Foot
B-3 Zone To Residential Zone	25 Feet	1 Foot
B-4 Zone To Residential Zone	105 Feet	1 Foot
B-5 Zone To Residential Zone	n/a	n/a
B-6 Zone To Residential Zone	25 Feet	1 Foot
I-2 Zone To Residential Zone	25 Feet	1 Foot
I-3 Zone To Residential Zone	50 Feet	1 Foot
Special Permit Use In A Residential Zone	25 Feet	1 Foot

4. **Exceptions** –
- For buildings which existed prior to March 15, 1997 and do not meet the additional height buffer requirements of Section 7.3.F.3 above, such buildings:
 - Shall be exempt from the requirement of one (1) foot of setback from Residential Zones for every one (1) foot of height.
 - Additions constructed to such existing buildings shall also be exempt from the one (1) foot setback for every one (1) foot of height requirement provided that said addition/additions do not encroach on any required base buffer strip at the time of the adoption of these Regulations.
 - Additions to such existing buildings that have been exempted above will be permitted provided the building's footprint or height causing the initial exemption will be the only exemption allowed and no additions will be permitted that would create the need for an additional exemption.

Section 7.4. Slopes And Grading

A. PURPOSE

This Section of the Regulations is intended to:

- Discourage major regrading of sites where such earth moving would cause unstable slopes, unsafe changes in grade, and/ or removal of natural ground cover, and
- Encourage or require site layouts which fit the existing natural conditions of the site consistent with good engineering practice.

B. GRADING

1. Regrading of the site which will alter the natural watershed limits is prohibited.
2. The burial of tree stumps, shrubs and debris that have been cleared from the land is prohibited on all subdivisions and private sites.

C. SLOPES

1. Driveway Slope –

	Maximum Slope	Minimum Slope
Residential Driveway (street to the garage or parking place)	12 percent	0.5 percent
Commercial Or Industrial Driveway (driveway access)	10 percent	0.5 percent
All Other Pavement Surfaces	8 percent	0.5 percent

2. Artificial Slope –

	Maximum Slope
For maintained (grassed) areas	3:1 (33%)
Where approved landscape treatments are used or where adequate soils information has been provided	2:1 (50%)
Under special conditions as approved by the Commission and the Engineering Division when stabilized by a retaining wall or cribbing	Steeper than 2:1

3. **Slope Rights** – Slope rights shall be provided where necessary for the development.

Section 7.5. Soil Erosion and Sediment Control

A. PURPOSE

This Section is intended to prevent or minimize soil erosion and sedimentation as part of any development activity within East Hartford.

B. GENERAL REQUIREMENTS

1. All development shall establish, implement, and maintain soil erosion and sediment controls in accordance with the publication entitled "Connecticut Guidelines for Soil Erosion and Sediment Control", as amended.
2. Erosion and sediment control measures and facilities shall be in place prior to the start of development and a financial guaranty for erosion and sediment control shall be filed with the Town unless .
3. Erosion and sediment control measures and facilities shall be maintained in effective condition and in accordance with any approved Control Plan until disturbed areas are stabilized.
4. During development, the Zoning Enforcement Officer and/or the Engineering Division may inspect a site at any time to review sediment and erosion control measures, ensure compliance with any approved Control Plan, ensure that control measures and facilities have been properly installed and maintained and/or modify sedimentation and erosion control requirements, particularly when extraordinary climatic or weather conditions should dictate such modifications.
5. In the event that soil-erosion and sedimentation controls are not completed or maintained, the Town may install and/or complete such soil-erosion and sedimentation controls at the expense of the developer.
6. Soil erosion and sediment controls on Town projects and the installation and maintenance of same shall be in accordance with this Section and shall be approved and maintained by the Town Engineer.

C. CONTROL PLAN REQUIRED

1. A soil erosion and sediment control plan ("Control Plan") prepared in accordance with "Connecticut Guidelines for Soil Erosion and Sediment Control", as amended, shall be required in conjunction with any application for development when the cumulative disturbed area is more than ½ acre except that a single family dwelling that is not a part of a subdivision of land shall be exempt from the requirement to submit a Control Plan.
2. The Control Plan shall identify proper provisions to adequately control erosion and sedimentation on the proposed site based on the practices as found in the "Connecticut Guideline for Soil Erosion and Sediment Control", as amended.
3. Alternative principles, methods and practices from those found in the Connecticut Guideline for Soil Erosion and Sediment Control, as amended, may be used with prior approval of the Commission.

Section 7.6. Environmental Review

A. PURPOSE

This Section of the Regulations requires preparation of environmental analyses by applicants for large -scale development projects in order to identify, avoid, and/or mitigate impacts which might be created or exacerbated by such projects.

B. APPLICABILITY

Unless the applicant can demonstrate to the Commission's satisfaction that the factor to be analyzed is not relevant to its proposed application, this Section of the Regulations shall apply to development projects resulting in:

- One hundred (100) dwelling units or more,
- One hundred thousand (100,000) square feet or more of gross floor area,
- A use generating more than one hundred fifty (150) vehicle trips in peak hours.

C. ENVIRONMENTAL ANALYSIS REQUIRED

Any application to the Commission meeting or exceeding a threshold identified in Section 7.6.B above shall be accompanied by an environmental report which shall include:

1. A report containing:
 - a. A description of the proposed development.
 - b. A description of the current land use and zoning of the project site, including the future land use as discussed by the Plan of Conservation and Development.
 - c. A description of the environmental and/or cultural resources that may be affected by the development including but not limited to wetlands, watercourses, floodplains, stone walls, significant ledge outcroppings, landmark or asset trees (exceeding 15 inches in diameter), unique wildlife habitats, environmentally significant or sensitive areas, and other significant physical features of the site.
 - d. An analysis of the potential environmental impacts anticipated as a result of the construction of the project and:
 - 1) Proposed mitigation measures, and
 - 2) Rationale for unavoidable impacts.
2. A map locating environmental and/or cultural resources that may be affected by the development.
3. A conservation plan making provisions for appropriate protection of environmental and/or cultural resources areas.

Section 7.7. Transportation Review

A. PURPOSE

This Section of the Regulations requires preparation of traffic analyses by applicants for large -scale development projects in order to identify, avoid, and/or mitigate impacts which might be created or exacerbated by such projects.

B. APPLICABILITY

Unless the applicant can demonstrate to the Commission's satisfaction that the factor to be analyzed is not relevant to its proposed application, this Section of the Regulations shall apply to development projects resulting in:

- One hundred (100) dwelling units or more,
- One hundred thousand (100,000) square feet or more of gross floor area,
- A use generating more than one hundred fifty (150) vehicle trips in peak hours.

C. TRAFFIC IMPACT REPORT REQUIRED

Any application to the Commission meeting or exceeding a threshold identified in Section 7.7.B above shall be accompanied by an traffic impact report which shall include:

1. A report containing:
 - a. A description of the proposed development.
 - b. A description of the current land use and zoning of the project site, including the future land use as discussed by the Plan of Conservation and Development.
2. A description of existing traffic conditions including, but not limited to (such data shall be presented for all streets and intersections within one thousand (1000) feet of the project boundaries and shall be no more than six (6) months old at the date of submission of the application):
 - a. The size, capacity and condition of existing and proposed facilities including parking facilities and ingress and egress from the site,
 - b. Existing traffic controls,
 - c. A description of current levels of service including AM and PM peak hour traffic flow, the sources of the existing traffic and the vehicle mix.
 - d. Average and peak speeds
 - e. Sight distances.
 - f. Accident data for the previous three (3) year period.
 - g. Levels of service (LOS) of intersections and streets affected by the proposed development.
3. Projected traffic conditions for design year of occupancy including:
 - a. Statement of design year of occupancy,
 - b. Average annual background traffic growth, Impacts of proposed developments which have already been approved, under construction and/or are pending before a Town of East Hartford Land Use Board.

4. Projected impacts on the proposed development including:
 - a. Projected peak hour and daily traffic generated by the development on roads and private drives in the vicinity of the development,
 - b. Sight lines at the intersections of the proposed access connection and adjacent streets,
 - c. Analysis of the proposed drive-through with emphasis on location of queuing lanes and overall number of queuing spaces and its overall interaction with the proposed site,
 - d. Existing and proposed traffic controls in the vicinity of the proposed development.
 - e. The projected post development traffic volumes and levels of service of intersections and streets likely to be affected by the proposed development.
5. Proposed mitigation methods to be employed as follows to ensure that the impact of the project maintains the same Level of Service or better to all streets or intersections in the general area:
 - a. A plan with supporting text to minimize traffic and safety impacts through such means as physical design and layout concepts, staggered employee work schedules, dedicated employee parking areas, promoting use of public transit or carpooling, or other appropriate means,
 - b. An interior traffic and pedestrian circulation plan designed to minimize conflicts and safety problems.
 - c. Mitigation measures shall be proposed.
6. A map identifying locations that may be affected by traffic associated with the development and proposed mitigation measures.
7. An improvement plan making provisions for appropriate mitigation of traffic impact areas.

Section 7.8. Access Management

A. PURPOSE

This Section of the Regulations is intended to control the number, size, and location of driveways and access points, especially those for commercial uses that front on heavily trafficked roads and State highways, in order to maintain traffic capacity, avoid the proliferation of driveways and curb cuts, provide for safer and more efficient traffic operations along major roadways, and protect the public safety through the reduction of vehicular congestion.

B. GENERAL PROVISIONS

1. In reviewing proposed developments, the Commission shall review road layout, parking layout and configuration, traffic circulation within the site, the number and location of access points to and from the site, and the nature and type of traffic circulation on adjacent roadways to ensure that public safety and welfare is promoted with the greatest efficiency.
2. As part of application approval, the Commission may require, at the applicant's expense, an independent traffic review of the proposal.

C. NUMBER / LOCATION OF DRIVEWAYS

1. The number of driveways for each site shall be minimized and the Commission may limit the number of driveways that serve a specific site.
2. Where street geometry, traffic volumes or traffic patterns warrant, the Commission may:
 - a. Designate the location of any driveway,
 - b. Require the use of an existing driveway on adjacent property (provided appropriate easements are in place) in lieu of having a separate curb cut onto a road or street,
 - c. Require the provision of a shared driveway with associated easements (in favor of the Town and/or adjacent property owners) in addition to having a separate curb cut onto a road or street, and/or
 - d. Limit access to a major street and/or require access from a minor street.
3. When a mutual driveway easement is required or provided:
 - a. The location of the easement shall be for a location acceptable to the Commission and the Local Traffic Authority,
 - b. The wording of such easements shall be acceptable to the Commission and the Town Attorney, and/or
 - c. The filing of such easements on the land records in favor of the abutting property owners and/or the Town shall be required prior to issuance of a Certificate of Zoning Compliance.
4. A private road, private driveway or other private vehicular way of access servicing a business or industrial use shall not be constructed through a Residential Zone or buffer strip.
5. No exit from or entrance to an off-street parking facility shall be laid out or maintained as to constitute or create a traffic hazard or nuisance.
6. On corner lots the driveway shall be located as far from the intersection as is practical.

D. DESIGN / CONSTRUCTION OF DRIVEWAYS

1. Driveways shall not be wider than indicated below measured at the street line and parallel to the street line unless otherwise approved by the Town Engineer and/or the State of Connecticut where applicable:
 - a. Single-family or two-family uses – 15 feet wide
 - b. Business, industrial, or other uses – thirty (30) feet wide.
2. A curbed island for channelizing traffic may be required if a driveway serving a business, industrial, or other use wider than thirty (30) feet is approved.
3. Driveways must be perpendicular or radial to the roadway and adequate line of sight as approved by the Town Engineer shall be provided at all drives.

Section 7.9. Fences & Walls

A. FENCE / FREE-STANDING WALL

1. **Residential Zone - Front Yard** - As provided in the [East Hartford Code of Ordinances](#), a fence up to four feet (4') in height may be installed in the front yard of a residential property (the area between the front property line and building face extended to the side lot lines) without needing to comply with yard setbacks. Corner visibility provisions in [Section 8.5](#) of these Regulations shall still apply.
2. **Residential Zone - Side Yard / Rear Yard** - For a residential property, notwithstanding any other provision of these Regulations, a seven foot (7') high fence or free-standing wall or combination thereof may be installed in the side yard or the rear yard of a property (the area between the property line and building face) without needing to comply with yard setbacks for a principal building in the zoning district.
3. **Residential Zone – Materials** - As provided in the [East Hartford Code of Ordinances](#), a person may erect a fence consisting of wood, wood composite, metal or plastic coated chain link, polyvinyl chloride or similar hard plastic compound material or such other material approved by the Code Official. No fence shall consist of tarp, canvas, fabrics or similar material. Any slats in between the chain links of a fence shall be of a uniform color pattern and shall be trimmed to grade level and to the top rail of the fence, and shall be maintained in an intact and unbroken condition.
4. **Business / Industrial Zone** - A fence or free-standing wall or combination thereof in a Business Zone or an Industrial Zone shall require Site Plan approval or Site Plan modification. Such fence or free-standing wall or combination thereof shall not exceed seven feet (7') in height above grade at any point (post, rail, or panel) in a Business Zone or an Industrial Zone unless it complies with the yard setbacks for a principal building in the zoning district. The Commission may, by Special Exception approval, authorize installation of a fence or free-standing wall taller than otherwise permitted based upon their finding of increased security concerns or other valid reason(s) and any mitigating features proposed by the property owner. Corner visibility provisions in [Section 8.5](#) of these Regulations shall still apply

B. RETAINING WALL

1. Unless otherwise approved by the Commission by Special Permit due to unique site conditions, engineered retaining wall construction, plantings, and/or other mitigating features, a retaining wall shall:
 - a. Not exceed six feet (6') in height above grade at any point.
 - b. Be set back at least the height of the retaining wall from:
 - 1) A property line.
 - 2) Any generally parallel retaining wall on the same property.
2. A protective fence or rail shall be provided along the top of any retaining wall when so required by the Building Code.

Section 7.10. Stormwater Management

A. PURPOSE

This Section of the Regulations is intended to:

- Minimize degradation of water resources from pollution from non-point source runoff;
- Mitigate impacts to the hydrologic system from development, including reduced groundwater recharge and pollutants found in stormwater runoff;
- Reduce or prevent flooding, stream channel erosion, and/or other negative impacts created by the volume of stormwater runoff resulting from development; and
- Promote the application of low impact development (lid) strategies for the analysis and design of stormwater treatment systems.

B. APPLICABILITY

The provisions of this Section of the Regulations shall apply to any development which requires approval of a Site Plan or approval of a Special Permit.

C. REQUIREMENTS

1. The applicant shall consider the use of low impact development (“LID”) and runoff reduction site planning and development practices prior to the consideration of other stormwater management practices.
2. The applicant shall consider the following elements:
 - a. minimize the amount of impervious surfaces (roads, parking lots, roofs, etc.);
 - b. preserve, protect, create and restore ecologically sensitive areas that provide water quality benefits and serve critical watershed functions;
 - c. implement stormwater management practices that prevent or reduce thermal impacts to streams, including requiring vegetated buffers along waterways, and disconnecting discharges to surface waters from impervious surfaces such as parking lots;
 - d. seek to avoid or prevent hydro-modification of streams and other water bodies caused by development, including roads, highways, and bridges;
 - e. implement standards to protect trees, and other vegetation with important evapotranspirative qualities; and
 - f. implement policies to protect native soils, prevent topsoil stripping, and prevent compaction of soils.

3. The design, installation, and operation of a stormwater management facilities and systems shall be in accordance with
 - a. The Town of East Hartford Manual of Technical Design, and
 - b. the Connecticut Stormwater Quality Manual (CSQM), as amended, especially with regard to:
 - 1) Chapter 7 – Hydrologic Sizing Criteria For Stormwater Treatment Practices;
 - 2) Chapter 9 – Developing A Site Stormwater Management Plan; and
 - 3) Chapter 11 – Stormwater Treatment Practice Design Guidance.
4. Unless modified by the Commission as provided in [Section 7.10.D](#) below, any development shall implement the following provisions of Chapter 7 of the Connecticut Stormwater Quality Manual (CSQM), as amended:
 - a. Pollutant Reduction (CSQM Section 7.4);
 - b. Groundwater Recharge and Runoff Volume Reduction (CSQM Section 7.5); and
 - c. Peak Flow Control (CSQM Section 7.6) for the 10-year, 25-year, and 100-year storm events.
5. For development of new sites and redevelopment of existing sites resulting in Directly Connected Impervious Area (DCIA) of forty percent or more:
 - a. one-half (50%) of the water quality volume for the site shall be retained on-site; or
 - b. in cases where one-half (50%) of the water quality volume cannot be retained, the Commission may, in accordance with [Section 7.10.D](#) below, approve an alternate retention/treatment standard where the applicant:
 - c. submits a report detailing the factors limiting the accomplishment of this standard;
 - d. demonstrates that the runoff volume has been retained to the maximum extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practice; and
 - e. a drainage improvement is made elsewhere to accomplish the water quality volume standard or a fee is deposited into a dedicated Town account for to fund the retrofit of DCIA elsewhere.
6. For development of new sites and redevelopment of existing sites resulting in Directly Connected Impervious Area (DCIA) less than forty percent:
 - a. the entire water quality volume for the site shall be retained; or
 - b. in cases where the entire water quality volume cannot be retained, the Commission may, in accordance with [Section 7.10.D](#) below, approve an alternate retention/treatment standard where the applicant:
 - c. submits a report detailing the factors limiting the accomplishment of this standard; and
 - d. demonstrates that the runoff volume has been retained to the maximum extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practice.
7. Grading shall not be done in such a way so as to divert water onto the property of another landowner without the expressed written consent of that landowner.

8. If and where appropriate, the Commission may accept or require:
 - a. a drainage improvement elsewhere to accomplish the water quality volume standard; or
 - b. a fee that will be deposited into a dedicated Town account to fund the retrofit of DCIA elsewhere.
9. Every application subject to the provisions of this Section shall provide and comply with a long-term maintenance plan and schedule to ensure the performance and pollutant removal efficiency of privately-owned retention ponds, detention ponds and other stormwater basins that discharge to or receive discharge including short-term and long-term inspection and maintenance measures to be implemented by the private owner and such written narrative, schedule and plan shall be in accordance with:
 - a. the CSQM, as amended;
 - b. any Stormwater Management Plan established for the Town of East Hartford in accordance with the requirements of the “General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems” as issued by the Connecticut DEEP; and
 - c. the “Connecticut Guidelines for Soil Erosion and Sediment Control”, as amended,

D. MODIFICATIONS

1. The Commission may modify the requirements of this Section provided:
 - a. adequate information has been submitted by the applicant to evaluate the request and the Town Engineer has provided a positive recommendation regarding the modification; or
 - b. the proposal falls below the thresholds identified in CSQM Section 9.1.

Section 7.11. Site Lighting

A. PURPOSE

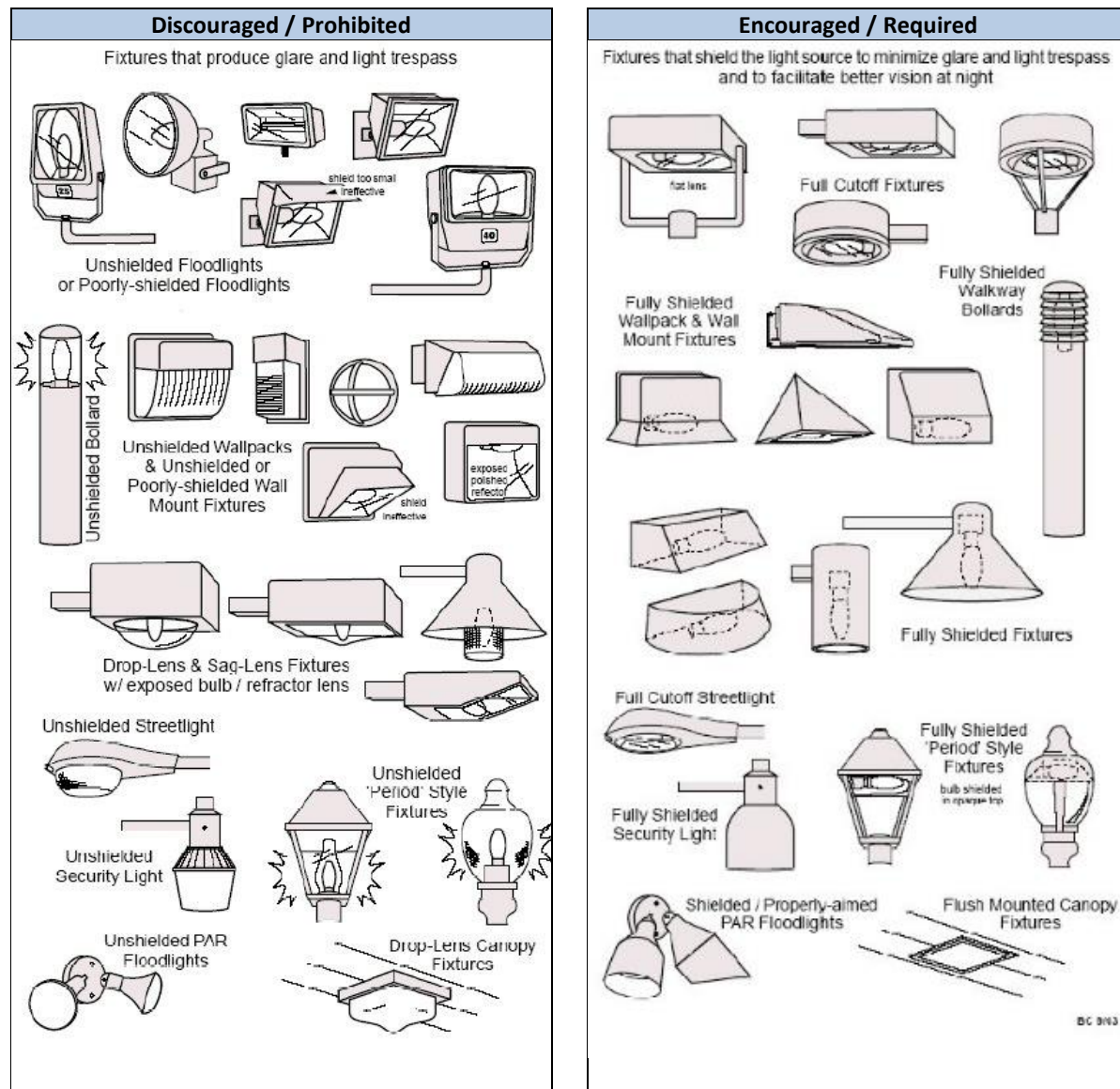
This Section of the Regulations is intended to provide standards with regard to exterior lighting in order to maximize the effectiveness of site lighting, to enhance public safety and welfare, to discourage the installation of lighting fixtures that emit objectionable illumination, to avoid unnecessary upward illumination and illumination of adjacent properties, and to reduce glare.

B. APPLICABILITY

This Section applies to all applications where a Site Plan Application or Special Permit is required.

C. STANDARDS

1. All exterior lights, building illumination directed from the exterior of the building, and sign illumination shall be designed, located, installed, and directed in such a manner as to:
 - a. Prevent direct glare or light trespass onto neighboring properties,
 - b. Employ evenly distributed, transitional light levels which are consistent from area to area and provide uniform distribution of light without compromising safety and security.
 - c. Minimize contrast between light sources, lit areas and dark surroundings, and
 - d. Be confined within the target area to avoid glare outside the property line or boundary, or into the sky.
2. Light fixtures which cast light primarily downward shall be used and lighting fixtures shall be full cut-off type fixtures or Illuminating Engineering Society of North America (IESNA) cut-off fixtures as approved by the Commission. In no case shall lighting be directed above a horizontal plane through the top of the lighting fixture, and the fixture shall include shields that prevent the light source or lens from being visible from adjacent properties and roadways. The use of general floodlighting fixtures shall be discouraged.
3. All lighting fixtures shall be shielded and aimed so that illumination is directed only to the designated area and not cast on other areas. Attached building or wall lighting shall be screened by the building's architectural features or contain a forty-five (45) degree cutoff shield.
4. All lighting for display, aesthetic, parking and sign lighting, shall be placed on timers and turned off after business hours; lighting provided for security may be motion-activated after hours.
5. High pressure sodium light sources are not permitted unless the applicant demonstrates that other alternatives are not adequate or practical for the site.
6. Lighting designed to highlight flagpoles shall be targeted directly at the flag.
7. Where outdoor playing fields or other special outdoor activity areas are to be illuminated, lighting fixtures shall be specified, mounted, and aimed so that their beams fall within the primary playing area and immediate surroundings, and minimal light trespass is received off the site, and in no event greater than 0.1 foot-candles.



D. ILLUMINATION LEVELS

1. In terms of illumination levels, the Commission shall be guided by the illumination levels as recommended by:
 - a. The Illuminating Engineering Society of North America (IESNA), and/or
 - b. The International Dark Sky Association (IDA).
2. Illumination levels recommended by the Illuminating Engineering Society of North America (IESNA) for the subject uses shall not be exceeded.
3. Replacement of light fixtures and/or light bulbs (or LEDs) shall maintain the illumination levels shown on the photometric plan approved by the Zoning Commission or, in the absence of such approved plan, the lighting levels as recommended by:
 - a. The Illuminating Engineering Society of North America (IESNA), and/or
 - b. The International Dark Sky Association (IDA).
4. Lighting levels for any exterior illumination, whether required or not required but provided, shall provide at least one-half (0.5) foot-candle of illumination for any access drive or walk so lit but shall not:
 - a. Show any direct light source beyond any lot line, or
 - b. Show more than one-half (0.5) foot-candle beyond any lot line, with the exception of the public right-of-way.

E. LIGHTING PLAN SUBMISSION REQUIREMENTS

1. The Lighting Plan shall indicate the location of each current and proposed outdoor lighting fixture including fixtures located on the ground, on a building, or architectural building or structure illumination located on or directed from the exterior of the building or structure, and illuminated signs.
2. This plan shall be certified by a licensed professional engineer. The lighting plan shall include the following information:
 - a. The location of all lighting fixture (including parking lots, walkways, building mounted, signs, architectural building or structure illumination, and all other exterior lighting equipment or lighting located on or directed from the exterior of a building).
 - b. Descriptions of outdoor light fixtures including component specifications such as lamps, reflectors, wattage, type of light source (metal halide, fluorescent, LED, etc.) optics, angle of cutoff, supports, poles and include manufacturers catalog cuts.
 - c. Lighting layouts showing initial luminance calculations that conform to these Regulations.
 - d. ISO-illuminance contours and light level grid lighting plan of site property out to 10 feet beyond property lines or zero calculated initial light levels whichever comes first, showing footcandle readings including all property exterior light fixture contributions every ten (10) feet including the average footcandles, minimum and maximum footcandles and minimum to maximum ratios.
 - e. Foundation details for light supports.
3. Light poles within parking areas shall be located within curbed islands or at locations which will not affect traffic flow, reduce parking stall area or interfere with pedestrian traffic.
4. Details for the standards, fixtures, and bases shall be provided on the plans.

F. EXEMPTIONS AND MODIFICATIONS

1. Lighting, such as the types listed below, are exempt from these Regulations:
 - a. Traditional temporary seasonal/holiday lighting.
 - b. Temporary lighting associated with a fair, carnival or similar function authorized by the Town of East Hartford.
 - c. Temporary lighting used by the Police Department, Fire Department, or Emergency Services.
2. The Commission may, by Special Permit, allow lighting that does not comply with the Specific standards listed in this Section provided the Commission determines that such proposed lighting is consistent with the intent and purpose of these Regulations and that such lighting is essential to safe operation of the subject use.

Section 7.12. Accessibility For People And Bicycles**A. PURPOSE**

This Section is intended to ensure that adequate provision is made for safe and convenient access by pedestrians and bicycles throughout the community.

B. APPLICABILITY

The provisions of this Section shall apply to all residential and non-residential development in East Hartford.

C. ACCESSIBILITY FOR PEOPLE

1. Unless the Commission determines that sidewalks are not required in a particular location, a system of safe and convenient sidewalks shall be provided:
 - a. Along all street frontages,
 - b. Between such street frontages and buildings on the site,
 - c. Between individual buildings within the site, and
 - d. To-and-from existing or potential future pedestrian accommodations on adjacent sites.
2. Such sidewalks, handicapped ramps, and related improvements shall:
 - a. Be designed, constructed, and maintained in accordance with the Americans with Disabilities Act (ADA) requirements, and
 - b. Be at least four feet (4') in width,
 - c. Provide safe separation or delineation from vehicular traffic,
 - d. Be constructed in accordance with the Town of East Hartford Manual Of Technical Design.

D. ACCESSIBILITY FOR BICYCLES

1. Convenient and appropriate bicycle parking facilities shall be provided as part of any new construction, changes of use, or substantial improvements.
2. Bicycle parking facilities shall be provided at the rate of at least 1 bicycle parking place for every 20 parking spaces, or portion thereof, required by these Regulations.
3. Such bicycle parking spaces shall be located near each main building entrance, and in an area that is highly visible.
4. Such bicycle facilities shall be constructed in accordance with the Town Of East Hartford Manual Of Technical Design.

Section 7.13. Noise / Performance Standards

1. **Fire / Explosion** – All uses shall be carried on in such a manner and with such precautions against fire and explosion hazards as to produce no serious exposure hazard to adjacent property, and the storage of all flammable or explosive materials shall be in a manner approved by the Fire Marshal of the Town of East Hartford.
2. **Odors / Fumes / Gases** – No use shall emit offensive odors perceptible from any property line of the lot on which the operation is located, and shall not emit noxious, toxic, or corrosive fumes or gases.
3. **Dust** – No use shall exhaust, or waste into the air, dust created by any industrial or other operation in excess of one cubic centimeter of settled matter per cubic meter of air, or produce heat or glare perceptible from any property line of the lot on which the operation is located for a period exceeding three continuous minutes.
4. **Smoke** – No use shall discharge smoke or other air contaminant into the atmosphere from any single source of emission for a period or periods aggregating more than three minutes in any one hour which is as dark or darker in shade than as designated as No. 2 on the Ringelmann Chart, as published by the United States Bureau of Mines, or which is of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke designated as No. 2 on the Ringelmann Chart.
5. **Hazardous Materials** – All land uses, which produce, utilize or store hazardous materials as identified by state and federal sources, including Section 3001 of the Resource Conservation and Recovery Act of 1976, as may be modified, shall:
 - a. safely store, handle, transport, and dispose of all hazardous materials in accordance with current state and federal standards;
 - b. declare, as part of any PZC application, the nature of all hazardous materials involved, how any hazardous materials will be stored, produced, used, handled, disposed of, and transported to and from the premises, and the safeguards that will be utilized to prevent health and safety problems; and
 - c. prepare and submit a management plan outlining the applicant's compliance procedure with respect to the Federal Clean Air Act, Clean Water Act, OSHA, any other State or Federal Regulations, or Best Management Practices of the Connecticut Department of Energy and Environmental Protection relating to the handling or disposal of any hazardous wastes or materials.
6. **Noise** – All uses shall be operated in conformance with any noise provisions in the [East Hartford Code of Ordinances](#) and the following performance standards governing noise, and no sound pressure level shall exceed the decibel levels shown below. Sound levels shall be measured at the zone boundary line within which the subject use is located and with a sound level meter conforming to the operational specifications of the American National Standards Institute using the A-weighting network and designated db(A) or dBA:

Maximum Permitted Sound Level in Decibels

Maximum Decibel Reading	Day	Night
• Where Adjoining Residence Zones	60 db(A)	50 db(A)
• Where Adjoining Other Zones	65 db(A)	65 db(A)

Section 7.14. Alcoholic Liquors

1. **General Distance Requirements** – No building or premises shall be used and no building shall be erected or altered that is arranged, intended or designed to be used for the sale or exchange of spirituous or alcoholic liquors at retail for consumption either on or off the premises if any part of such building or premises is situated within five hundred (500) feet in a radius from any part of any building or premises used for the purpose of public schools, a duly authorized school other than a public school, house of worship, charitable institution whether supported by public or private funds, hospital, library, public playground, municipal fire or police station or municipal town hall. The warehouse storage or bottling of alcoholic and spirituous liquors for wholesale distribution only and grocery store beer permits shall not be subject to these distance requirements.
2. **Distance Requirement For Off-Site Consumption** – No building or premises shall be used and no building shall be erected or altered that is arranged, intended or designed to be used for the sale or exchange of spirituous or alcoholic liquors at retail for consumption off the premises if any part of such building or premises is situated within fifteen hundred (1,500) feet in a radius from any other building or premises having any type of liquor permit where spirituous or alcoholic liquors are sold at retail and consumed off the premises other than a building or premises having one (1) of the following permits: grocery store beer permits; package store beer permits; druggist permit for beer only.
3. **Measurement Of Distance Requirement For A Shopping Center/Mall** – In applying the distance requirements of these Regulations in the case of a proposed liquor permit located in a shopping center/mall defined herein, measurements shall be made from the main entrance to said permit premises.
4. **Restaurants Or Catering Halls Serving Alcoholic Liquors** – In those zoning districts where restaurants or catering halls serving alcoholic beverages are permitted, such use, whether occupying part of a building containing other uses or an entire building structure by itself, may only be permitted by the granting of a Special Permit by the Planning and Zoning Commission subject to Special Permit Criteria in [Section 9.4.E](#) of these Regulations and the following additional conditions:
 - a. No sign advertising alcoholic beverages by any brand name, slogan, symbol, or other means shall be visible from outside the building;
 - b. The principal purpose of the restaurant shall be the preparation and sale of food to be consumed on the premises. The principal purpose of the catering hall shall be the preparation and sale of food to be consumed either on or off premises. Such sale of alcoholic liquors shall be subordinate and incidental to the principal use of the premises as a restaurant or catering hall in which the patrons are primarily persons seated at tables where hot meals are served;
 - c. The restaurant facility or catering hall shall not produce nuisance, noise, or disturbance to adversely affect the health, safety, or comfort of others or detract from adjacent property values; and
 - d. The dining area shall have a floor area of at least one thousand (1,000) square feet exclusive of cocktail lounge and entertainment areas.
5. **Limitation On Beer / Wine Permits** –
 - a. In no way shall the approval by the Planning and Zoning Commission for a restaurant permit for beer only or for beer and wine only be construed to include any other spirituous or alcohol liquor uses.
 - b. Any change in use from beer only or beer and wine only requires application to the Planning and Zoning Commission for a special use permit and shall be considered a new use.
6. **Picnic Parks** –
 - a. The provisions of these Regulations shall not apply to existing picnic parks, so called.

Section 7.15. Refuse Management

A. PURPOSE

This Section is intended to provide standards for refuse management, including the location and design of dumpsters and other refuse containers, for any development which requires Site Plan approval or Special Exception approval.

B. APPLICABILITY

This Section of the Regulations shall apply to all business, industrial and multi-family uses and any development required to obtain Site Plan or Special Permit approval from the Commission.

C. STANDARDS

1. A dumpster pad shall be provided and such dumpster pad shall be constructed in accordance with the Town of East Hartford Manual Of Technical Design.
2. The dumpster shall be enclosed on all four sides with a minimum six (6) foot high fence, which will screen the dumpster from view.
3. The site layout shall provide for a "SU-30" design vehicle to be able to access the dumpster and service the dumpster such that such that access to the site or traffic flow within the site will not be negatively affected.
4. To minimize visibility from less intensive uses, dumpsters and other refuse equipment or facilities shall, unless otherwise approved by the Commission, be screened from any street line or less intensive land use by buildings, fences, walls, landscaped berms or evergreen shrubs, trees, and/ or other means to provide complete visual screening.
5. Dumpsters and other refuse equipment or facilities shall not be placed in such a manner as to reduce the number of available parking spaces on the property to less than that required by these Regulations.

Section 7.16. Design Review

A. PURPOSE

This Section of the Regulations is intended to encourage or require high quality building and site design and result in development which is compatible with the characteristics of East Hartford.

B. DESIGN REVIEW COMMITTEE

1. To assist in accomplishing good design, any Design Review Committee established by the Commission shall have the authority to review architectural designs and site plans and make recommendations to applicants and the Commission about proposed designs.
2. The Design Review Committee shall submit its recommendations to the Commission in writing but the failure of the Committee to act in a timely manner shall not affect the mandated time requirements for Commission action.

C. APPLICABILITY

1. The following types of applications shall be subject to design review:
 - a. A Site Plan or Special Permit application in a business zone or an industrial zone if it involves construction of new buildings or structures, façade alterations, or additions to existing buildings or structures, or expansion of parking areas.
 - b. A Site Plan or Special Permit application in a residential zone if it involves construction of new buildings or structures, façade alterations, or additions to existing buildings or structures, or expansion of parking areas.
 - c. A sign application not in accordance with an overall sign package previously approved by the Commission and/or the Design Review Committee.
2. The following types of applications shall not be subject to design review:
 - a. Applications not involving construction of new buildings or structures, façade alterations or additions to existing buildings or structures, or expansion of parking areas.
 - b. A single-family dwelling and any accessory structure thereto
 - c. A sign application in accordance with an overall sign package approved by the PZC and/or the Design Review Committee.

D. APPLICATION OF DESIGN GUIDELINES

The guidelines in Section 7.16.E, Section 7.16.F, and Section 7.16.G are intended to help applicants achieve overall design objectives of the Town of East Hartford. These guidelines are not intended to:

- constitute a rigid set of requirements, or
- dictate one particular architectural style, or
- discourage the use of progressive sustainable materials or new technologies.

The Commission does not intend to design or assist in the design of any buildings or projects submitted for approval. The Commission will strive to restrict its considerations to a reasonable review of the proposal and plans by the, leaving full responsibility for the design and development to the applicant.

In its review of architectural designs and site plans, the Design Review Committee and the Commission shall keep in mind the need to encourage and protect small business and to consider cost factors.

As used in Section 7.16.E, Section 7.16.F, and Section 7.16.G :

The word “shall” means it is anticipated that the relevant standard, criterion or action will be applied unless the applicant demonstrates to the satisfaction of the Design Review Committee and the Planning and Zoning Commission that it would be unreasonable or undesirable to do so.

The word “should” means it is anticipated that the relevant standard, criterion or action will generally be applied but the applicant may offer, and the Design Review Committee and the Planning and Zoning Commission may accept, an alternative standard, criterion, or action if it is determined that the outcome will accomplish the intended result.

In the event of any deviation from the design guidelines, the applicant should be prepared to provide an explanation of the reason(s) why a specific guideline cannot be met including a description of how other design elements have been incorporated to meet the intent of the unmet standard or achieve overall design objectives.

Applicants should understand that one or more meetings with the Design Review Committee may be necessary.

E. OVERALL CONSISTENCY

1. **POCD Consistency** – Any Site Plan application shall demonstrate conformance with the purpose and intent of the Plan of Conservation and Development (POCD) adopted by the Commission under the provisions of CGS Section 8-23.

F. BUILDING-RELATED GUIDELINES

1. **General** – The siting, bulk, and exterior design of buildings and other structures, including finish and color, and site development shall harmonize with the neighborhood, accomplish a transition in characteristics between areas of unlike characteristics, and preserve and enhance the appearance of the community.
2. **Mass / Bulk** –
 - a. Buildings shall be of such scale and mass to relate well to each other and the street and the community.
 - b. Relationship of width to height of new structures should be consistent with the ratio of existing adjacent buildings.
 - c. Lengthy, unbroken facades should be avoided and, as a general guide, an unbroken façade plane should not exceed seventy-five (75) feet in length. Façade offsets should be sufficient to create a strong shadow line.
3. **Roofs** –
 - a. Roof mass and building façade should form a consistent composition.
 - b. Roof lines should be simple, functional, and reflective of the broader community building stock. Multiple changes in roof slope should be avoided.
 - c. Where sloped roofs are proposed, they should have a pitch with at least a six (6) inch rise in a twelve (12) inch run.
 - d. Roofs should project enough beyond the façade to create an overhang and cast a shadow.
 - e. Preferred roof materials are slate, standing seam metal, wood shakes, or architectural asphalt shingles. Innovative designs such as green roofs are encouraged.
 - f. Dormers (if any) should be compatible in design and pitch with the primary roof and the dormer window size, style and location should relate to the windows in the rest of the building.
4. **Building Features** –
 - a. Architectural styles of buildings should be compatible with adjacent buildings.
 - b. Style and color of building materials should have good architectural characteristics and should be in harmony with the architectural design of the building and with existing adjacent buildings.
 - c. Windows should be appropriately scaled and arranged with a balanced spacing and conscious rhythm.
 - d. Architectural detailing should be historically correct and applied consistently.
 - e. Visual and functional focal points should be established for all large buildings and developments.
 - f. Main entrances should be clearly visible and identifiable from the primary public vantage points with a logical and visually appealing approach.

5. Building Materials –

- a. Exterior walls of any building that are visible from any street or other lot shall present a finished appearance by means of complementary materials consistent with the design of the building as a whole.
- b. Style and color of building materials should have good architectural characteristics and should be in harmony with the architectural design of the building and with existing adjacent buildings.
- c. Portions of a building visible from a street should be of natural looking materials such as brick, stone, wood clapboards and cedar shingles although the Design Review Committee and the Commission may, based on samples submitted by the applicant, accept the use of other materials (composite, fiber cement or high-quality vinyl) for clapboards and shingles instead of wood.
- d. The number of different materials used on the exterior should be limited to avoid visual overload.
- e. Where changes in material occur, they should follow the basic guidelines below:
 - Changes in material should only occur between major building volumes – either vertically or horizontally.
 - Materials should always be placed such that visually “heavier” materials are below visually “lighter” ones.
 - Transition elements/trim should be used at vertical changes in material.

6. Mechanical Equipment –

- a. No mechanical equipment shall be located on the roof of a building if visible from any street or any other lot, unless such equipment is housed or screened from view in a manner consistent with the architectural design of the building.
- b. Where this is not possible, mechanical elements should be located so that they are not visible from public streets or adjacent residential uses or districts and/or are visually screened by fencing, landscaping, or other means.

G. SITE-RELATED GUIDELINES**1. Access and Circulation –**

- a. Where the subject site has frontage on an existing street, the pavement and shoulders shall be improved in accordance with the pattern existing on said street and any special requirements created by the proposed development, including, but not limited to, street widening, acceleration/deceleration lanes, curbing, stormwater drainage, street trees, and sidewalks.

2. Handicap Accessibility – All developments shall comply with handicap accessibility requirements mandated by local, state, and federal laws.**3. Emergency Services –**

- a. All site plans shall make adequate provision for facilities and access for fire, police, and other emergency service provision.

4. Site Utilities –

- a. Electric, telephone and other wired utility lines on the lot shall be installed underground unless determined to be impractical by the Commission.
- b. Utility services located out of doors, such as transformers and electric or gas meters, shall be screened from view from street and adjacent property.
- c. Dish antennae shall be screened from view to the extent practical.

5. **Service Yards –**
 - a. Service yards, refuse storage areas, and other places that tend to be unsightly should be screened by walls, fencing, plantings, or a combination of these and should be equally effective in winter and summer.
6. **Site Lighting –**
 - a. Exterior lighting should enhance the architectural and landscape design, and the lighting fixtures should be compatible with the design of the building.
 - b. Light fixtures which cast light primarily downward shall be used.
 - c. Fixtures that shield lamps and diffuser lenses from direct sight lines are preferred.
 - d. The height of light fixtures shall be in proportion to the building mass.
 - e. Ground oriented, pedestrian-scale lighting shall be considered as an alternative to pole mounted fixtures along pedestrian walkways.
 - f. Warm lighting colors are preferred; blue-white color is discouraged.
7. **Landscaping and Screening –**
 - a. Landscape treatment should be provided to enhance architectural features, strengthen vistas and important axes, and provide shade and other means of public comfort.
 - b. In areas where general planting will not prosper, other materials such as fencing, walls, paving of wood, brick, stone, gravel, and cobbles should be used to enhance the site and to make transition areas attractive.
 - c. Landscape composition shall be complementary to scale and style of the existing and proposed buildings.
 - d. Existing mature vegetation and natural terrain should be preserved to the extent feasible.
 - e. Where preservation of existing mature vegetation is not feasible, appropriate landscaping (such as trees, shrubs, lawns, or other suitable landscaping) shall be provided and permanently maintained for all portions of the lot not covered by buildings and other structures, off-street parking, loading and driveways.
 - f. Native plant species shall be used and the introduction of invasive plant species is prohibited.
 - g. Landscaping shall serve to integrate the proposed development to the site, with particular consideration for natural topography and existing vegetation including, where the terrain is uneven, developing parking areas at different levels.
 - h. For all new landscaping, an ample variety and quantity of ornamental plants shall be provided, with a few dominant types chosen to create unity and subordinate types interspersed for accent and with variety achieved with respect to seasonal changes, species selected, texture, color, and size at maturity.
 - i. Landscaping shall be provided on the lot with an intent to reduce excessive heat, glare, and dust, to provide privacy from noise and visual intrusion, to control erosion of soil and stormwater runoff, to enable recharge of groundwater and to avoid degradation of groundwater, inland wetlands, tidal wetlands, and watercourses.
 - j. Eradication of existing invasive species is strongly encouraged.
 - k. All parking, service and storage areas shall be reasonably screened by landscaping and/or fences or walls; the general grading, improvement and landscaping of the site shall be designed so as to protect and enhance the attractive characteristics of the Town and the subject neighborhood, and to provide strong, clear boundaries between different land uses or different neighborhood densities.
 - l. Low Impact Development techniques shall be fully integrated with the overall landscaping of the site.

H. SIGN-RELATED DESIGN GUIDELINES

1. **General** – To create architecturally harmonious and visually attractive signs, the following standards shall be used as criteria when making decisions concerning the design and placement of signs:
 - a. Signs should complement the architectural style of a building.
 - b. Signs should be in good proportional scale to the building and site to which they relate.
 - c. Sign materials, lettering style, and form should be compatible with the building's design and use and there should be an architectural harmony and unity of signs within a unified business center.
 - d. Sign type, color scheme, lettering, size, placement of signs and illumination should be coordinated among all signs and should be compatible with the architecture of the center.
 - e. Sign colors should be limited in number and be compatible with the building's façade.
 - f. Signs should relate to the business at hand and not advertise brand names or symbols of products unless fifty (50) percent or more of the floor space of the premises is directed to the sale or manufacture of the product.
 - g. The number of graphic elements on a sign should be held to a minimum and should not contain selling slogans or product descriptions.
2. **Building Mounted Signs** –
 - a. Colors, materials, location, lighting, and design of building-mounted signs should be an architectural element of the building.
 - b. Whenever possible, individual sign letters should be attached directly to the building, and signs should be located on the building's sign frieze.
 - c. Signs affixed to buildings shall be in harmony with the architectural style and integrity of the buildings.
 - d. Signs on multi-tenant buildings shall be of the same general type, characteristics, and relative location so as to provide a harmonious design and, where a sign design plan for a multiple-tenant commercial building does not exist, the Design Review Committee, may select an existing sign on the building, or the sign submitted for approval as a prototype for all future signs.

8. SPECIAL PROVISIONS

Section 8.1.	<u>Dimensional Exceptions</u>
Section 8.2.	<u>Nonconforming Uses</u>
Section 8.3.	<u>Earth Removal and Filling</u>
Section 8.4.	<u>Antennas / Telecommunication Facilities</u>
Section 8.5.	<u>Corner Visibility</u>
Section 8.6.	<u>Construction Staging Areas</u>
Section 8.7.	<u>Use Of Trailers</u>
Section 8.8.	<u>Mobile Homes</u>
Section 8.9.	<u>Security Gates</u>
Section 8.10.	<u>Application Of State Or Federal Law</u>

Section 8.1. Dimensional Exceptions

A. LOT AREA

1. Vacant or occupied lots in the R-3 District which legally existed prior to September 30, 2001 shall have a minimum area of at least eight thousand (8,000) square feet.
2. Vacant or occupied lots in the R-3 District which legally existed prior to September 30, 2001 shall have minimum lot area for each dwelling unit of eight thousand (8,000) square feet.

B. LOT WIDTH

1. Vacant or occupied lots in the R-3 District which legally existed prior to September 30, 2001 shall:
 - a. Have a minimum width of seventy-five (75) feet,
 - b. Be of such shape that a square with sixty (60) feet on each side will fit on the lot behind and along the required setback of the front yard,
 - c. Have a minimum of fifty (50) feet of street frontage.

C. STREET FRONTAGE

1. **Lots without the Required Street Frontage** – In all zoning districts, development on existing lots without the required street frontage may occur in accordance with these Regulations provided that:
 - a. The lot is a legal non-conforming lot (pre-dated the adoption of these Regulations or any relevant amendment hereto which made such lot nonconforming), and
 - b. Adequate access consisting of fee simple ownership or a permanent access easement at least 35 feet wide with a 24-foot paved width built to Town standards shall exist or shall be provided.

D. SETBACKS

1. **Front Yard Setbacks** – In a Residential zoning district (R-1 to R-5) or in a Business Zoning District (B-1 to B-3), the required front setback may be reduced to the average setback of the adjacent properties on either side provided:
 - a. When computing the average setback, the required setback dimension shall be used when there is no building on the adjacent property or the building is located behind the required setback.
 - b. No front yard setback shall be reduced below:
 - 1) 10 feet for a building built before March 15, 1997 provided any addition to such building does not occupy more than 70 percent of the frontage of the premises or result in more than a 100% increase in the floor area or coverage of the prior building, or
 - 2) 15 feet otherwise.
2. **Setback On Corner Lot** – On a corner lot in any district (except the B-5 District), the minimum setback from the street line with the longest length shall be twenty feet (20') for the full length of the street which it abuts.
3. **Rear Yard Setbacks** – In the B-4 and B-5 zone, the rear yard setback shall be zero feet (0') when the rear yard abuts public open space (such as a park), a highway, a river, or a cemetery.

4. **Projecting Into Required Setback** – Nothing in these Regulations shall prohibit the following projection into a required setback:

	Amount Of Projection Allowed Into Required Setback
Pilasters, chimneys, belt course, sills, cornices, or similar building architectural features	2 Feet
Fire escapes	4 Feet
Porch structures or stairs as long as no roof projects over such stairs	5 Feet

5. **Setback Exceptions For Solar**

- a. As long as they have no detrimental effect on the adjoining property, nothing in these Regulations shall prohibit the projection of apparatus needed for the operation of active and passive solar energy systems for single-family or two-family uses in Residential zones including but not limited to:
 - 1) Horizontal overhang over the south-facing glass areas up to one-half (0.5) of the height of the glazed opening,
 - 2) Movable insulating walls and roofs, and
 - 3) Detached solar collectors, reflectors, and piping.
- b. When it can be demonstrated that solar access and/or protection of the south facing wall of the structure in a Residential District will be substantially hindered by a setback requirement, a setback requirement may be reduced by the Commission as part of a Site Plan Approval or Special Permit approval or by the Zoning Enforcement Officer as part of a Zoning Permit to not less than the following:

Zone	Minimum Front Yard Setback (Feet)	Minimum Side Yard Setback (Feet)	Minimum Separation Distance Required To Buildings On Adjoining Lots (Feet)	Minimum Rear Yard Setback (Feet)
R-1	40	10	30	40
R-2	30	6	25	30
R-3	20	6	20	20
R-4	20	6	20	20
R-5	20	6	20	20

E. BUILDING SEPARATION

(none at this time)

F. COVERAGE

1. **Maximum Impervious Surface** – For lots in a Business District (B-1, B-2, B-3, B-4, or B-6 District) which existed prior to March 15, 1997 and where the maximum impervious surface requirement is exceeded:
 - a. Such lots shall be exempt from the maximum impervious surface requirement.
 - b. Additions to buildings constructed on such lots shall also be exempt from the maximum impervious surface requirement provided that such construction does not increase the impervious surface area provided the plans for any addition to such buildings must contain an on-site storm water management program that is acceptable to the Town Engineering Department.

G. FLOOR AREA

(none at this time)

H. BUILDING HEIGHT

1. The height limitations of these Regulations shall not apply to church spires, penthouses, cupolas, and similar parts of a structure not used for human occupancy, nor to chimneys, solar panels, tanks, skylights and similar mechanical appurtenances located above the roof level.

I. THROUGH LOTS

1. A through lot shall provide a rear yard that of at least the same depth as the front yards on the same side of the street within the same block in accordance with the provisions of this section.

Section 8.2. Nonconforming Situations

A. NON-CONFORMING USES

1. Except as may be provided in CGS Section 8-2, any nonconforming use of land or buildings lawfully existing at the effective date of these Regulations or of any pertinent amendment thereto may be continued, and any building so existing that was designed, arranged, intended for, or is devoted to a nonconforming use may be structurally altered and the nonconforming use therein continued, all subject to the following requirements:
 - a. No nonconforming use shall, once changed to a conforming use, be changed again to a nonconforming use;
 - b. The area of any nonconforming use shall not be enlarged, nor shall it occupy a different portion of the lot than it did on the effective date of these Regulations or any amendment thereto, nor shall it be changed in any manner to diminish any conforming use;
 - c. The Zoning Board of Appeals shall not grant any variances that permit nonconforming uses to increase height, volume or intensity of any use, building or structure or to increase the density of development beyond that permitted by these Regulations for any particular zone; and
 - d. The Planning and Zoning Commission by Special Permit under [Section 9.4](#) may allow a change from one nonconforming use to another nonconforming use provided:
 - 1) The Planning and Zoning Commission shall determine whether the proposed use is similar to the existing use and whether the proposed use will have no greater of an impact upon the surrounding area than the existing use.
 - 2) The required parking and loading spaces shall be provided as if it were a permitted use.
2. No nonconforming use of a structure shall be extended to occupy land outside such structure or space within another structure.

B. NON-CONFORMING BUILDINGS / STRUCTURES

1. **Necessary Repairs Permitted to Nonconforming Buildings** – Nothing in these Regulations shall prevent the strengthening or restoration to a safe or lawful condition any part of a building or structure declared unsafe by the Director of Inspections and Permits, Fire Chief, or any duly authorized official.
2. **Enlargement of Nonconforming Buildings** – No building that is located on a nonconforming lot and/or that itself is nonconforming with respect to any requirement of these Regulations shall be enlarged unless such enlarged portion conforms to the provisions of these Regulations.

3. Reconstruction of Nonconforming Structures –

- a. If any nonconforming structure shall be destroyed by fire or other casualty, such structure may be reconstructed or repaired subject to the limitation that no non-conforming aspect of the structure may be increased or enlarged.
- b. Where the destruction is fifty (50) percent or less of its replacement value as determined above, the structure may be reconstructed or repaired subject to the limitation that no non-conforming aspect of the structure may be increased or enlarged.
- c. If the nonconforming structure is located in the Flood Hazard Zone, the reconstruction will be permitted provided that the new structure complies with the provisions of [Section 5.1](#) of these Regulations.

4. Additional Provisions Related To Flood Hazard Areas –

- a. Any structure located in an area of special flood hazard that sustains damage by any origin or is proposed to be altered, added to or renovated shall be subject to the more stringent requirements of the “substantial improvement” definition contained in [Appendix A](#).

C. NON-CONFORMING LOTS

1. Where a lot of record at the time of the adoption of these Regulations or any pertinent amendment thereto is smaller than the minimum lot size of the zone in which it is located, such lot may be used as a building site, provided that said lot shall have two (2) side yards having a total width of at least twenty five (25) percent of the width of the lot, but in no event shall a side yard be less than eight (8) percent of the width of the lot, with a minimum of six (6) feet in a residence zone, nor shall a side yard of more than fifteen (15) feet be required.
2. If two (2) or more adjoining and vacant lots of record are in single ownership at the time of the adoption of these Regulations or any pertinent amendment thereto, and such lots individually have less width or area than the minimum requirements than the zone in which they are located, such lots shall be considered as a single lot or several lots that meet the minimum requirements of these Regulations for the zone in which such lots are located.

Section 8.3. Earth Removal and Filling

A. PURPOSE

The purpose of this Section of the Regulations is to control the conditions and operations of excavating, grading, filling and removal of earth, sand, stone, gravel, soil, minerals, loam, fill, clay, peat moss, and any other earth products.

This section further is intended to conserve and reserve water storage areas, and to assure that erosion and sedimentation are minimized; water pollution is prevented; hazards inherent to open pits and steep slopes of loose earth are prevented; nuisances such as excess or uncommon traffic, noise, odor, dust are minimized; visual blight is controlled, and the productive usage of land is maintained.

Nothing in this Section of the Regulations shall be construed as eliminating the need for any other regulatory permit which may be required.

B. APPLICABILITY

Unless exempted in Section 8.3.C below, the excavation, removal, and/or filling of earth materials is an activity requiring a Special Permit under [Section 9.4](#) for earth removal and filling and is additionally subject to the requirements of this Section.

C. EXEMPTIONS

Exemptions under this section shall not relieve the owner or excavator of the responsibility to conduct the operations in the following manner:

- **No interruption of natural drainage unless approved by the Town Engineer;**
- **Soil erosion and sedimentation controls be implemented and maintained to minimize the environmental impacts; and**
- **No creation of any condition hazardous to life or limb of any member of the public who may have access to the property or to the health, safety or welfare of the Town.**

1. Excavation operations within the legal highway rights of way held by either the State of Connecticut or the Town of East Hartford;
2. Any excavation operations necessary for an approved subdivision/resubdivision, Special Permit use or site plan.
3. Plowing, spading, cultivating, harrowing or dicing of soil or any operation usually and ordinarily associated with the tilling of the soil for agricultural or horticultural purposes.

4. Any operation for the purpose of soil and water conservation as defined or prescribed by the Soil Conservation Service of the United States Department of Agriculture.
5. Necessary excavation/filling in connection with resurfacing of existing privately owned sidewalk, parking lot or driveway, provided it does not adversely change the existing watershed characteristics.
6. Any excavation/filling on any lot as defined in these Regulations of no more than twenty-five (25) cubic yards of earthen material.
7. Excavation/filling operations for the construction of one- and two- family permitted dwellings and permitted accessory structures.
8. Excavation/filling operations within a premise as a result of a bona-fide landscaping or construction operation for which operation no building permit is required from the Town of East Hartford provided such activity shall not result in removal or filling of more than two hundred fifty (250) cubic yards of earth products for each individual lot.
9. Any environmental remediation work involving excavation/filling required and monitored by the State of Connecticut Department of Energy And Environmental Protection.

D. GENERAL STANDARDS

1. **General** – The entire excavation or land filling and grading project carried out and authorized under and pursuant to a Special Permit issued by the Commission in accordance with the provisions of these Regulations shall be conducted and completed in such a manner as to not create any hazardous condition.
2. **Topsoil** –
 - a. No owner, developer or excavator shall remove to any point beyond the boundary lines of the land in question any topsoil whatsoever, unless and until the Town Engineer has determined that enough topsoil has been reserved on site such that not less than five (5) inches of compacted topsoil can be uniformly placed over the entire surface of the land except those portions thereof that shall be or shall have become permanently covered by building or structure, street, pavement, curb, sidewalk, driveway or other paved area or by any body of water or waterway.
 - b. As part of the earth removal and/or filling operation, topsoil shall be uniformly placed or replaced over the entire area or surface of the land on or before the completion date set forth in the soil removal permit so that the final grades of said replaced topsoil shall conform to the proposed final grades shown on the topographical map
 - c. In no event shall the owner, developer or excavator remove from the land more topsoil than needed to restore and stabilize the site as indicated above.
3. **Drainage** –
 - a. The applicant shall provide for proper drainage of the area during the operation to prevent the collection and stagnation of water and to prevent harmful effects upon surrounding properties.
 - b. The final restoration plan shall provide for proper drainage upon completion of the operation.

4. **Setbacks And Grades –**
 - a. Excavation below the established grade of a street will not be permitted within seventy five (75) feet of any Town accepted road or highway.
 - b. No excavation shall occur within fifty (50) feet of any property line except by mutual agreement of adjoining property owners.
 - c. No bank shall exceed a slope of 2:1 (horizontal vertical).
5. **Disturbance / Stones / Stumps / Debris –**
 - a. Disturbance within the preservable section of the area shall be minimized to avoid erosion and loss of vegetation.
 - b. All tree stumps and other debris shall be removed from the property.
 - c. In a landfilling operation, tree stumps and other debris shall not be permitted.
 - d. Large stones/boulders and any other material acceptable to the State of Connecticut Department of Energy And Environmental Protection may be buried.
6. **Hours Of Operation –** No excavating operation shall be conducted except as follows:
 - a. During the hours from 7:00 AM to 5:00 PM on weekdays only.
 - b. Sunday operation is expressly excluded.
 - c. These hours also include any subsidiary operation associated with the excavation operation such as but not limited to equipment warm up, delivery of equipment, servicing of equipment.
7. **Trucking Operations –**
 - a. Truck access to the excavation area shall be arranged as to minimize danger to traffic and pedestrians and nuisance to surrounding properties. The access road entrance shall have a dustless surface.
 - b. All trucks used in the operation shall be covered prior to driving on a Town street in such a manner that sand, dirt, or dust does not blow from said truck.
 - c. When transporting soil through any roadways in the Town, the permittee shall insure that such roads shall be cleaned of all dust, dirt and mud on a daily basis.
 - d. Fugitive dust control measures shall also be used as deemed necessary by the Director of Public Works.

E. APPLICATION REQUIREMENTS

In addition to the application requirements for a Special Permit, an application for earth removal and filling shall include the following:

1. An estimate of the quantity of soil in cubic yards to be excavated, moved or deposited, broken down into separate figures, topsoil (based on borings taken on the basis of 100-foot grid spacing) and other soil;
2. The proposed dates of commencement and completion of work;
3. An estimate of the type and number of machines and other equipment to be used; the daily starting and finishing time during which such machines are to be operated;
4. Names and addresses of all property owners located within two hundred (200) feet of all the boundaries of the affected property according to the latest records of the East Hartford Assessor's Office. This information shall be keyed to a map delineating a two hundred (200) foot radius around the subject site.
5. A plan of the property, certified to A-2 standards showing:
 - a. The existing elevations of all buildings, structures, streets, streams, bodies of water and water courses, natural or artificial;
 - b. Existing and proposed grading at two (2) foot contour intervals if five (5) acres or less and five (5) foot contour intervals if more than five (5) acres ;
 - c. Proposed slopes and lateral supports at the limits of the area upon completion of the proposed work.
6. The quantities, in cubic yards, of both cut and fill for the soil involved in the work.

F. NOTICE REQUIREMENTS

In addition to the application procedures for a Special Permit, the applicant for earth removal and filling shall erect and maintain a sign on each public street or private street frontage of the property where the earth removal and filling operation is proposed:

1. Indicating that an application for a Special Permit for an earth removal and filling operation has been filed and the date of the public hearing.
2. Said sign or signs shall be erected and maintained by the applicant from the day that the notice of public hearing has been posted until the first secular day following the public hearing.

G. REVIEW STANDARDS

1. The standards that the Planning and Zoning Commission shall follow in considering and reviewing the application and in arriving at its decision are as follows:
 - a. All Special Permit standards as noted in [Section 9.4.E](#);
 - b. Potential soil erosion by water and wind;
 - c. Proposed provisions for drainage;
 - d. Soil fertility;
 - e. Lateral support slopes and grades of abutting streets and land;
 - f. Present land values and uses and those contained in the Town of East Hartford Plan of Conservation and Development; and
 - g. Such other factors as may bear upon or relate to the coordinated, adjusted and harmonious physical development of the Town.

H. APPROVAL CONDITIONS

1. **Inspection Reporting** – As part of its action on any application for earth removal and filling, the Planning and Zoning Commission may require a weekly inspection report on the operations and maintenance program for the proposed soil erosion and sediment control measures and storm water management facilities. Such report shall include as a minimum the following information:
 - a. Phase of areas to be stripped of vegetation;
 - b. A week's schedule of operations, including starting and completion dates for major improvement phases such as clearing, grading, paving, installation of drainage features;
 - c. A week's schedule of the vegetative measures such as temporary vegetative cover, permanent vegetative cover, sodding, trees, shrubs, vines and ground cover; and
 - d. A week's schedule of the dust control measures and procedures.
2. **Financial Guaranty** –
 - a. No soil removal or filling operation shall be conducted until the applicant has posted with the Finance Director a financial guaranty in such form, amount, and with such conditions as the Commission may require.
 - b. The financial guaranty shall not be released until the Commission, upon certification by the Town Engineer, shall have determined that all work has been completed as per the Commission's approval.
 - c. The applicant may, at his/her discretion:
 - 1) Post a cash bond for the financial guaranty in the form of a certified check made out in the name of the Town of East Hartford.
 - 2) Interest on such cash bond shall accrue to the developer but shall not be payable until performance has been completed in accordance with the provisions of the regulations.
 - 3) No other forms of such cash bond will be accepted.
 - d. Release procedures for any financial guarantee shall be as follows:
 - 1) The applicant may request a reduction by letter to the Chairman of the Planning and Zoning Commission.
 - 2) The Chairman shall refer the matter to the Town Engineer who will, after an inspection, make a recommendation to the Commission.
 - 3) The Town Engineer has authority to make recommendations to the Commission on financial guaranty releases without request from the applicant, and the Commission may release said financial guaranty.
 - e. Financial guaranty renewal – Any renewal of the Special Permit for earth removal and filling under [Section 9.4](#) of these Regulations is contingent upon renewal of the financial guarantee as required in this Section.

I. ADMINISTRATION AND ENFORCEMENT

1. The Town Engineer is hereby designated as the officer whose duty it shall be to enforce the provisions of this [Section 8.3](#) of these Regulations. The Town Engineer shall upon his/her initiative and whenever directed by the Planning and Zoning Commission inspect the premises for which permits have been granted to insure compliance with the conditions of approval and of these Regulations. He/she shall immediately report all violations to the Corporation Counsel and take such action as may be necessary in the circumstances.
2. For the purposes of administering and enforcing the provisions of [Section 8.3](#) of these Regulations, any duly authorized officer, agent or employee of the Town shall have the right to enter into and upon lands in or upon which such soil removal or filling operations are being conducted to examine and inspect such lands and operations thereon.

Section 8.4. Antennas / Telecommunication Facilities

A. PURPOSE

This Section establishes guidelines and standards for the siting of different types of antenna facilities in East Hartford in order to protect the public safety and welfare and to minimize any adverse effects through design, siting, and screening.

The Town of East Hartford recognizes that wireless communication services are an important means of communication relied upon by residents, businesses, and visitors. Wireless telecommunication services also have a public safety component since they can be used to summon police, fire and other emergency services, if or when needed.

B. ANTENNAE LOCATIONS / TYPES










1. RESIDENTIAL ZONE	
a. Residential Household Antenna – An antenna used solely for residential household television / radio reception provided any such antenna:	
1) meets required setbacks, and	
2) does not exceed the building height limitation for the zoning district in which it is located.	
b. Residential Satellite Dish Antenna – A satellite dish antenna in a residential zone provided:	
1) the dish antenna measures 1 meter or less in diameter, and	
2) the installation complies with yard setback and building height standards.	
c. Amateur Radio Antenna – An antenna owned and operated by an amateur radio operator licensed by the FCC provided:	
1) The antenna is located to the rear of the principal structure, and	
2) the antenna is less than 40 feet in total height and is erected no nearer to any property line than a distance equal to the vertical height of the antenna.	
d. Other Residential Antenna – An antenna of the type allowed above that does not comply with the specified standards for such antenna.	

TABLE LEGEND

					x
Allowed – No Zoning Permit Required	Allowed – Zoning Permit Required (Staff)	Allowed – Site Plan Approval Required (PZC)	Allowed – Special Permit Required (PZC)	Check with Staff for type of approval required	Not Allowed














2. BUSINESS / INDUSTRIAL ZONE		
a. Commercial Satellite Dish Antenna – A ground-mounted or roof-mounted satellite dish antenna in a Business or Industrial zone provided:		
1) the dish antenna measures 2 meters or less in diameter.		
2) the dish antenna is screened from public view or otherwise approved by the Department of Licenses and Inspections.		
b. Repair Of Existing Antennas And/Or Tower – Repair of existing antennas and/or towers, provided there are no changes in design, height, or appearance.		
c. Other Commercial Antenna – An antenna of the type allowed above that does not comply with the specified standards for such antenna.		
3. SPECIAL CASES		
a. Other Antennas on Existing Structures – Any other antenna not attached to a tower (such as antennae mounted on a building, water tank, or other structure not specifically constructed for the antennae installation).		
b. New Public Safety Tower or Antenna – A new antenna and/or tower intended and used primarily for the purpose of police, fire, ambulance, and/or other emergency services or similar emergency communications.		
c. New Tower or Antenna – Any new antenna and/or tower not regulated by the Connecticut Siting Council or by the Public Utilities Regulatory Authority including but not limited to radio towers, meteorological towers, or similar towers.		
4. STATE-REGULATED		
a. Connecticut Siting Council – As provided in Chapter 277a of the Connecticut General Statutes (CGS Section 16-50g et seq.) and the rulings of the Connecticut Siting Council, telecommunications towers owned or operated by the state, a public service company, certified telecommunications provider or used in a cellular system including:		
1) Establishment of new towers (or built to support telecommunications antennae),		
2) Co-location of new antennae on existing towers,		
3) Modification of approved towers, and		
4) Applications to attach small cells to a new structure, an electric transmission pole or other freestanding structure.		
b. Public Utilities Regulatory Authority – As provided in Chapter 283 of the Connecticut General Statutes (CGS Section 16-228 et seq.) and the rulings of the Public Utilities Regulatory Authority (PURA), the placement of small cell or similar (telecommunication) facilities on utility poles (including replacement or convenience poles) that are part of the electric distribution system.		

TABLE LEGEND

					x
Allowed – No Zoning Permit Required	Allowed – Zoning Permit Required (Staff)	Allowed – Site Plan Approval Required (PZC)	Allowed – Special Permit Required (PZC)	Check with Staff for type of approval required	Not Allowed

C. CONSIDERATIONS FOR REVIEW / APPROVAL

1. For antennae and/or telecommunication facilities requiring a Special Permit from the Commission, the proposed facility shall be reviewed for consistency with:
 - a. The Special Permit criteria in [Section 9.4.E](#) of these Regulations, and
 - b. The Standards contained in Section 8.4.D below of these Regulations.
2. For telecommunication facilities regulated by the Connecticut Siting Council (CSC) or the Public Utilities Regulatory Authority (PURA), the standards contained in Section 8.4.D below of these Regulations shall be submitted to such regulatory agency and shall be considered part of the “location preferences or criteria” as that term is used in CGS Chapter 277a.

D. STANDARDS / GUIDELINES

The following shall be standards for applications submitted to the Commission and guidelines for applications submitted to the CSC or PURA.

1. **Use-Based Location** – Wireless communication facilities shall not / should not be located:
 - a. Within five hundred (500) feet of a school or public playground attended by persons primarily under eighteen (18) years of age.
 - b. Within two hundred (200) feet of a residential zone.
2. **Resource-Based Location** – Wireless communication facilities shall not / should not be placed in areas which will have adverse impacts upon:
 - a. Connecticut DEEP Natural Diversity Database.
 - b. Federal Listed Species and Natural Communities Maps.
 - c. Special Flood Hazard areas.
 - d. Regulated wetland areas.
 - e. Recognized historic places (properties listed in the National Register of Historic Places and/or the State Register of Historic Places).
 - f. Designated historic districts (National Register Historic Districts, State Register Historic Districts, and/or local historic districts).
 - g. Scenic resources designated in the Plan of Conservation and Development or elsewhere.

3. **Antenna Type** – Wireless communication facilities shall be / should be configured to accomplish the highest preference indicated by the following order / hierarchy:

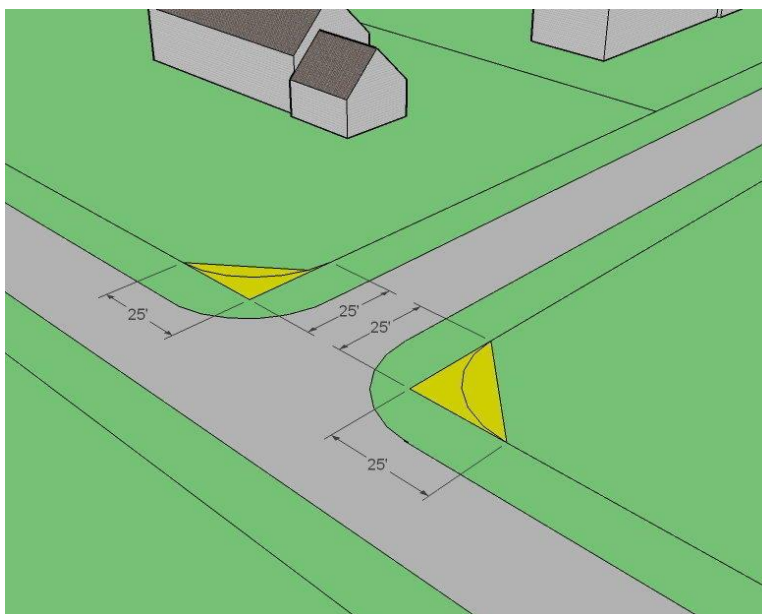
MORE PREFERRED	
Existing Utility Poles	a. Small cell or other similar telecommunication facilities on existing utility distribution poles.
Internal Mount on Tower	b. Antennae mounted inside a new or existing monopole or flagpole (of appropriate height).
Structure Mounted (provided that such installation preserves the aesthetic characteristics and integrity of those structures)	c. Totally enclosed within or externally mounted on the wall of: <ul style="list-style-type: none"> an existing non-residential structure. a new steeple, chimney, or similar architecturally compatible structure.
	d. Mounted on or within a new purpose-built structure designed to fit East Hartford's overall characteristics (such as a structure designed to look like a chimney, water tank, bell tower, clock tower, or similar).
	e. Externally mounted on the roof of: <ul style="list-style-type: none"> an existing non-residential structure. a new steeple, chimney, or similar architecturally compatible structure.
	f. Mounted on a residential structure.
LESS PREFERRED	
Up-sized Utility Poles	g. Small cell or other similar telecommunication facilities on utility poles that are substantially larger in size or scale compared to existing utility poles.
Business or Industrial Zone	h. New antennae externally-mounted on existing pole (co-location).
Residential Zone	i. New "monopine" with externally-mounted antennae, at least three "branches" per vertical foot (or equivalent), and less than 10 feet above tree height.
	j. New "monopine" with externally-mounted antennae, with fewer than three "branches" per vertical foot (or equivalent), or extending more than 10 feet above tree height.
	k. New monopole with externally-mounted antennae less than 10 feet above tree height). New monopole with externally-mounted antennae extending more than 10 feet above tree height). New antennae externally-mounted on existing pole (co-location).
STRONGLY NOT PREFERRED	
	l. New lattice tower.
	m. New guyed tower. To existing utility poles.

4. **Design** – Wireless communication facilities shall be / should be designed and constructed to accomplish the following:
 - a. Minimize any adverse visual impacts of wireless communication facilities through proper design, siting, and screening.
 - b. For new installations, all wireless communication facilities and associated equipment and material shall be visually shielded, camouflaged, and/or minimized to be as visually unobtrusive as possible when viewed from nearby properties and public roadways:
 - 1) The design of the equipment, buildings and related structures shall, to the extent possible, use materials, neutral colors, finish, textures, screening, and landscaping that will blend them into their location.
 - 2) The maximum height of any rooftop mounted antenna, equipment, building or box shall not exceed fifteen (15) feet above the current building height and any such facility shall be set back a minimum of three (3) feet from the nearest building façade, excluding mechanical penthouses, stair of elevator towers or similar roof top appurtenances.
 - 3) Any building mounted antenna shall be completely screened or shall be designed and installed to be architecturally compatible with the structure in question.
 - 4) A fixed wireless facility antenna that is visible from the public right-of-way adjacent to the building on which it is attached shall be painted to match the color of the building. Fixed wireless facility antennas that project above the highest point of the roof of the building shall be painted a light-blue or gray color.
 - c. New towers shall be located away from property lines and habitable buildings at least as far as the height of the tower, including any antennas or other appurtenances unless adequate information has been provided to demonstrate that a “yield point” or other approach has been designed into the tower to avoid a tower falling on adjacent properties or habitable buildings.
 - d. With regard to installations on utility poles:
 - 1) Any replacement poles or convenience poles shall retain the general height and visual characteristics of the utility pole they are replacing.
 - 2) All equipment shall be placed within one enclosure mounted in the least visually obvious location on the pole.
 - e. Lighting of any wireless communication facilities shall be clearly disclosed and shall not exceed what is clearly necessary for public safety. No towers shall be artificially lighted unless required by the FAA or other applicable authority and specifically authorized by the Commission. Strobe lighting shall be permitted only where required by applicable regulations
 - f. Signage shall be clearly disclosed and should not exceed what is clearly necessary for public safety.
 - g. Site development shall minimize impervious surfaces, avoid soil erosion and runoff problems, maintain natural buffers, and provide for security and safe access.
 - h. Towers shall be protected to prevent unauthorized climbing.
 - i. Dish antennae shall not exceed six (6) feet in diameter when mounted more than six (6) feet above grade. Panel antennae shall not exceed eight (8) feet in height.

5. **Equipment And Shelters** – Wireless communication facilities shall be / should be designed and constructed to accomplish the following:
 - a. For equipment and shelters associated with telecommunications facilities:
 - 1) Equipment and shelters located on buildings shall be screened from direct view from all surrounding streets and driveways used by the public
 - 2) Ground-mounted equipment and shelters shall be concealed within buildings that resemble sheds and other building types found in East Hartford and such buildings shall not exceed one story in height or the maximum height in feet for an accessory building as specified in these Regulations.
 - 3) Such equipment and shelters shall be set back from property lines in accordance with the requirements in the zoning district for the minimum yard setbacks for principal buildings unless otherwise authorized by the Commission.
 - 4) Such equipment and shelters shall, in the opinion of the Commission, be appropriately scaled (floor area, height) and designed for the setting and the number of carriers provided.
 - 5) In unusual situations where the above is not practical or desirable, the Commission may allow the use of underground vaults or ground-mounted equipment shielded by extensive landscaping and/or fencing.
 - b. For building mounted antennae, equipment vaults shall be concealed or use screening appropriate to the building shall be used to shield equipment from view.
 - c. Any equipment cabinets or other appurtenances used in association with the tower or antenna shall be clearly shown as part of the application including how such equipment is designed to blend with the surrounding landscape or be obscured from adjacent properties and streets.
 - d. Security fencing, no more than six feet in height, may be required by the Commission around the antenna, tower, and equipment depending on the nature of the installation.
 - e. Landscaping, including buffering, may be required by the Commission around the antenna, tower, and equipment depending on the nature of the installation.
6. **Operation / Maintenance of Towers / Antennae** – Wireless communication facilities shall be / should be operated and maintained to accomplish the following:
 - a. All antennae and equipment shall be operated in a manner consistent with FCC guidelines for radio frequency emissions and other requirements.
 - b. All antennae and equipment shall, under normal operating conditions, be consistent with the noise standards as stated in the [East Hartford Code of Ordinances](#).

Section 8.5. Corner Visibility

1. No wall, fence, structure, planting, or other obstruction to vision shall be erected, placed, planted, or maintained on any lot to unreasonably or dangerously obstruct or interfere with visibility of drivers of vehicles on a curve or at any street intersection. This provision shall not apply to necessary retaining walls and tree trunks, poles and fences that do not obstruct visibility.
2. No wall, fence, structure, planting or other obstruction to vision more than two-and-a-half feet (2.5') in height above the street grade shall be erected, placed, planted, or maintained within the triangular area formed by the intersecting street lines and a straight line connecting points on said street lines, each of which points is twenty-five (25) feet distant from the actual or theoretical point of intersection.



Section 8.6. Construction Staging Areas

A temporary off-site construction staging area is the use of a structure or lot, in whole or in part, for the storage of materials and supplies associated with an off-site transportation, utility, public works and/or private sector construction project.

Temporary off-site construction staging areas may be allowed in any zoning district on a temporary basis, subject to the following criteria and conditions:

1. All temporary off-site construction staging areas shall be reviewed and approved by the Site Plan Review Committee.
2. Site Plan Review Committee approval is valid for one (1) year.
3. A general location plan of the proposed site shall be submitted that includes the following, if applicable:
 - a. Property boundaries.
 - b. Stockpile area and materials storage.
 - c. Construction entrance with vehicle tracking pad.
 - d. Erosion and sedimentation control measures.
 - e. Construction fencing.
 - f. Dust control measures.
 - g. Temporary structures, such as a construction trailer.
4. The staging area shall accommodate only temporary storage of equipment and materials during the period of construction;
5. The staging area shall be returned to original or better condition, including removal of fencing, materials and gravel, following the completion of construction or abandonment of the construction work;
6. The removal of mature trees shall be subject to Site Plan Review Committee approval;
7. Screening of the construction staging or storage area with fence mesh screen may be required at the discretion of the Site Plan Review Committee.
8. The property owner's written consent shall be provided;
9. At the discretion of the Site Plan Review Committee, any proposed temporary off-site construction staging area may be referred to the Planning and Zoning Commission for site plan approval if it meets one of the following criteria:
 - a. The project is substantially different in nature, or of greater intensity, than a typical road improvement or utility project.
 - b. The duration of the project requires use of the staging area for more than one (1) year.

Section 8.7. Use Of Trailers

1. The sale of merchandise from a tractor trailer or truck is a prohibited use and a prohibited accessory use.
2. In any zone except an I-2 or I-3 Zone, no tractor trailer with or without tractor attached or truck loaded with merchandise except goods in transit or for a construction project shall be parked in a lot for a period exceeding seven (7) consecutive days.
3. Trailers or other portable facilities shall not be used for office space except in conjunction with a legally permitted construction project and shall be removed within ten (10) days from issuance of a certificate of occupancy for the permanent structure.
4. No trailer or recreational equipment (including but not limited to a recreational vehicle, travel trailer, camper, boat, and the like) shall be used for living, sleeping or housekeeping purposes when parked or stored in any zoning district, whether it be residential or nonresidential.

Section 8.8. Mobile Homes

1. Except as provided in CGS Section 8-2, no individual mobile home shall be occupied as a residence on any individual lot outside of a mobile home park whether conforming or nonconforming.
2. The display, storage or commercial sale of mobile homes is expressly prohibited on the premises of any conforming or nonconforming mobile home park except that this shall not be construed to prohibit individual mobile home sales – by owners.

Section 8.9. Security Gates

1. **Exterior Security Gates** – No owner or occupant of any property shall install or maintain or cause to be installed or maintained on any building or structure within the Town of East Hartford a security gate or door of any make, manufacture, design or material, including but not limited to gates or doors more commonly referred to as “roll-up gates”, “roll-up doors”, “roll-up grilles”, “roll-up shutters”, “rolling doors” or “folding gates” visible from the street right-of-way.
2. **Interior Security Gates** –
 - a. No owner or occupant of any property shall install or maintain or cause to be installed or maintained in the interior of any building or structure within the Town of East Hartford a security gate or security door of any make, manufacture, design or material unless such gate or door shall allow the interior of the building to be clearly visible from the street right-of-way.
 - b. Prior to any interior security gate installation approval from the Director of Permits and Inspections to ensure that it complies with this section.
 - c. This provision shall not apply to any security gate or door in a location that is not visible from the street right-of-way.

Exterior Roll-Up Shutter



Interior Security Gate



Section 8.10. Application Of State Or Federal Law

Certain provisions of state or federal law or regulations may, under certain circumstances, be deemed to supersede the requirements of these Regulations (Americans with Disabilities Act, free speech, etc.). If a landowner or applicant for any form of Zoning Permit or other type of zoning approval claims a right under any such law or regulation to approval of a use, building or structure or other zoning provision that would not or does not conform to the requirements of these Regulations, the Commission or the ZEO may grant such approval if the landowner or applicant provides sufficient evidence to establish:

1. That a provision or provisions of state or federal law or regulations apply to the proposed use, building or structure;
2. That a departure from the requirements of these Regulations is appropriate to address such provisions of state or federal law or regulations;
3. That any departure from the requirements of these Regulations is no more than reasonable or necessary to address such provisions of state or federal laws or regulations;
4. That reasonable strategies have been employed to mitigate any impacts to abutting properties.

(this page intentionally left blank for pagination purposes)

1. Quick Start
2. Residence
3. Business
4. Industrial
5. Special
6. Uses-
7. Standards
8. Special
9. Procedures
10. Framework
11. Glossary
12. Appendix

9. APPROVAL PROCEDURES

Section 9.1	Staff Procedures
Section 9.2.	Pre-Application Reviews (Staff / PZC)
Section 9.3.	Site Plan Application (PZC)
Section 9.4.	Special Permit Application
Section 9.5.	Regulation Amendment Application
Section 9.6.	Zone Change Application
Section 9.7.	Zoning Board Of Appeals Procedures
Section 9.8.	Procedural Elements

Section 9.1. Staff Procedures**A. ZONING PERMIT**

1. A Zoning Permit shall be required from the Zoning Enforcement Officer whenever:
 - a. A building, structure or part thereof shall be constructed, reconstructed, altered, extended, enlarged, moved, or occupied;
 - b. A Building Permit shall be issued except that a Zoning Permit shall not be needed for interior alterations, provided there is no change of use, number of uses, or number of bedrooms,
 - c. A non-conforming use shall be altered, changed, intensified or extended after the date of adoption of these Regulations, or
 - d. These Regulations provide that a Zoning Permit is required.
2. An application for a Zoning Permit shall be accompanied by plans and/or other information that comply with the requirements in the Appendix of these Regulations.
3. After a foundation has been completed and prior to any additional construction thereon, the Zoning Enforcement Officer may require the submission of a certified plot plan drawn by a land surveyor currently licensed to practice in Connecticut showing the exact location of the foundation on the site.
4. In accordance with CGS Section 8-3(f), the recipient of a Zoning Permit may publish notice of issuance of the Zoning Permit in a newspaper with substantial circulation in East Hartford in order to establish the appeal period per CGS Section 8-7.
5. An application for a Zoning Permit shall be deemed to have been abandoned six (6) months after date of filing, unless such application has been diligently prosecuted or a Zoning Permit shall have been issued; except that for reasonable cause, the Zoning Enforcement Officer may grant one (1) or more extensions of time for additional periods not exceeding ninety (90) days each.
6. Any Zoning Permit shall expire six months from the date of issuance unless:
 - a. A valid Building Permit for the use, construction and site development authorized by the Zoning Permit is in effect; or
 - b. The Zoning Enforcement Officer renews the Zoning Permit for periods not to exceed six months, when the development authorized by the Zoning Permit is in conformity with these Regulations and any amendments made subsequent to the date of original issuance of the Zoning Permit.
7. In the event that any Zoning Permit is issued based on incorrect information or the specific conditions of approval are not strictly adhered to, such Zoning Permit shall be null and void.

B. CERTIFICATE OF ZONING COMPLIANCE

1. Until the Zoning Enforcement Officer has issued a Certificate of Zoning Compliance which certifies conformance of the building, structure or use with these Regulations or with a variance granted by the Zoning Board of Appeals or that the building, structure or use is a valid nonconforming building, structure or use under these Regulations:
 - a. No use of land shall be occupied, used, or changed in violation of these Regulations; and
 - b. No use of a building or structure shall be undertaken or changed.
2. Pursuant to CGS Section 8-3(f), no Certificate of Occupancy shall be issued until a Certificate of Zoning Compliance has been issued.
3. In the case of new construction, the Zoning Enforcement Officer may require submission of a certified plot plan drawn by a land surveyor currently licensed to practice in Connecticut showing the exact location of the improvements on the site prior to the issuance of a Certificate of Zoning Compliance. In the event of substantial deviations from any plan approved by the Commission, the Zoning Enforcement Officer shall submit such “as built” drawings to the Commission for its determination of acceptance or need for plan amendment.
4. If the site improvements cannot be completed because of weather or for other pertinent reasons, a conditional Certificate of Zoning Compliance may be issued by the Zoning Enforcement Officer for a period not to exceed 180 days, provided that a financial guaranty shall be posted in an amount sufficient to cover the cost of completing the remaining site improvements. Upon satisfactory completion of the remaining site improvements and the written request of the applicant, the Zoning Enforcement Officer and/or the Commission shall then release the financial guaranty.
5. In accordance with CGS Section 8-3(f), the recipient of a Certificate of Zoning Compliance may publish notice of issuance of the Zoning Permit in a newspaper with substantial circulation in East Hartford in order to establish the appeal period per CGS Section 8-7.
6. In the event that any Certificate of Zoning Compliance is issued based on incorrect information or the specific conditions of approval are not strictly adhered to, such Certificate of Zoning Compliance shall be null and void.

Section 9.2. Pre-Application Reviews (Staff / PZC)**A. PRE-APPLICATION REVIEW BY STAFF**

1. Prior to the submission of an official application, it is recommended that the applicant meet with the ZEO and/or the Town Planner to discuss the proposed application in order to:
 - a. Suggest possible enhancements and identify areas of concern or further study;
 - b. Identify the potential need for third party consultants in accordance with [Section 9.8.E](#) of these Regulations; and
 - c. Minimize delay, expense and inconvenience to the applicant.
2. Neither the pre-application plan nor the informal consideration by the ZEO and/or the Town Planner shall be deemed to constitute any portion of the official and formal procedure of applying for any approval as contemplated herein or under the provision of the Connecticut General Statutes.

B. PRE-APPLICATION REVIEW BY COMMISSION

1. For larger or more complex applications, it is recommended that the applicant present a pre-application plan for informal consideration by the Commission prior to the submission of an official application in order to:
 - a. Facilitate consideration of factors that may be associated with a particular proposal before the applicant proceeds with preparation of materials required for formal consideration by the Commission; and/or
 - b. Identify the potential need for third party consultants in accordance with [Section 9.8.E](#) of these Regulations.
2. Such pre-application submission shall, at a minimum, include the following:
 - a. A plan providing sufficient information for the Commission to visualize how the proposed use or development might be configured and to identify the location of significant natural and proposed features, and other relevant information; and
 - b. A written summary of the project the Commission is being asked to address.
3. The pre-application materials shall be submitted to the ZEO and/or the Town Planner for scheduling on a future Commission agenda.
4. Neither the pre-application plan nor the informal consideration by the Commission shall be deemed to constitute any portion of the official and formal procedure of applying for any approval as contemplated herein or under the provisions of the Connecticut General Statutes.
5. While the meeting and optional pre-application plan should benefit any formal application, neither the applicant nor the Commission shall be bound by any statement made during such informal review, nor shall the statement of any Commission member be deemed to be an indication of prejudgment or prejudice, it being acknowledged by the applicant that the Commission response like the request itself are preliminary and subject to further refinement.

Section 9.3. Site Plan Application (PZC)**A. PURPOSE**

The purpose of a Site Plan Application is to enable a detailed review of all proposed development for which Site Plan Approval shall be specified in order to ensure compliance with these Regulations and promote the health, safety, and general welfare of the community.

B. APPLICATION REQUIREMENTS

1. A Site Plan Application shall be submitted to the Town Planner for:
 - a. Any activity designated in the Regulations as requiring Site Plan Approval, and
 - b. Exterior alterations or modifications requiring a building permit made to any existing multiple-family dwellings or nonresidential structures except that roofing or siding shall not require a Site Plan application.
2. A Site Plan Application shall be accompanied by:
 - a. Detailed plans, signed and sealed by an appropriate professional, for review by the Commission and its designees that comply with the requirements of these Regulations; and
 - b. One (1) electronic set of the same materials in PDF format.
3. The application shall be accompanied by a fee, as provided in the fee schedule of the Town to cover the cost of administration.
4. The Commission may require the submission of additional information as deemed necessary to make a reasonable review of the application.
5. If a Site Plan Application involves an activity regulated pursuant to CGS Sections 22a-36 to 22a-45, inclusive, the applicant shall submit an application for a permit to the Inland Wetland Commission not later than the day such application is filed with the Commission.
6. Each plan brought in for initial review shall be stamped with the following "This plan has been submitted to the Planning and Zoning Commission, and any modifications of this plan are subject to financial guaranty in accordance with the Zoning Regulations".

THE FOLLOWING NOTE SHALL BE ADDED TO THE FIRST SHEET OF ANY SITE PLAN.

NOTE:

The developer shall notify The Town of East Hartford Engineering Division 24 hours prior to beginning any storm drainage, roadway preparation, paving, sidewalk, curbing, street line monumentation, property corner pins, etc., to schedule inspections. The Division can be reached between 8:30 AM and 4:30 PM at 860-291-7380.

C. PROCEEDINGS

1. The date of receipt for the Site Plan Application shall be determined in accordance with [Section 9.8.B.](#)
2. An incomplete Site Plan Application shall be denied in accordance with [Section 9.8.C.](#)
3. Notification to adjoining municipalities may be required in accordance with the requirements of [Section 9.8.H.](#)
4. Notification to water companies may be required in accordance with the requirements of [Section 9.8.I.](#)
5. Every Site Plan Application shall be referred to the Site Plan Review Committee which shall consist of the Town Planner, the Town Engineer, the Town Building Official, and two members of the general public to be appointed by the Commission for a specified term not to exceed two (2) years.
6. The Site Plan Review Committee shall review all site plans prior to the Commission's review and make advisory recommendations concerning such to the Commission.
7. The Site Plan Review Committee and/or the Commission may request reports on the application from Town Departments and/or any other agency deemed appropriate.
8. Whenever approval of another application required by these Regulations (such as a Special Permit Application) must be approved before a Site Plan Application can be approved:
 - a. The time period for acting on the Site Plan Application shall coincide with the time period for acting on the related application; and
 - b. A decision on the application shall be rendered within sixty-five (65) days after the close of the public hearing on such other application except that the applicant may consent to one or more extensions of such period provided the total period of any such extension or extensions shall not exceed sixty-five (65) days.
9. Whenever approval of a Site Plan Application is the only approval required, a decision on the application shall be rendered within sixty-five (65) days after the date of receipt of such Site Plan Application, regardless of whether a public hearing is held, except that the applicant may consent to one or more extensions of such period provided the total period of any such extension or extensions shall not exceed sixty-five (65) days.
10. Notwithstanding the provisions of this Section, if an application involves an activity regulated pursuant to CGS Sections 22a-36 to 22a-45, inclusive and the time for a decision by the Commission would elapse prior to the thirty-fifth day after a decision by the Inland Wetland Commission, the time period for a decision shall be extended to thirty-five (35) days after the decision of such agency.
11. The applicant may withdraw such application at any time prior to action by the Commission.

D. DECISION CONSIDERATIONS

1. On a Site Plan Application involving an activity regulated pursuant to CGS Sections 22a-36 to 22a-45, inclusive, the Commission shall:
 - a. wait to render its decision until the Inland Wetland Commission has submitted a report with its final decision; and
 - b. give due consideration to any report of the Inland Wetland Commission when making its decision.
2. On a Site Plan Application involving notice to adjoining municipalities under [Section 9.8.H](#) or notice to water companies under [Section 9.8.I](#), the Commission shall give due consideration to any report received.
3. Before the Commission approves a Site Plan Application, it shall determine that the application is in conformance with the applicable provisions of these Regulations.
4. In approving a Site Plan Application, the Commission may impose conditions deemed necessary to ensure compliance with these Regulations as well as protect the public health, safety, welfare, convenience, and property values.
5. In accordance with CGS Section 8-3(g), the Commission may require that a financial guaranty be posted in accordance with the provisions of [Section 9.8.I](#) before any permits are issued for the activities shown on the approved plan, in an amount and form acceptable to the Commission, to ensure:
 - a. the timely and adequate completion of any site improvements that will be conveyed to or controlled by the municipality;
 - b. the implementation of any erosion and sediment controls required during construction activities; and/or
 - c. the maintenance of roads, streets, retention or detention basins or other improvements approved with such site plan for up to one year after the date on which such improvements have been completed to the reasonable satisfaction of the Commission or the Town Planner or accepted by the Town.

E. ACTION DOCUMENTATION

1. The Commission shall, whenever it grants or denies a Site Plan Application, state upon its record the reason(s) for its decision.
2. The Commission shall send, by Certified Mail, a copy of any decision to the applicant within fifteen (15) days after such decision is rendered.
3. The Commission shall cause notice of the approval or denial of site plans to be published in a newspaper having a general circulation in the community within fifteen (15) days after such decision is rendered.
4. In any case in which such notice is not published within the fifteen-day period after a decision has been rendered, the person who submitted such plan may provide for the publication of such notice within ten (10) days thereafter.

F. FOLLOWING APPROVAL

1. Following approval of a Site Plan Application, the approved plan(s) with any required revisions to reflect Commission approval shall be submitted to the Town Planner:
 - a. Bearing the seal of the appropriate professionals which prepared the drawing(s);
 - b. Bearing a copy of the decision letter of the Commission and any other Town regulatory agencies authorizing the activity; and
 - c. Containing a signature block where the Chairman of the Commission can indicate the approval of the Commission.

The Following Approval Block Shall Be Added To All Sheets Of The Submittal.

SITE PLAN APPROVAL	
This Site Plan was approved by the Planning and Zoning Commission of the Town of East Hartford.	
Approval Date	_____
_____ Chair, Town Of East Hartford, Planning And Zoning Commission	
Unless otherwise provided by State law, all work in connection with this Site Plan shall be completed within five (5) years after the approval of the plan and failure to complete all work within such five-year period shall result in automatic expiration of the approval of such site plan unless the Commission shall have granted an extension of the time to complete work in connection with such site plan.	
EXPIRATION DATE	_____

2. Following signature by the Chairman, the Zoning Enforcement Officer shall be authorized to issue a Zoning Permit as described in [Section 9.1](#) for work to commence.
3. **Minor Modifications –**
 - a. Minor Modifications to an approved site plan, which do not substantially alter the content of the approved plan, may be approved by the Site Plan Review Committee.
 - b. Minor modifications shall be limited to: landscaping; lighting; drainage; grading; erosion and sedimentation controls; utilities; siting and screening of ground mounted mechanicals or trash disposal facilities; a change in parking spaces of ten percent (10%) or less not to exceed ten (10) spaces; and revision to a building's exterior façade of less than ten percent (10%) involving no change to the building's footprint.
 - c. The Site Plan Review Committee may require plans and may set stipulations to assure that the changes to the site or structure(s) are Minor Modifications and will not adversely affect public health and safety.
 - d. No Minor Modification shall be approved if there are outstanding zoning violations, unless such changes will eliminate the zoning violations.
 - e. At the discretion of the Site Plan Review Committee, any Minor Modification may be referred to the Planning and Zoning Commission for site plan approval if it is deemed to substantially alter the content of an approved plan.

4. **Major Modifications** – Whenever a change to an approved Site Plan is determined to be a major change by the Site Plan Review Committee, a formal request for Site Plan modification shall be submitted to the Commission by the applicant.
5. In accordance with CGS Section 8-3(g), no Certificate of Occupancy shall be issued before a required financial guaranty is posted and/or the approved site improvements are completed to the reasonable satisfaction of the Commission or the Town Planner.
6. If an “as-built” plan is required by the Zoning Enforcement Officer, no Certificate of Occupancy shall be issued until such “as-built” plan has been submitted and found acceptable.

G. EXPIRATION AND COMPLETION

1. Unless otherwise provided by State law, all work in connection with a site plan shall be completed within five (5) years after the approval of the plan and failure to complete all work within such five-year period shall result in automatic expiration of the approval of such site plan unless the Commission shall have granted an extension of the time to complete work in connection with such site plan.
2. The Commission may grant one or more extensions of the time to complete all or part of the work in connection with the site plan provided the total extension or extensions shall not exceed ten years from the date such site plan is approved.
3. The Commission may condition the approval of such extension on a determination of the adequacy of the financial guaranty.
4. Any Site Plan approved by the Commission prior to the effective date of this revised Section shall be exempt from its provisions, notwithstanding any other applicable requirements.

Section 9.4. Special Permit Application

A. PURPOSE

The purpose of a Special Permit Application is to review the appropriateness of certain uses or activities which could be appropriate in a specific location or configuration if controlled as to number, area, location, or relation to the neighborhood so as to evaluate overall impacts of the specific application, ensure compliance with these Regulations, and promote the health, safety, and general welfare of the community.

All such uses are declared to possess such special characteristics that each shall be considered as an individual case, and approval or denial of any such use in a given location shall not be deemed as precedent setting for any other applications.

B. APPLICATION REQUIREMENTS

1. A Special Permit Application shall be submitted for any activity designated in the Regulations as requiring approval of a Special Permit.
2. Each application for a Special Permit shall, unless expressly waived by the Commission or in writing by the Town Planner, be accompanied by:

Submittal Required	Corollary Provisions
a. Site Plan Application, or	If a Site Plan Application is submitted, such application is subordinate to the Special Permit Application and shall not be acted upon until the Special Permit Application is decided by the Commission.
b. A conceptual plan of development showing the location of all buildings, parking areas, traffic access and circulation, open spaces, landscaping, and other pertinent information that may be necessary in the opinion of the Commission to determine that the proposed Special Permit use is in harmony with the intent of these Regulations.	If the Special Permit is granted on the basis of a conceptual plan of development and a formal site plan is later submitted for approval that differs in significant respects from the conceptual plan of development which the Commission relied on during the Special Permit process, the Commission shall require the applicant to re apply for the Special Permit

3. The Special Permit Application shall be made in the form prescribed by the Commission, and shall include the following information:
 - a. A detailed statement describing the existing and proposed use or use;
 - b. A detailed statement describing how the Special Permit criteria in [Section 9.4.E](#) are addressed;
 - c. Any approval from any local, regional, state, or federal agency or department having jurisdiction over any aspect of the application;
 - d. A list of all property owners, together with addresses, required to be notified by [Section 9.8.G](#) or other section of these Regulations; and
 - e. All applications shall be accompanied by a fee, as provided in the fee schedule of the Town, to cover the cost of administration.

4. The Commission may require the submission of additional information as deemed necessary to make a reasonable review of the application.
5. If a Special Permit Application involves an activity regulated pursuant to CGS Sections 22a-36 to 22a-45, inclusive, the applicant shall submit an application for a permit to the Inland Wetland Commission not later than the day such application is filed with the Commission.
6. The Commission shall not be required to hear the same Special Permit application, or substantially the same Special Permit application for a period of 12 months after a decision by the Commission or by a Court on an earlier such application.

C. PROCEEDINGS

1. The date of receipt of the Special Permit Application shall be determined in accordance with [Section 9.8.B](#).
2. An incomplete Special Permit Application shall be denied in accordance with [Section 9.8.C](#).
3. The Commission shall hold a public hearing on the Special Permit Application and:
 - a. publish a legal notice in accordance with the requirements of [Section 9.8.F](#); and
 - b. require that the applicant give notice to property owners within 100 feet in accordance with the requirements of [Section 9.8.G](#).
4. Prior to the scheduled meeting regarding the application, the applicant shall submit the following to the Town Planner or the application shall be considered incomplete:
 - a. A copy of the complete package of information sent to abutters;
 - b. A list of the abutters to whom the notices were sent; and
 - c. Proof of mailing to property owners required to be notified by [Section 9.8.G](#) or other section of these Regulations.
5. Notification to adjoining municipalities may be required in accordance with the requirements of [Section 9.8.H](#).
6. Notification to water companies may be required in accordance with the requirements of [Section 9.8.I](#).
7. The Commission shall process the Special Permit Application within the period of time permitted under CGS Section 8-7d:
 - a. The public hearing shall commence within sixty-five (65) days after receipt of the application;
 - b. The public hearing shall be completed within thirty-five (35) days after such hearing commences;
 - c. all decisions shall be rendered within sixty-five (65) days after completion of such Hearing; and
 - d. The applicant may consent to one or more extensions of any period specified in this subsection provided the total extension of all such periods shall not be for longer than sixty-five (65) days.
8. Notwithstanding the provisions of this Section, if an application involves an activity regulated pursuant to CGS Sections 22a-36 to 22a-45, inclusive and the time for a decision by the Commission would elapse prior to the thirty-fifth day after a decision by the Inland Wetland Commission, the time period for a decision shall be extended to thirty-five (35) days after the decision of such agency.
9. The applicant may, at any time prior to action by the Commission, withdraw such application.

D. DECISION CONSIDERATIONS

1. On a Special Permit Application involving an activity regulated pursuant to CGS Sections 22a-36 to 22a-45, inclusive, the Commission shall:
 - a. Wait to render its decision until the Inland Wetland Commission has submitted a report with its final decision; and
 - b. Give due consideration to any report of the Inland Wetland Commission when making its decision.
2. On a Special Permit Application involving notice to adjoining municipalities under [Section 9.8.H](#) or notice to water companies under [Section 9.8.I](#), the Commission shall give due consideration to any report received.
3. Before the Commission approves a Special Permit Application, it shall determine that the application:
 - a. Is in conformance with the applicable provisions of these Regulations;
 - b. Has, in the sole discretion of the Commission, satisfied the Special Permit Criteria in [Section 9.4.E](#); and
 - c. Is in harmony with the purposes and intent of these Regulations and the currently adopted Plan of Conservation and Development.
4. Before granting a Special Permit, the Commission shall determine that any accompanying Site Plan Application is in conformance with the applicable provisions of these Regulations.
5. In granting a Special Permit, the Commission may:
 - a. Stipulate such conditions as are reasonable and necessary to protect or promote the public health, safety, or welfare; property values; the environment; sound planning and zoning principles; improved land use, site planning and land development; or better overall neighborhood compatibility;
 - b. Impose additional requirements, conditions, or safeguards as a prerequisite to the issuance of the Certificate of Zoning Compliance by the Zoning Enforcement Officer, if it shall be found necessary in order as reasonably necessary to serve public safety and welfare; and
 - c. Set time limits on the Special Permit and/or require periodic renewal of the Special Permit with substantiation of the justifying circumstances or conditions (with or without a public hearing) where the Commission finds or has reason to believe that circumstances or conditions upon which a Special Permit is warranted may change over time.
6. In the event an appeal is taken from the Commission approval of a Special Permit, then the time period shall commence on the date of final disposition of such litigation. An expired Special Permit shall be considered null and void.
7. Whenever the Commission acts upon a Special Permit, it shall state upon its records the reason for its decision.

E. SPECIAL PERMIT CRITERIA**1. Suitable Location for Use –**

1. The location and size of the site, the nature and intensity of the operations involved in or conducted in connection with the use, and the location of the site with respect to streets giving access to it are such that the use shall be in harmony with the appropriate and orderly development in the district in which it is located and shall promote the welfare of the Town.
2. The proposed use shall be of such location, size, and characteristics that, in general, it will be in harmony with the appropriate and orderly development of the district in which it is proposed to be situated and shall not tend to depreciate the value of property in the neighborhood and shall not be detrimental to the orderly development of adjacent properties in accordance with the zoning classifications of such properties.

2. Appropriate Improvements –

1. The design elements of the proposed development are in accordance with the design guidelines incorporated in Section 5.A of these Regulations and are suitable in relation to the site characteristics, the style of other buildings in the immediate area, and the existing and probable future characteristics of the neighborhood in which the use is located.
2. The location, nature, and height of buildings, walls and fences, planned activities and the nature and extent of landscaping on the site will be such that the use shall not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.
3. The proposed use or activity shall not have adverse effect upon the neighboring area resulting from the use of signs, artificial illumination, or any noise-making device(s).

3. Suitable Transportation Conditions –

1. The design, location, and specific details of the proposed use or activity shall not adversely affect safety in the streets nor increase traffic congestion in the area nor interfere with the pattern of vehicular circulation in such a manner as to create or augment unsafe traffic conditions.
2. Parking area or areas will be of adequate size for the particular use and shall be suitably screened from adjoining residential uses and entrance and exit drives will be laid out so as to prevent traffic hazards and nuisances.
3. Streets and other rights-of-way will be of such size, condition and capacity (in terms of width, grade, alignment and visibility) to adequately accommodate the traffic to be generated by the particular proposed use.

(continued on next page)

*(continued from previous page)***4. Adequate Utilities and Services –**

1. The provisions for water supply, sewage disposal, and storm water drainage conform to accepted engineering practices, comply with all standards of the appropriate regulatory authority, and shall not unduly burden the capacity of such facilities.
2. The proposed use or activity shall provide easy accessibility for fire apparatus and police protection and is laid out and equipped to further the provision of emergency services.

5. Environmental Protection & Conservation –

1. Appropriate consideration shall be given to the protection, preservation, and/or enhancement of natural resources and unique resources.
2. Appropriate consideration shall be given to ensure a proposed development is compatible with soil types, terrain, and the natural capacity of the land.
3. Appropriate consideration shall be given to the protection, preservation, and/or enhancement of historic and archeologic resources.
4. Appropriate consideration shall be given to the protection, preservation, and/or enhancement of scenic resources.
5. Appropriate consideration shall be given to the use of conservation restrictions to protect and permanently preserve important resources and features

6. Long Term Viability –

1. Adequate provision has been made for the sustained maintenance of the proposed development (structures, streets, and other improvements).

7. Consistency With Overall Objectives –

1. The proposed use or activity does not conflict with the purposes of the Regulations, as amended.
2. The proposed use or activity does not conflict with achievement of the goals, objectives, policies, and recommendations of the Plan of Conservation & Development, as amended.
3. The proposed use or activity adequately addresses the health, safety, and welfare of the public, in general, and the immediate neighborhood in particular.

F. ACTION DOCUMENTATION

1. The Commission shall, whenever it grants or denies a Special Permit, state upon its record the reason(s) for its decision.
2. The Commission shall send, by Certified Mail, a copy of any decision on a Special Permit Application to the applicant within fifteen days after such decision is rendered.
3. The decision shall:
 - a. State the name of the owner of record;
 - b. Contain a description of the premises to which it relates;
 - c. Identify the Section of the Regulations under which the Special Permit was granted or denied; and
 - d. Specify the nature of the Special Permit.
4. The Commission shall cause notice of the approval or denial of the Special Permit Application to be published in a newspaper having a general circulation in the community within fifteen days after such decision is rendered.
5. In any case in which such notice is not published within the fifteen-day period after a decision has been rendered, the person who submitted such application may provide for the publication of such notice within ten days thereafter.

G. FOLLOWING APPROVAL

1. A Special Permit granted by the Commission shall only become effective upon the filing of a copy, certified by the Commission, in the land records of the Town, in accordance with the provisions of CGS Section 8-3d and any such Special Permit not filed within 12 months shall no longer be effective.
2. A Special Permit shall only authorize the particular use or uses specified in the Commission's approval.
3. Failure to adhere strictly to the documents, plans, terms, conditions, and/or safeguards approved by the Commission or its staff shall be a violation of these Regulations.
4. A Special Permit may be amended or modified in like manner as provided above for the granting of a Special Permit except that amendments which shall be found to be of a minor nature or which do not materially alter the Special Permit, as determined by the Commission, may be authorized with Commission approval only, without another public hearing.

5. Notwithstanding any other provision of these Regulations, when an amendment to these Regulations or boundaries of zoning districts is adopted, a Special Permit that has been approved according to the Regulations in effect at the time of filing shall not be required to conform to such amendment provided:
 - a. Construction of any of the proposed improvements, including but not limited to roads, sewer lines, landscaping, recreational facilities, etc. shall have commenced within 12 months from the effective date of the Special Permit and Site Plan approvals; and
 - b. Construction of the improvements shall have been diligently pursued and prosecuted in substantial completion within the original time constraints set forth at the time of approval or within three years following the effective date of such amendment in these Regulations or boundaries of zoning districts.
6. Any condition or safeguards attached to the granting of a Special Permit shall remain with the property as long as the Special Permit use shall be in operation. These condition and safeguards shall continue in force regardless of any change in ownership of the property.
7. Any authorized Special Permit shall be subject to revocation by the Commission if any condition or safeguard imposed by the Commission upon buildings, structures, land or uses for said permit shall not be strictly adhered to by the applicant, user and/or owner. Notification thereof shall be filed in the Office of the Town Clerk.
8. **Amendments or Modifications –**
 - a. Applications for amendment of a Special Permit that increase the existing ground coverage by less than ten percent (10%), that are necessitated by site conditions or are deemed to be in the public interest shall be made in the same manner as the original application; except that amendments which shall be found to be of a minor nature or which shall not materially alter the Special Permit as determined by the Commission, may be authorized with Commission approval only, without another public hearing.
 - b. Applications for Special Permit amendments that enlarge the existing ground coverage by ten percent (10%) or more, or require a change of use, may be authorized with Commission approval, only after another public hearing.

Section 9.5. Regulation Amendment Application

A. APPLICATION REQUIREMENTS

1. A Regulation Amendment Application shall be submitted for any proposal to amend, change, or repeal any Section of these Regulations.
2. Any such application shall be accompanied by fifteen (15) copies of the precise wording of the existing and proposed text and any other supporting information.
3. The application shall be accompanied by a fee, as provided in the fee schedule of the Town to cover the cost of administration.
4. The Commission may require the submission of additional information as deemed necessary to make a reasonable review of the application.
5. A Regulation Amendment Application shall only be submitted by:
 - a. An owner of real property,
 - b. Residents or persons having an interest in land in Town, or
 - c. By the Commission on its own initiative.
6. The Commission shall not be required to hear any petition or petitions relating to the same changes, or substantially the same changes, more than once in a period of twelve months unless it finds, on facts presented in writing, that a material change in the situation justifies this action. A change of ownership of property or any interest therein shall not be deemed a material change in the situation for the purpose of this Section.
1. The Commission shall not be required to hear a Regulation Amendment Application that has been rejected within one (1) year from the date of rejection unless:
 - a. It finds, on facts presented in writing, that a material change in the situation justifies this action.
 - b. The Commission determined, as part of an application, that a petition was valid but required further information or study and the petitioner withdrew the petition without prejudice so that such information or study could be obtained.

B. PROCEEDINGS

1. The date of receipt for the Regulation Amendment Application shall be determined in accordance with [Section 9.8.B.](#)
2. An incomplete Regulation Amendment Application shall be denied in accordance with [Section 9.8.C.](#)
3. The Commission shall hold a public hearing on the Regulation Amendment Application and:
 - a. Shall cause a legal notice to be published in accordance with the requirements of [Section 9.8.F.](#); and
 - b. May publish the full text of such proposed regulation in full in such notice.

4. For any proposed amendment to these Regulations initiated by the Commission:
 - a. Any fees shall be waived; and
 - b. The notice requirements of [Section 9.8.F](#) shall be sufficient.
5. The Commission may refer any application to amend these Regulations to any Town department or other agency the Commission deems appropriate and may request any such department or agency to submit a report to the Commission on matters that are of concern to it in connection with its own responsibility.
6. Notification to Council of Governments may be required in accordance with the requirements of [Section 9.8.J](#).
7. Notification to adjoining municipalities may be required in accordance with the requirements of [Section 9.8.H](#).
8. Notification to water companies may be required in accordance with the requirements of [Section 9.8.I](#).
9. A copy of the proposed regulation shall be filed by the applicant in the Office of the Town Clerk for public inspection at least ten (10) days before the public hearing.
10. In accordance with CGS Section 8-7d(g), the Commission shall notify any person or organization on the public notice registry at least seven (7) days prior to the commencement of the public hearing on the Regulation Amendment application.
11. The Commission shall process the Regulation Amendment Application within the period of time permitted under CGS Section 8-7d:
 - a. The public hearing shall commence within sixty-five (65) days after receipt of the application;
 - b. The public hearing shall be completed within thirty-five (35) days after such hearing commences;
 - c. All decisions shall be rendered within sixty-five (65) days after completion of such hearing;
 - d. The applicant may consent to one (1) or more extensions of any period specified in this subsection provided the total extension of all such periods shall not be for longer than sixty-five (65) days; and
 - e. These provisions shall not apply to any action initiated by the Commission regarding adoption or change of any Regulation.
12. The applicant may, at any time prior to action by the Commission, withdraw such application.

C. DECISION CONSIDERATIONS

1. The Commission shall act upon the changes requested in such Regulation Amendment Application.
2. Any report from an adjacent municipality or a Council of Governments shall be made a part of the record of such hearing.
3. On a Regulation Amendment Application involving notice to adjoining municipalities under [Section 9.8.H](#), notice to water companies under [Section 9.8.I](#), or notice to a Council of Governments under [Section 9.8.J](#), the Commission shall give due consideration to any report or testimony received.
4. In making its decision the Commission shall take into consideration the Plan of Conservation and Development, prepared pursuant to CGS Section 8-23.
5. Before approving any Regulation Amendment Application, the Commission shall determine that the proposed regulation change will aid in:
 - a. Protecting the public health, safety, welfare, or property values;
 - b. Attaining the purposes of these Regulations; and
 - c. Accomplishing the provisions contained in CGS Section 8-2(a).
6. Such Regulation(s) shall be established, changed or repealed only by a majority vote of all the members of the Commission.

D. ACTION DOCUMENTATION

1. Whenever the Commission acts upon a Regulation Amendment Application, it shall state upon the record the reasons for its decision.
2. In making its decision, the Commission shall state on the record its findings on consistency of the proposed establishment, change, or repeal of such Regulations with the Plan of Conservation and Development, as amended.
3. As part of approving a Regulation Amendment Application, the Commission shall establish an effective date for the Regulation change provided that a notice of the decision of the Commission shall have been published in a newspaper having a substantial circulation in the community before such effective date.
4. The Commission shall send, by Certified Mail, a copy of any decision on a Regulation Amendment Application to the applicant within fifteen (15) days after such decision is rendered.
5. The Commission shall cause notice of the approval or denial of the Regulation Amendment Application to be published in a newspaper having a general circulation in the community within fifteen days after such decision is rendered.
6. In any case in which such notice is not published within the fifteen (15) day period after a decision has been rendered, the person who submitted such application may provide for the publication of such notice within ten (10) days thereafter.

E. FOLLOWING APPROVAL

1. A regulation amendment approved by the Commission shall be filed in the Office of the Town Clerk before the effective date.

Section 9.6. Zone Change Application

A. APPLICATION REQUIREMENTS

2. A Zone Change Application shall be submitted in writing on forms provided by the Commission for any proposal to alter the zoning designation of any parcel of land or part thereof.
3. A Zone Change Application shall be:
 - a. Initiated by the affected property owner(s);
 - b. Initiated by petition; or
 - c. Commenced by the Commission on its own initiative.
4. If a Zone Change Application is initiated by petition, the application shall include evidence that notification was sent by Certified Mail to the affected property owner(s) at least fifteen (15) days before the initial public hearing on the request.
5. Unless such application is initiated by the Commission, the application shall include:
 - a. A metes and bounds description of the land to be included in the amendment;
 - b. Written reason(s) for the proposed amendment;
 - c. Fifteen (15) copies of a map, accurately drawn to a maximum scale of 50 feet or a minimum of two-hundred (200) feet to the inch, showing north arrow, name of the petitioner and all existing lots, dimensions, property lines, streets, the location size and use of existing structures within the area of proposed change, existing and proposed zoning for the area included in and within five-hundred (500) feet of the subject property, and any other information considered pertinent by the applicant;
 - d. A list of all property owners required to be notified in [Section 9.8.G](#) plus the names, addresses, tax map and lot numbers of all owners of property subject to the proposed amendment; and
 - e. A fee, as provided in the fee schedule of the Town to cover the cost of administration.
6. The Commission shall not be required to hear a Zone Change Application that has been rejected within one (1) year from the date of rejection unless:
 - a. It finds, on facts presented in writing, that a material change in the situation justifies this action. A change of ownership of property or any interest therein shall not be deemed a material change in the situation for the purpose of this Section.
 - b. The Commission determined, as part of an application, that a petition was valid but required further information or study and the petitioner withdrew the petition without prejudice so that such information or study could be obtained.

B. PROCEEDINGS

1. The date of receipt of the Zone Change Application shall be determined in accordance with [Section 9.8.B.](#)
2. The Commission shall hold a public hearing on the Zone Change Application and:
 - a. Shall cause a legal notice to be published in accordance with the requirements of [Section 9.8.F.](#)
 - b. Require that the applicant give notice to property owners within 100 feet in accordance with the requirements of [Section 9.8.G.](#)
 - c. Require that the applicant (other than the Town of East Hartford) display a sign on each public or private street frontage abutting the parcel indicating that an application for a change of zoning district has been filed for the area on which the sign(s) have been posted. Such sign(s) shall be posted at least two weeks before the public hearing and shall be removed after the public hearing is closed.
3. The Commission may refer any application to amend the Zoning Map to any Town department or other agency the Commission deems appropriate and may request any such department or agency to submit a report to the Commission on matters that are of concern to it in connection with its own responsibility.
4. In accordance with [Section 9.8.J](#) of these Regulations, any proposed change of zone affecting any properties within 500 feet of the Town line shall be referred to the Council of Governments.
5. Notification to adjoining municipalities may be required in accordance with the requirements of [Section 9.8.H.](#)
6. Notification to water companies may be required in accordance with the requirements of [Section 9.8.I.](#)
7. A copy of the proposed zone change shall be filed by the applicant in the Office of the Town Clerk for public inspection at least ten (10) days before the public hearing.
8. The Commission shall process the Zone Change Application within the period of time permitted under CGS Section 8-7d:
 - a. The public hearing shall commence within sixty-five (65) days after receipt of the application;
 - b. The public hearing shall be completed within thirty-five (35) days after such hearing commences;
 - c. All decisions shall be rendered within sixty-five (65) days after completion of such hearing;
 - d. The applicant may consent to one or more extensions of any period specified in this subsection provided the total extension of all such periods shall not be for longer than sixty-five (65) days; and
 - e. These provisions shall not apply to any action initiated by the Commission regarding a Zone Change Application.
9. In accordance with CGS Section 8-7d(g), the Commission shall notify any person or organization on the public notice registry at least seven (7) days prior to the commencement of the public hearing on the of the Zone Change application.
10. The applicant may at any time prior to action by the Commission, withdraw such application.

C. DECISION CONSIDERATIONS

1. On a Zone Change Application involving notice to adjoining municipalities under [Section 9.8.H](#), notice to water companies under [Section 9.8.I](#), or notice to a Council of Governments under [Section 9.8.J](#), the Commission shall give due consideration to any report or testimony received.
2. In making its decision the Commission shall take into consideration the Plan of Conservation and Development, prepared pursuant to CGS Section 8-23.
3. Before approving any Zone Change Application, the Commission shall determine that the proposed zone change:
 - a. Is in accordance with the Plan of Conservation & Development,
 - b. Is suitable for the intended location,
 - c. Will aid in protecting the public health, safety, welfare, or property values,
 - d. Will aid in attaining the purposes of these Regulations, and
 - e. Will help accomplish the provisions contained in CGS Section 8-2(a).
4. Such Zone Change shall be established, changed or repealed only by a majority vote of all the members of the Commission except that, if a protest against a proposed change is filed at or before a hearing with the Commission, signed by the owners of twenty percent (20%) or more of the area of the lots affected by such proposed change or of the lots within five-hundred (500) feet in all directions of the property included in the proposed change, such change shall not be adopted except by a vote of two-thirds (2/3) of all the members of the Commission.

D. ACTION DOCUMENTATION

1. Whenever the Commission acts upon a Zone Change Application, it shall state upon the record:
 - a. The reason for its decision; and
 - b. Its findings on consistency of the proposed zone change with the Plan of Conservation and Development, as amended.
2. As part of approving a Zone Change Application, the Commission shall establish an effective date for the zone change provided a notice of the decision of the Commission shall have been published in a newspaper having a substantial circulation in the community before such effective date.
3. The Commission shall send, by Certified Mail, a copy of any decision on a Zone Change Application to the applicant within fifteen (15) days after such decision is rendered.
4. The Commission shall cause notice of the approval or denial of the Zone Change Application to be published in a newspaper having a general circulation in the community within fifteen (15) days after such decision is rendered.
5. In any case in which such notice is not published within the fifteen-day period after a decision has been rendered, the person who submitted such application may provide for the publication of such notice within ten days thereafter.

E. FOLLOWING APPROVAL

1. A Zone Change Application approved by the Commission shall be filed in the Office of the Town Clerk before the effective date.

Section 9.7. Zoning Board Of Appeals Procedures

A. GENERAL PROVISIONS

1. **Establishment** – There is hereby established a Zoning Board of Appeals (ZBA) that shall operate according to the provisions of any special or public act adopted by the General Assembly, any Charter provisions adopted by the Town, and these Regulations.
2. **Powers And Duties** – The Board shall have the following powers and duties:
 - a. To hear and decide appeals where it is alleged that there is an error in any order, requirement or decision made by the Zoning Enforcement Officer except that no order, requirement, or decision made by the Planning and Zoning Commission shall be subject to a review by the Board of Appeals;
 - b. To determine and vary the application of the Zoning Regulations solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of these Regulations would result in exceptional difficulty or unusual hardship and only when such determination or variance shall:
 - Be in harmony with the general purpose and intent of these Regulations,
 - Give due consideration for conserving the public health, safety, convenience, welfare and property values; and
 - Result in substantial justice being done and the public safety and welfare secured.
 - c. To hear and decide all matters referred to it and upon which it shall be required to pass under any provision of these Regulations or State law (which may include Certificate of Approval of Location in accordance with CGS Section 14-54) .
3. **Meetings** –
 - a. All meetings of said Board shall be open to the public.
 - b. The Chairman or, in his absence, the Acting Chairman, may administer oaths and compel the attendance of witnesses.
 - c. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, shall indicate such fact, and shall keep records of its examinations and other official acts.
 - d. Each order, requirement or decision of the Board shall be filed in the Planning and Zoning Department and shall be a public record.
 - e. If a regular member of the Board of Appeals is absent or disqualified, the Chairman shall choose an alternate in rotation so that each alternate shall act as nearly equal a number of times as possible and, if any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting.
 - f. A member of the Board shall disqualify himself to act in a given case by reason of his relationship to any party involved or of financial interest in the matter before the Board.

4. Minutes / Findings –

- a. The Board shall keep minutes of its proceedings, recording the action of the Board and the vote of each member upon each action or, if absent or failing to vote, indicating such fact.
- b. It shall also keep records of its examinations and other official action, all of which shall be filed promptly in the office of the Board and shall be open to public examination.
- c. All findings and actions of the Board shall be in writing and shall set forth the reasons for the action taken, whether it be in favor of the granting of an application or petition or against the granting of such application or petition.
- d. Findings shall be complete, detailed, and in specific terms, setting forth the reasons for the decision, and shall go beyond such generalities as “in the interest of public health, safety and the general welfare.”
- e. In every instance, a statement of the hardship upon which such action is based shall appear in the minutes.

5. **Assistance from Other Officials –** The Board may call upon any other Town department or agency for assistance in the performance of its duties, and it shall be the duty of such other departments or agencies to render such assistance to the Board as may be reasonably required.

6. Advisory Opinions –

- a. Town Staff may submit an advisory opinion on any matter before the Zoning Board of Appeals at least four (4) days prior to the public hearing assigned for such matter.
- b. Such findings of the staff shall be read into the record at such public hearing.
- c. The failure of Town Staff to submit its report to the Zoning Board of Appeals prior to the public hearing shall not prevent the Zoning Board of Appeals from reaching a decision on any matter before it.

7. Applications –

- a. Every application for a variance or for an interpretation of a ruling of the Zoning Enforcement Official shall be made on a form approved by the Board of Appeals and shall list the reasons for the application.
- b. Said application shall be filed with the Zoning Board of Appeals and shall also include the signature of the property owner and a statement by the applicant of the reasons for the application.

B. APPEALS OF ENFORCEMENT DECISIONS

1. **Authority** – In accordance with CGS Section 8-7, an appeal may be taken to the Board of Appeals by a person alleging to be aggrieved by an order, requirement, or decision made by the Zoning Enforcement Officer.
2. **Appeal Materials** –
 - a. Any such appeal shall be taken within thirty (30)-days of the issuance of the order, requirement, or decision by filing a notice of appeal on the forms provided by the Town with the Zoning Enforcement Officer and the Zoning Board of Appeals specifying the grounds thereof.
 - b. The Zoning Enforcement Officer shall forthwith transmit to said Board all the papers constituting the record upon which the appeal was taken.
 - c. The Board of Appeals may require the filing of a survey meeting the Class A-2 accuracy standards of the Code of Practice for Standards of Accuracy of Surveys and Maps, by the Connecticut Association of Land Surveyors, Inc., when warranted by the proximity of the proposed change of use or construction or alteration of a structure to any property line.
3. **Effect of Appeal** –
 - a. Where such appealable decision by the Zoning Enforcement Officer prohibits further construction or expansion of a use in violation of the Zoning Regulations, an appeal shall not be cause for such construction or expansion to continue except to such extent that the Board may allow when ruling on the appeal.
 - b. In situations other than that described in Section 9.7.B.3.a above, an appeal shall temporarily stop all zoning enforcement and proceedings with regard to such order, requirement or decision unless the Zoning Enforcement Officer certifies to the Board of Appeals after the appeal has been filed that, by reason of facts stated in the certificate, a stay would cause imminent peril to life or property.
 - c. If the Zoning Enforcement Officer certifies to the Board of Appeals that a stay would cause imminent peril to life or property, enforcement and proceedings shall only be stayed by a restraining order granted by a court of record, on notice to the Zoning Enforcement Officer and on due cause shown.

4. Proceedings –

- a. The Board shall hold a public hearing on the appeal and:
 - 1) Publish a legal notice in accordance with the requirements of [Section 9.8.F](#);
 - 2) Not less than fifteen (15) days before the subject hearing, the appellant shall mail a copy of the legal notice of the hearing to the owners of each parcel or property abutting the appellant's property, as determined from the latest real estate list of the Town in the Tax Assessor's Office; and
 - 3) At the hearing, the applicant, or his/her legal representative, shall submit evidence of the required mailing in the form of U.S. Postal Service Certificates of Mailing, a list showing the names and address of the owners of all such properties, and a copy of the notification (including attachments) which were mailed.
- b. At such hearing, any party may appear in person or may be represented by agent or by attorney.
- c. Notification to adjoining municipalities may be required in accordance with the requirements of [Section 9.8.H](#).
- d. Notification to water companies may be required in accordance with the requirements of [Section 9.8.I](#).
- e. The Board shall process the appeal within the period of time permitted under CGS Section 8-7d:
 - 1) The public hearing shall commence within sixty-five (65) days after receipt of the appeal;
 - 2) The public hearing shall be completed within thirty-five (35) days after such hearing commences;
 - 3) All decisions shall be rendered within sixty-five (65) days after completion of such hearing; and
 - 4) The applicant may consent to one or more extensions of any period specified in this subsection provided the total extension of all such periods shall not be for longer than sixty-five (65) days.
- f. The appellant may, at any time prior to action by the Board, withdraw such appeal.

5. Considerations –

- a. The Board shall have all the powers of the Zoning Enforcement Officer from whom the appeal has been taken but only in accordance with the provisions of this Section.
- b. The Board shall make such order, requirement or decision as in its opinion should be made in the circumstances.
- c. The Board may reverse, affirm wholly or partly, or may modify any order, requirement, or decision from which an appeal has been taken.
- d. The concurring vote of four (4) members of the Board shall be necessary to reverse, affirm partly, or modify any order, requirement, or decision of the official charged with the enforcement of the Regulations.
- e. Whenever the Board sustains or reverses wholly or partly any order, requirement or decision appealed from, it shall state upon its records the reason for its decision.

6. Action Documentation –

- a. The Board shall, whenever it grants or denies an appeal, state upon its record the reason(s) for its decision.
- b. Notice of the decision of the Board shall be sent by Certified Mail to any person who appeals to the Board within fifteen (15) days after such decision has been rendered.
- c. Notice of the decision of the board shall be published in a newspaper having a substantial circulation in the community within fifteen (15) days after such decision has been rendered.
- d. In any case in which such notice is not published within such fifteen (15) day period, the person who took such appeal may provide for the publication of such notice within ten (10) days thereafter.

C. VARIANCES

1. **Authority** – In accordance with CGS Section 8-6, the Board of Appeals shall have the power and duty to determine and vary the application of the Regulations solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of these Regulations would result in exceptional difficulty or unusual hardship.
2. **Prohibition of Use Variances** – The following uses shall be permitted only as described within these Regulations and under no circumstances shall the Zoning Board of Appeals have the authority or power to
 - a. Grant such uses by variance in any other zoning district where such uses are not otherwise allowed.
 - b. Grant a variance to this Section.

- 1) Adult oriented establishments
- 2) Auto fueling stations and service garages
- 3) Auto and truck sales and service
- 4) Car wash establishments
- 5) Commercial recreation indoor
- 6) Contractor's materials and equipment sales and storage
- 7) Child care centers
- 8) Houses of worship , convents and similar uses operated by a duly incorporated non-profit organization.
- 9) Liquor Stores
- 10) Manufacturing, processing and assembly of goods
- 11) Massage therapy – Principal use or accessory use
- 12) Mobile home parks
- 13) Permanent outdoor dining facilities serving alcoholic beverages
- 14) Restaurants serving alcoholic beverages
- 15) Restaurant/automobile oriented use
- 16) Substance Abuse Treatment Facilities
- 17) Theaters
- 18) Vertical take off and landing (VTOL)
- 19) Accessory dwelling unit

3. **Application Requirements** –
 - a. Unless a lesser number is authorized by the ZEO or digital submissions are accepted, a Variance Application shall be accompanied by ten (10) copies of sufficiently detailed plans for review by the Board and its designees.
 - b. An accurate and detailed plan drawn to scale is required showing the type and the degree of the variance requested, however, the Board of Appeals may require the filing of a survey meeting the Class A-2 accuracy standards of the Code of Practice for Standards of Accuracy of Surveys and Maps, by the Connecticut Association of Land Surveyors, Inc., when the variance is dimensional in nature or such survey is integral to the understanding of the application.
 - c. An application to the ZBA shall be accompanied by a fee as provided in Appendix C to these Regulations.
 - d. If a Variance Application involves an activity regulated pursuant to CGS Sections 22a-36 to 22a-45, inclusive, the applicant shall submit an application for a permit to the Inland Wetland Commission not later than the day such application is filed with the Board.
 - e. The Board shall not be required to hear any application for the same variance or substantially the same variance for a period of six (6) months after a decision by the Board or by a court on an earlier such application.

4. Nature of Variance –

- a. Any variance granted by a Board of Appeals shall run with the land and shall not be personal in nature to the person who applies for and receives the variance.
- b. A variance shall not be extinguished solely because of the transfer of title to the property or the invalidity of any condition attached to the variance that would affect the transfer of the property from the person who initially applied for and received the variance.
- c. A variance shall only authorize the particular activity specified in the Board's approval.

5. Proceedings –

- a. The date of receipt for the Variance Application shall be determined in accordance with [Section 9.8.B.](#)
- b. The Board shall hold a public hearing on the Variance Application and:
 - 1) Publish a legal notice in accordance with the requirements of [Section 9.8.F.](#);
 - 2) not less than fifteen (15) days before the subject hearing, the applicant shall mail a copy of the legal notice of the hearing to the owners of each parcel or property within 200 feet of the appellant's property, as determined from the latest real estate list of the Town in the Tax Assessor's Office; and
 - 3) At the hearing, the applicant, or his/her legal representative, shall submit evidence of the required mailing in the form of U.S. Postal Service Certificates of Mailing, a list showing the names and address of the owners of all such properties, and a copy of the notification (including attachments) which were mailed.
- c. At such hearing, any party may appear in person or may be represented by agent or by attorney.
- d. Notification to adjoining municipalities may be required in accordance with the requirements of [Section 9.8.H.](#)
- e. Notification to water companies may be required in accordance with the requirements of [Section 9.8.I.](#)
- f. An incomplete Variance Application shall be denied in accordance with [Section 9.8.C.](#)
- g. The Board shall process the Variance Application within the period of time permitted under CGS Section 8-7d:
 - 1) The public hearing shall commence within sixty-five (65) days after receipt of the application;
 - 2) The public hearing shall be completed within thirty-five (35) days after such hearing commences;
 - 3) All decisions shall be rendered within sixty-five (65) days after completion of such hearing; and
 - 4) The applicant may consent to one or more extensions of any period specified in this subsection provided the total extension of all such periods shall not be for longer than sixty-five (65) days.
- h. The applicant may, at any time prior to action by the Board, withdraw such application.

6. Decision Considerations –

- a. Whenever a Variance Application is joined with an enforcement appeal pursuant to [Section 9.7.B](#), the Board shall first decide the issues presented by such appeal.
- b. The application of a regulation affirming a statute shall not be subject to variance.
- c. In order to approve an application for a variance, the Board shall find that a literal enforcement of these Regulations would result in exceptional difficulty or unusual hardship:
 - 1) Solely with respect to the parcel of land that is the subject of the application;
 - 2) Owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated; and
 - 3) Shall not be based upon the non-conforming use of neighboring lands, structures, or buildings.
- d. The Board shall only grant the minimum variance necessary to alleviate the exceptional difficulty or unusual hardship:
 - 1) In harmony with the general purpose and intent of these Regulations;
 - 2) With due consideration for conserving the public health, safety, convenience, welfare and property values; and
 - 3) So that substantial justice shall be done and the public safety and welfare secured.
- e. Whenever the Board of Appeals grants or denies any variance in the Zoning Regulations applicable to any property it shall state upon its records:
 - 1) The reason for its decision;
 - 2) The Regulation which is varied in its application; and
 - 3) When a variance is granted, a specific description of the exceptional difficulty or unusual hardship on which its decision is based.
- f. The concurring vote of four (4) members of the Board shall be necessary to vary the application of the Zoning Regulations.

7. Action Documentation –

- a. The Commission shall, whenever it grants or denies a Variance Application, state upon its record the reason(s) for its decision.
- b. Notice of the decision of the Board shall be sent by Certified Mail to any applicant to the Board within fifteen (15) days after such decision has been rendered. Such notice shall:
 - 1) State the name of the owner of record'
 - 2) Contain a description of the premises to which it relates'
 - 3) State the nature of the hardship claimed; and
 - 4) Specify the nature of such variance including the Regulation which is varied in its application.
- c. Notice of the decision of the Board shall be published in a newspaper having a substantial circulation in the community within fifteen (15) days after such decision has been rendered.
- d. In any case in which such notice is not published within such fifteen (15) day period, the applicant may provide for the publication of such notice within ten (10) days thereafter.

8. Following Approval –

- a. A variance granted by the Board shall only become effective upon the filing of a copy, certified by the Board, in the Office of the Town Clerk, in accordance with the provisions of CGS Section 8-3d.

D. LOCATION OF USES

- 1. The ZBA shall decide upon all requests for approval of a location for dealing in or repairing motor vehicles and may issue a Certificate of Approval of Location for any such use as provided in CGS Section 14-54.
- 2. Approval of a Certificate of Approval of Location by the ZBA does not preclude any requirement for or approval of Site Plans or Special Permits by the Planning and Zoning Commission.

Section 9.8. Procedural Elements

A. APPLICATION SUBMITTAL REQUIREMENTS

1. Applications to the Commission shall be submitted to the Town Planner and applications to the Board of Appeals shall be submitted to the ZEO.
2. Applications shall be submitted on forms obtained from the Town for the type of application being submitted.
3. Applications shall be accompanied by the appropriate fee(s) except that the Commission or the Town shall be exempt from any application fee.
4. Applications shall be submitted with such supporting plans, materials, and other information as required by these Regulations.
5. For Site Plan applications, Special Permit applications, Regulation Amendment applications, and Map Change applications, unless other arrangements are enabled through an on-line permitting system or similar approach, supporting plans, materials, and other information as required by these Regulations shall be provided as follows:
 - a. Three (3) printed copies of application materials,
 - b. One (1) electronic copy of application materials.
6. Applications shall be signed by the applicant and, if applicable, the owner of the property affected.

B. DATE OF RECEIPT

1. For the purposes of calculating statutory time frames for processing applications, the date of receipt of an application to the Commission or the Board of Appeals shall be:
 - a. The day of the next regularly scheduled meeting of the Commission or the Board of Appeals immediately following the day of submission of the application to the Town Planner; or
 - b. Thirty-five (35) days after submission, whichever is sooner.

C. INCOMPLETE APPLICATIONS

1. Each application shall be reviewed by the Town Planner to determine whether the application is substantially complete.
2. An application considered by the Commission to be incomplete or an application submitted without the requisite fee shall be denied.

D. SEQUENCE OF HEARINGS

1. Where a proposed development or activity requires multiple applications, the Commission may conduct any public hearings simultaneously or in the order they deem appropriate.

E. CONSULTATIONS

1. On any application, the Commission or Board may:
 - a. Seek the advice and opinion of other officials, boards, commissions, agencies, and/or organizations to assist it in evaluating applications; and/or
 - b. Retain an architect, landscape architect, professional land use planner, or other consultant to review, comment, and guide its deliberations on any application.
2. In accordance with CGS Section 8-1c, the Commission or Board may, on any application:
 - a. Retain consultants with expertise in any particular technical aspect of such application, such as traffic or stormwater, who are not salaried employees of the municipality or such commission or board to review, comment, and guide its deliberations on any application for the benefit of such commission or board.
 - b. Require the applicant to pay the cost of reasonable fees associated with such review provided that:
 - 1) Any such fee(s) shall be accounted for separately from other funds of such commission or board.
 - 2) Any such fees shall be used only for expenses associated with the technical review by consultants.
 - 3) Any amount of the fee remaining after payment of all expenses for such technical review, including any interest accrued, shall be returned to the applicant not later than forty-five days after the completion of the technical review.

F. NOTICE BY NEWSPAPER

1. When a public hearing is required by these Regulations or scheduled by the Commission or by the ZBA, the Town Planner or the ZEO shall cause notice of the hearing to be published in a newspaper having a general circulation in the community.
2. Such notice shall be published at least twice at intervals of not less than two days, the first not more than fifteen days, nor less than ten days, and the last not less than two days before the date of the hearing.

G. NOTICE TO NEARBY PROPERTY OWNERS

1. The applicant for Special Permit, Zone Change Application, or Variance (other than the Planning and Zoning Commission) shall be responsible for notifying owners of property within 100 feet of the subject property (the names and addresses of owners of property shall be obtained from the latest records of the Town Tax Assessor) of the time, place, date, and purpose of the hearing by sending a copy of the legal notice to each property owner within 100 feet not less than ten (10) days prior to the scheduled hearing.
2. Notices from the applicant to the property owners within 100 feet shall be sent via Certified Mail and proof of mailing shall be evidenced by Certificates of Mailing from the U.S. Postal Service.
3. As part of any such application, the applicant shall submit:
 - a. A list of the property owners to whom the notices were sent;
 - b. A map showing the subject property, the surrounding properties, and the approximate location of structures within 100 feet of the subject property, including tax lot numbers,
 - c. The Certificates of Mailing, and
 - d. A copy of the letter and any enclosures sent to the property owners.

H. NOTIFICATION OF ADJOINING MUNICIPALITIES

1. In accordance with CGS Section 8-7d(f), the Commission or Board of Appeals shall notify the clerk of an adjoining municipality of any application concerning any project on any site in which:
 - a. Any portion of the property affected by a decision is within five-hundred (500) feet of the boundary of the adjoining municipality;
 - b. A significant portion of the traffic to the completed project shall use streets within the adjoining municipality to enter or exit the site;
 - c. A significant portion of the sewer or water drainage from the project shall flow through and significantly impact the drainage or sewerage system within the adjoining municipality; or
 - d. Water runoff from the improved site shall impact streets or other municipal or private property within the adjoining municipality.
2. Such notice shall be made by Certified Mail return receipt requested and shall be mailed within seven (7) days of the day of the submission to the Town Planner of the application, petition, request, or plan.
3. No hearing shall be conducted on any application, petition, request, or plan unless the adjoining municipality has received the notice required under this Section.
4. Such adjoining municipality, through a representative, may appear and be heard at any hearing on any such application, petition, request, or plan.

I. NOTIFICATION OF WATER COMPANIES

1. In accordance with CGS Section 8-3i, an applicant shall provide written notice to a water company when an application, petition, request or plan is filed with the Commission or Board of Appeals concerning any project on any site which is within:
 - a. An aquifer protection area, provided such area has been delineated in accordance with CGS Section 22a-354c; or
 - b. The watershed of a water company, provided such water company has filed a map with the Commission or the Board of Appeals or on the land records showing the boundaries of the watershed.
2. Such notice shall be made by Certified Mail return receipt requested and shall be mailed within seven (7) days of the date of the day of the submission to the Town Planner of the application, petition, request, or plan.
3. Prior to the scheduled meeting regarding the application, the applicant shall submit the following to the Town Planner or the application shall be considered incomplete:
 - a. A copy of the complete package of information sent to a water company;
 - b. Proof of mailing; and
 - c. The return receipt(s).
4. Such water company may, through a representative, appear and be heard at any hearing on any such application, petition, request, or plan.

J. REFERRALS TO RPA / COG

1. The Commission shall give written notice to the Council of Governments when any portion of the land affected by a Zoning Regulation or boundary change affecting the use of a district is located within five-hundred (500) feet of the boundary of another municipality.
2. Such notice shall be made not later than thirty (30) days before the public hearing and shall be made by electronic mail or by Certified Mail, return receipt requested.
3. The Council of Governments may submit advisory findings and recommendations to the Commission at or before the hearing.
4. The Commission shall read any comments submitted by the agency(ies) into the record of any public hearing or public meeting held on the application.
5. The lack of a response from any such agency shall not delay the processing of the application.

K. BENEFICIARIES OF A TRUST

Any person who makes an application to the Commission or Board of Appeals pertaining to real property, the record title to which is held by a trustee of any trust, shall file with said application a sworn statement disclosing the name(s) of the equitable owner(s) of such real property or the beneficiary(ies) of the trust.

L. FINANCIAL GUARANTY REQUIREMENTS

1. **General Requirement** – A financial guarantee shall be posted by the developer to effectively ensure the timely and adequate completion of any site improvements that will be conveyed to or controlled by the municipality, and the implementation of any soil-erosion and sedimentation controls required during construction activities.
2. **Amount of Financial Guarantee** –
 - a. The amount of the financial guarantee shall be calculated so as not to exceed the anticipated actual costs for the implementation, maintenance and completion of the proposed site plan, modified site plan and soil-erosion and sedimentation controls, plus a contingency amount not exceeding ten percent (10%) of such total costs.
 - b. Such amount shall be calculated by the Town Engineer and approved by the Planning and Zoning Commission.
 - c. The Planning and Zoning Commission shall approve the Financial Guarantee in two amounts, modifications of the proposed site plan and soil-erosion and sedimentation controls.
3. **Form of Financial Guarantee** –
 - a. The Planning and Zoning Commission or designated agent may accept a financial guaranty which may include a letter of credit, cash bond, passbook or statement saving account, and other financial guarantee, provided that such financial guarantees are in a form acceptable to the Planning and Zoning Commission and Director of Finance.
 - b. Determination of acceptability will be made on a case-by-case basis and will include, where applicable, the financial strength of the financial institution issuing the guarantee and the terms of the instrument evidencing the financial guarantee.
4. **Posting Financial Guarantee** –
 - a. The financial guarantee shall be posted, for soil-erosion and sedimentation controls that are scheduled for installation, prior to commencement of any site improvements on the parcel that is subject to the soil-erosion and sedimentation controls.
 - b. The financial guarantee for all site plans may be posted at the discretion of the applicant at any time before all approved site improvements are complete except that no certificate of occupancy shall be issued before a required financial guarantee is posted or the approved site improvements are completed to the reasonable satisfaction of the Planning and Zoning Commission or its agent.
 - c. For any site plan that is approved for development in phases, the financial guarantee shall apply as if each phase was approved as a separate site plan.
 - d. The Planning and Zoning Commission shall not require:
 - 1) a financial guarantee for the maintenance of roads, streets, retention or detention basins or other improvements approved with a site plan for more than one year after the date on which such improvements have been completed to the reasonable satisfaction of the Planning and Zoning Commission or its agent or accepted by the municipality;
 - 2) the establishment of a homeowners association, or
 - 3) the placement of a deed restriction, easement or similar burden on property for the maintenance of approved public site improvements to be owned, operated or maintained by the municipality, except that this prohibition shall not apply to the placement of a deed restriction, easement or similar burden necessary to grant a municipality access to such approved site improvements.

5. Releasing Financial Guarantee –

- a. All requests to release a financial guarantee shall be submitted on the approved Town of East Hartford Financial Guarantee Release/Reduction Form.
- b. Incomplete forms will not be processed.
- c. Once the Town of East Hartford Financial Guarantee Release/Reduction Form is submitted, the Town Engineer shall make an inspection and provide the person posting such financial guarantee with a written explanation of any additional site improvements that must be completed before the financial guarantee or portion thereof may be released.
- d. If work is complete the Town Engineer shall make a recommendation to the Planning and Zoning Commission concerning the release of the financial guarantee.
- e. No financial guarantee or any portion thereof shall be released without the approval of the Planning and Zoning Commission, which shall determine that no further Town supervision of the soil- erosion and sedimentation controls or its maintenance is required and that all site improvements have been satisfactorily completed.
- f. All requests for financial guarantee releases or reductions shall be processed not later than sixty-five days after receiving such request.
- g. There may be no more than two (2) financial guaranty reductions per calendar year on each approved site plan.

6. Inspections and Increase of Financial Guarantee –

- a. The Planning and Zoning Commission or its designated agent may make inspections during construction to ensure that the and that site plan modification are completed and soil- erosion and sedimentation controls are implemented, maintained, and completed.
- b. If the Planning and Zoning Commission should determine that further soil-erosion and sedimentation control measures are required, and the amount of the financial guarantee is therefore insufficient, the Planning and Zoning Commission may require an additional financial guarantee to augment the original financial guarantee.

7. Use of Financial Guarantee –

- a. The Planning and Zoning Commission may, after due notice, draw on the financial guarantee when it determines that:
 - 1) Unforeseen developments or emergencies require immediate remedial action,
 - 2) the soil-erosion and sedimentation control requirements are not being properly and adequately implemented, maintained, completed, or that site plan modification are not completed,
- b. The owner and developer of any parcel subject to a financial guarantee pursuant to this section shall be deemed to have granted permission to the Planning and Zoning Commission or its designated agent or any contractor hired by the Town of East Hartford to enter such parcel to address such an emergency or to implement and maintain the soil- erosion and sedimentation control and complete all site plan modifications.
- c. The Town of East Hartford shall not be liable for any damage to real or personal property while undertaking to implement, maintain, and complete the soil- erosion and sedimentation controls and complete all site plan modifications.

10. REGULATORY FRAMEWORK

Section 10.1.	Authority
Section 10.2.	Purposes
Section 10.3.	Zoning Map
Section 10.4.	Application Of Regulations
Section 10.5.	Compliance With Regulations
Section 10.6.	Enforcement And Penalties
Section 10.7.	Validity And Severability
Section 10.8.	Effective Date

Section 10.1. Authority

The Planning and Zoning Commission of the Town of East Hartford, Connecticut, in accordance with the provisions of Chapter 124 of the Connecticut General Statutes (CGS Section 8-1 et seq.), as amended, has adopted and established these Zoning Regulations for the Town of East Hartford, Connecticut.

Section 10.2. Purposes

A. STATUTORY PURPOSES

These Regulations are adopted for the purposes as enumerated in CGS Section 8-2, as may be amended.

B. ADDITIONAL PURPOSES

These Regulations are also adopted for the additional purposes as may be stated herein.

Section 10.3. Zoning Map

A. ZONING MAP

1. In order to accomplish the purposes of these Regulations, the Town is divided into districts as enumerated within these Regulations and as shown on the most current Zoning Map(s) adopted by the Commission and on file in the office of the Town Clerk.

The official Zoning Map is on file in the office of the Town Clerk.

For convenience, a PDF version of the Zoning Map may be found here:

<https://www.easthartfordct.gov/planning-and-zoning-commission/pages/zoning-map>

2. Any such Zoning Map(s) adopted by the Commission are hereby declared to be a part of these Regulations.
3. Any such Zoning Map(s) and these Zoning Regulations are hereby declared to be the Comprehensive Zoning Plan of the Town of East Hartford.

B. INTERPRETATION OF DISTRICT BOUNDARIES

1. Unless otherwise indicated on the Zoning Map(s), the zoning district boundary lines are the center line of streets, the middle of the channel of waterways, the center line of main tracks of railroad lines, or the center line of utility rights of way.
2. Where a boundary is shown parallel to a street or railroad, such boundary shall be interpreted as running parallel to the nearest street center line or the center line of the main tracks of Railroad line and at such distance there from as indicated on the Zoning Map.
3. Where zoning district boundaries are shown graphically as following property lines indicated on the Zoning Map(s), such boundaries shall be the property lines as described by a duly recorded deed on file with the Town Clerk of the Town of East Hartford at the time of passage of these Regulations or any amendment thereto changing the zoning district boundary affecting such property.
4. In the event of a conflict over the interpretation of a zoning district boundary:
 - a. The Zoning Enforcement Officer and Town Planner shall provide an interpretation.
 - b. If the party requesting it disagrees with the interpretation of the Zoning Enforcement Officer and Town Planner, he/she may request additional clarification from the Planning and Zoning Commission (whose decision shall be final).
 - c. Corrections to the Zoning Maps shall be treated as a rezoning action.

Section 10.4. Application Of Regulations**A. USES PROHIBITED IF NOT ALLOWED**

1. Any use not specified in these Regulations as allowed in a zoning district shall be deemed to be prohibited within such district.

B. MINIMUM REQUIREMENT

1. In their interpretation and application, these Regulations shall be held to be the minimum requirements for the promotion of the public health, safety, convenience and general welfare unless the context clearly indicates that the provision is intended to be a maximum limitation.

C. RELATIONSHIP TO OTHER REGULATIONS

1. These Regulations are not intended to repeal, abrogate, annul or in any way impair or interfere with any existing provisions of law or ordinance, or any rules, regulations, or permits previously adopted or issued or which shall be adopted or issued pursuant to law, relating to the use of lots, buildings or structures; nor are these Regulations intended to interfere with, abrogate or annul any easements, covenants or other agreement between parties. When greater restrictions are imposed by any law, ordinance, regulation or private agreement than required by these Regulations, such greater restrictions shall not be affected by these Regulations.
2. Where these Regulations impose a greater restriction on the use of buildings or land or on the height of buildings or require larger yards, courts or other open spaces or a greater percentage of lots to be unbuilt upon, or impose other higher standards than are imposed by the provision of any law, ordinance, regulation or private agreement, the provisions of these Regulations shall control.

Section 10.5. Compliance With Regulations**A. USE OF LAND OR BUILDINGS**

1. No building, structure or land shall be used or occupied, in whole or in part, except in conformity with applicable Sections of these Regulations.

B. CREATION OR ALTERATION OF BUILDING OR STRUCTURE

1. No building, structure or any part thereof shall be erected, converted, enlarged, reconstructed, moved or structurally altered except in conformity with applicable Sections of these Regulations.

C. REDUCTION OF LOT AREA OR DIMENSION

1. No lot shall be so reduced, divided, or created such that the area, width or other dimensions of the lot or any of its required yards or required open areas shall be less than prescribed by these Regulations.

D. EXCEPTIONS

1. Nothing in these Regulations shall be deemed to require any change in plans, construction, or designed use of a building or structure or premises for which:
 - a. A Building Permit was issued and the construction of which shall have commenced prior to the effective date of these Regulations or any pertinent amendment thereof and been diligently prosecuted; or
 - b. Plans shall have been approved by the Commission and the completion of improvements shall have been diligently prosecuted within the time frame established by CGS 8-3(i).

Section 10.6. Enforcement And Penalties

1. Except as may be provided otherwise herein, these Regulations shall be enforced by the Zoning Enforcement Officer.
2. The Zoning Enforcement Officer is hereby empowered to cause any building structure, plant or premises to be inspected and examined and to order, in writing, the remedying of any condition found to exist in violation of any provision of these Regulations in accordance with all powers granted by CGS Section 8-12.
3. Any of the following parties who take part or assist in any violation of these Regulations or who shall maintain any building or premises in which such violations shall exist may be subject to enforcement pursuant to CGS Section 8-12:
 - a. The owner or agent of a building or premises where a violation or any provision of said Regulations shall have been committed or shall exist,
 - b. The lessee or tenant of an entire building or an extra premises where such violations shall have been committed or shall exist;
 - c. The owner, agent, lessee or tenant of any part of the building or premises in which such violation shall have been committed or shall exist; or
 - d. The agent architect, builder, contractor or any other person who shall take part or assist in any violation.
4. Any official charged with the enforcement of these Regulations, in addition to other remedies, may institute an action or proceeding to prevent the unlawful erection, alteration, maintenance, or use of a building or to restrain, correct, or abate such violation, or to prevent the occupation of buildings or land or to prevent any illegal acts, conduct, business, or use in and about such premises.
5. The Commission has the right to have the Zoning Enforcement Officer (or other relevant official) appear before the Commission to discuss violation of these Regulations.

Section 10.7. Validity And Severability

If any section, paragraph, subdivision, clause or provision of these Regulations shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or such section so adjudged, and the remainder of these Regulations shall be deemed valid and effective.

Section 10.8. Effective Date

1. Zoning Regulations were originally adopted in East Hartford as of March 21, 1927.
2. These Zoning Regulations were comprehensively reorganized and updated with an effective date of February 18, 2023.

11. GLOSSARY / DEFINITIONS

Section 11.1 [Basic Usage](#)

Section 11.2. [Definitions](#)

Section 11.1. Basic Usage

A. RULES AND TERMS

1. In the construction, interpretation, application, use and enforcement of these Regulations, the rules, terms, and definitions contained in this Section shall be observed and applied, except where the context clearly indicates otherwise.
2. The meaning of words or terms not defined in this Section shall be determined by the Commission after consulting one or more of the following :
 - a. The State Building Code.
 - b. The Connecticut General Statutes.
 - c. The Illustrated Book of Development Definitions (Rutgers University, Center for Urban Policy Research (Piscataway, NJ).
 - d. Black's Law Dictionary.
 - e. A comprehensive general dictionary.

B. BASIC RULES

In the construction, interpretation, application, and enforcement of these Regulations and when not inconsistent with the context, the following rules shall apply:

1. Words used in the singular include the plural, and the plural the singular.
2. Words used in the present tense include the future tense.
3. Words which are specifically masculine or feminine shall be interpreted as interchangeable.
4. The word "shall" is mandatory and not discretionary.
5. The word "may" is permissive.
6. In case of any difference of meaning or implication between the text of these Regulations and any caption, illustration, summary, table or illustrative table, the text shall control.

C. COMMON TERMS

In the construction, interpretation, application, use and enforcement of these Regulations, commonly used terms shall be interpreted as follows:

1. The words “parcel”, “lot”, “site”, and “property” have the same meaning.
2. The words “zone”, “zoning district”, and “district” have the same meaning.
3. The phrase “used for” includes the phrases “arranged for”, “designed for”, “intended for”, “maintained for” and “occupied for”, and vice versa.
4. The phrase “these Regulations” refers to the entire Zoning Regulations of the Town of East Hartford.
5. The word “Section” refers to all paragraphs starting with the same sequence of numbers and/or letters of these Regulations, unless otherwise specified.
6. The word “person” includes any individual, firm, partnership, corporation, association, organization, or other legal entity.
7. The word “structure” includes the word “building”.
8. The word “built” includes the words “erected”, “constructed”, “reconstructed”, “altered”, or “enlarged”.
9. The “Town” means the Town of East Hartford, Connecticut.
10. The “State” means the State of Connecticut.
11. The “Commission” means the Planning and Zoning Commission of the Town of East Hartford, unless otherwise specified.
12. The phrase “Zoning Map” means the latest officially adopted Zoning Map of the Town of East Hartford.

Section 11.2. Definitions

Some definitions related to specific sections of the Regulations are located within those Sections including, but not limited to:

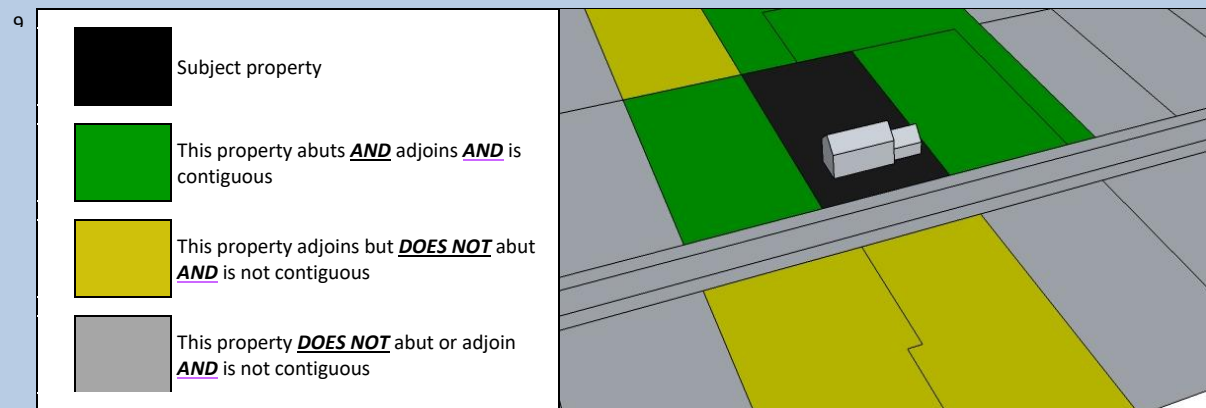
- Flood Hazard Zone ([Appendix A](#))
- Adult-Oriented Establishments ([Section 6.16](#))
- Signs ([Section 7.1](#))

Abut and Related Terms

ABUT – Directly next to and sharing a property line with.

ADJOIN – Property that abuts, property that shares a property corner with, and/or property across a public or private street or right-of-way.

CONTIGUOUS – Properties that abut each other individually or collectively .



Access-Related Terms

ACCESS – A way or means of approach to provide vehicular or pedestrian entrance or exit to a property.

CROSS ACCESS – A service drive providing vehicular access between two or more contiguous sites so the driver need not enter the public street system.

JOINT ACCESS (OR SHARED ACCESS) – A driveway connecting two or more contiguous sites to the public/private street systems.

ACCESSORY – See “Principal and Accessory”

ACCESSORY FOOD SERVICE – See “Restaurant-Related Terms”

ADJOIN – See “Abut and Related Terms”

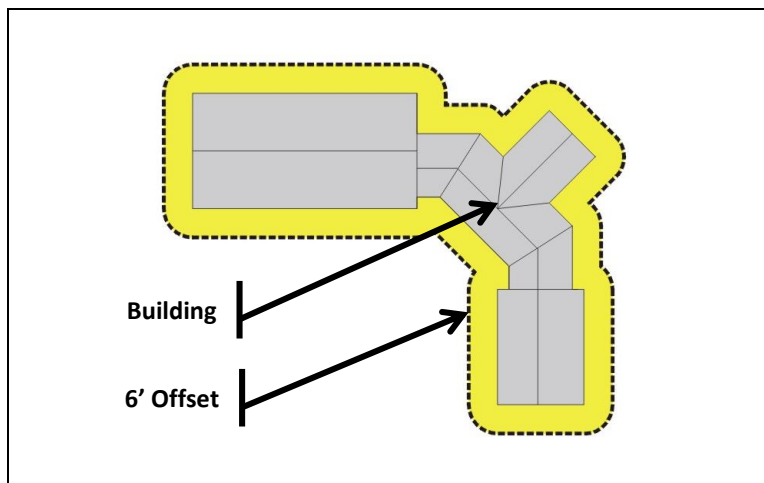
ADULT DAY CARE FACILITY – See “Day Care”

ANIMATED SIGN – See [Section 7.1](#)

ANTENNA – Any device used to receive or transmit electromagnetic waves. Examples include, but are not limited to, whip antennae, panel antennae and dish antennae.

ASSISTED LIVING FACILITY – A residential development licensed by the Connecticut Department of Public Health to provide assisted living services generally to adults age 55 and older who need some health or nursing care or assistance with activities of daily living, including dressing, eating, bathing, and transferring from a bed to a chair.

AVERAGE FINISHED GRADE – A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet from the building, between the building and a point 6 feet from the building. (See “GRADE PLANE” in the Building Code)



AVERAGE LOT WIDTH – See “Lot-Related Terms”

BERM – A constructed mound or small hill of earth.

BREWERY / DISTILLERY – A facility where beer or spirits are manufactured and can be stored, bottled and sold at wholesale or at retail in sealed containers for consumption off premises or offered for tastings on the premises.

BREW PUB / DISTILLERY PUB - A facility where beer or spirits are manufactured and can be stored, bottled and:

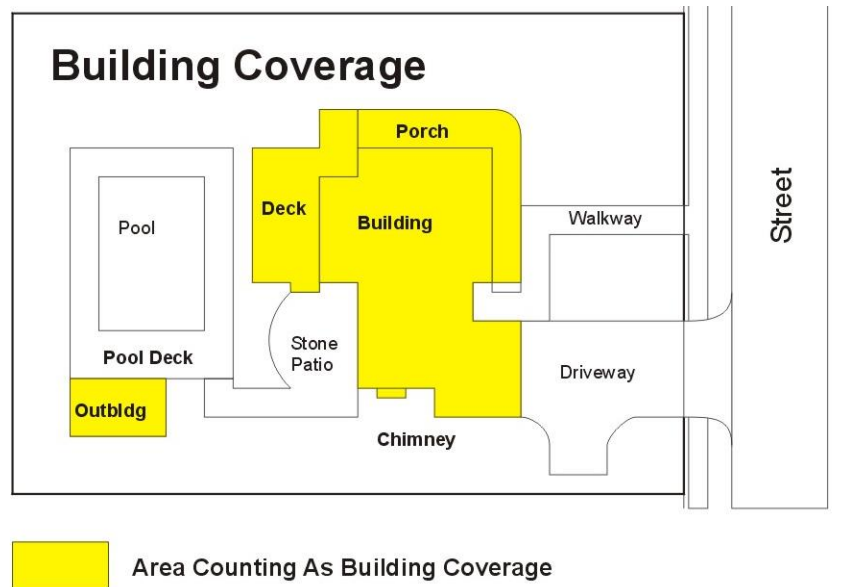
- Sold at wholesale or at retail in sealed bottles or other sealed containers for consumption off premises, or
- Sold to be consumed on the premises in a room that is ancillary to its production, This use generally involves the service of food.

Building Versus Structure

BUILDING – Any roofed structure intended for the shelter, housing or enclosure of any person(s), livestock, process, equipment, goods or materials of any kind or nature.

STRUCTURE – That which is built or constructed.

BUILDING COVERAGE – The percentage of the total lot area covered by the buildings on the lot. *See Appendix B for features counted towards building coverage*



BUILDING HEIGHT – *See "Height, Building"*

Canopy Related Terms

CANOPY, FREESTANDING - Means a rigid structure covered with fabric, plastic, metal, or other material and supported by columns or posts. This definition shall not include fabric tents used as temporary structures for not more than twenty days in a calendar year.

CANOPY, ATTACHED BUILDING – Means a rigid structure covered with fabric, plastic, metal, or other material and supported by a building at one or more points or extremities and by columns or posts. This definition does not include fabric tents used as temporary structures for not more than twenty days in a calendar year, or awnings attached entirely to the principal building.

Freestanding Canopy



Attached Building Canopy



Cannabis-Related Terms

The following definitions are derived from Public Act 21-1 and Connecticut General Statutes Chapter 420h as amended.

CANNABIS CULTIVATOR – A facility used for the cultivation, growing and propagation of the cannabis plant at an establishment with not less than fifteen thousand square feet of grow space.

CANNABIS MICRO-CULTIVATOR – A facility engaged in the cultivation, growing and propagation of the cannabis plant at an establishment containing not more than ten thousand square feet of grow space prior to any expansion authorized by the commissioner of the Department of Consumer Protection.

CANNABIS DISPENSARY – A facility where cannabis may be dispensed, sold or distributed.

CANNABIS RETAILER – A facility, excluding a dispensary facility or hybrid retailer, which sells cannabis to consumers and research programs.

CANNABIS HYBRID RETAILER – A facility which sells cannabis and medical cannabis products.

CANNABIS FOOD / BEVERAGE MANUFACTURER – A facility which uses cannabis in the manufacturing of food and beverages.

CANNABIS PRODUCER – A facility licensed by the Department of Consumer Protection as a producer pursuant to Section 21a – 408i of the Connecticut General Statutes and any regulations adopted thereunder.

CANNABIS PRODUCT MANUFACTURER – A facility licensed by the Department of Consumer Protection to obtain cannabis, extract and manufacture products exclusive to such license type.

CANNABIS PRODUCT PACKAGER – A facility used to package and label cannabis.

CANNABIS DELIVERY SERVICE – A facility used for the delivery of cannabis and/or cannabis products.

CANNABIS TRANSPORTER – A facility which supports the transport of cannabis and/or cannabis products between cannabis establishments, laboratories and research programs.

CATERING HALL – A business engaged in providing for scheduled group functions which include full food service for such functions and may include preparation of meals for consumption off premises.

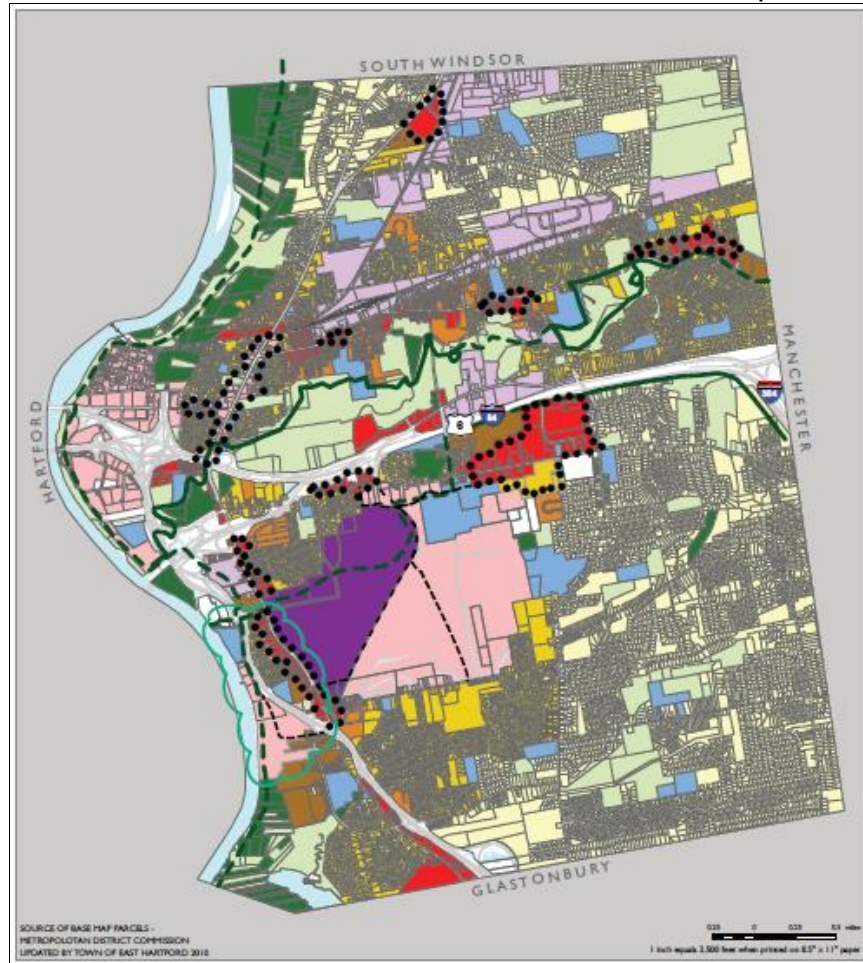
CHANGING SIGN – See [Section 7.1](#)

CO-LOCATION – Antenna / telecommunication facilities from more than one provider located on a single site.

COLLEGE – An institution of higher learning which is certified and authorized by the State to award associate, baccalaureate, or higher degrees and offers courses of general or specialized study leading to a certificate or degree. Uses included but not limited to universities, community colleges, liberal arts colleges, nursing and medical schools not accessory to a hospital, seminaries, universities, career-oriented institutions of higher learning.

COMMERCIAL NODE – A commercial node is an area identified on the Future Land Use Plan in the 2014 Plan of Conservation and Development (and shown below) which is targeted for commercial intensification and reinvestment in order to help create a thriving, vibrant center and/or corridor that encourages pedestrian activity and generates significant taxable revenue.

Commercial Nodes Identified In 2014 Plan of Conservation and Development



Graphic provided for convenience only and reference should be made to the 2014 POCD

COMMERCIAL RECREATION – Any form of diversion or a mode of diversionary play/amusement for profit.

COMMERCIAL RECREATION, INDOOR – Any form of commercial recreation that is primarily located and conducted indoors.

COMMERCIAL RECREATION, OUTDOOR – Any form of commercial recreation that is primarily located and conducted outdoors.

COMMERCIAL VEHICLE – For the purposes of determining which vehicle types may be parked or stored overnight in a residential zone, a motor vehicle that:

- Regardless of gross vehicle weight rating, requires a commercial registration or a combination registration where the vehicle is used for commercial purposes,
- Requires a commercial vehicle license to operate, or
- Is otherwise identified as a commercial vehicle in the table in [Section 6.2.A](#).

COMMISSION – The Planning and Zoning Commission of the Town of East Hartford.

CONTIGUOUS – See *“Abut and Related Terms”*

CONVALESCENT HOME – A facility licensed by the Connecticut Department of Health to provide care while patients recover from long term illnesses or medical procedures.

CONVENIENCE STORE – Any grocery store having a gross floor area between one thousand (1,000) square feet and three thousand five hundred (3,500) square feet.

CONVENTION CENTER - A facility designed and used for conventions, conferences, seminars, product displays, recreation activities and entertainment functions, along with temporary outdoor displays, and food and beverage preparation and service for on-premise consumption. This term does not include banquet halls, clubs, lodges or other meeting facilities of private, non-profit groups that are primarily used by group member.

CROSS ACCESS – See *“Access-Related Terms”*

CUSTOMARY – See *“Principal and Accessory”*

Day Care Related Terms

DAY CARE – A program of supplementary care to people outside their own homes on a regular basis but specifically not including:

- Overnight care or accommodations,
- Alcohol or substance abuse services, treatment, or rehabilitation, or
- Residential services for persons released from or assigned to a correctional facility.

ADULT DAY CARE – Any day care program certified by the Connecticut Association of Adult Day Centers (CAADC) offering supervision, activities, and/or services for persons 18 years of age or older.

CHILD CARE CENTER – A program in accordance with CGS Section 19a-77(a) which offers or provides supplementary care to more than twelve children outside their own homes on a regular basis.

FAMILY CHILD CARE HOME – A private family home caring for not more than six children in accordance with CGS Section 19a-77(a).

GROUP CHILD CARE HOME – A day care program which offers or provides a program of supplementary care in accordance with CGS Section 19a-77(a) (A) to not less than seven or more than twelve related or unrelated children on a regular basis, or (B) that meets the definition of a family child care home except that it operates in a facility other than a private family home.

DIRECTLY CONNECTED IMPERVIOUS AREA (DCIA) – [See Section 7.10.](#)

DISCOUNT STORE, SMALL BOX – Retail establishments commonly known as “dollar stores” having a gross floor area between 5,000 and 15,000 square feet that primarily offer foods and consumer shopping goods; for example, household products, personal grooming and health products, and other consumer goods. Small box discount stores do not include stores that:

- Contain a prescription pharmacy;
- Sell gasoline or diesel fuel;
- Primarily sell specialty food items (e.g. meat, seafood, cheese, or oils and vinegars);
- Dedicate at least 15% of shelf space to fresh or fresh frozen foods; or
- Dedicate less than 5% of shelf space to food sales.

DISPENSARY FACILITY - See “*Cannabis-Related Terms*”

DISTILLERY – See “*Brewery / Distillery*”

DISTILLERY PUB – See “*Brew Pub / Distillery Pub*”

DONATION DROP-OFF BOX - Any container, storage receptacle or structure, other than an accessory building or shed complying with all Building Code and land use requirements, that can be used, or is used, for the temporary holding of charitable, not for profit, donations on a lot with an established principle use.

DRIVE-THROUGH FACILITY – A commercial facility which provides a service directly to a motor vehicle or where the customer drives a motor vehicle onto the premise and to a window or mechanical device through or by which the customer is serviced without exiting the vehicle. This shall not include the selling of fuel at a fueling station or the accessory functions of a carwash facility such as vacuum cleaning stations.

DRIVE-THROUGH RESTAURANT – See *“Restaurant-Related Terms”*

DWELLING UNIT – A building or part of a building providing complete housekeeping facilities for one (1) family.

ELECTRONIC MESSAGE CENTER (EMC) SIGN – See [Section 7.1](#)

EROSION – The detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

EXCAVATE – To dig, remove; to deposit; to place and to fill; to grade, regrade, level, or otherwise alter or change the location or contour; to transport and to supply. (See Exemptions as set forth in more detail in [Section 8.3.C](#))

EXCAVATOR – Any person, firm or corporation, partnership or association engaged in the excavation, moving, removal, or filling of soil or topsoil from, in, or upon any land in the Town.

EXTENDED-STAY HOTEL - See *“Lodging-Related Terms”*.

FAÇADE ALTERATION – A change on any exterior wall facing a street upon which a major architectural feature is added, altered, or removed. Such features may include, but are not limited to, cornices, window frames, entryways, columns and decorative wall treatments. Changes to signage shall not be considered a façade alteration.

FAMILY – Individuals living together as a single housekeeping unit occupying a dwelling unit that has living, cooking, sleeping, and bathroom facilities.

FARM (FARMING) – A tract of land used principally for agricultural activities including for:

- growing of crops, forestry, nursery, or truck gardening,
- raising, keeping or sale of livestock and fowl,
- storing, processing and sale of agricultural and horticultural products and commodities, including those defined in Connecticut General Statutes 1-1q, incidental to agricultural operations, and
- other activities directly related to such agricultural activities.

FARM, COMMERCIAL – A farm that is or will be operated primarily as an income-producing operation and that meets the State’s minimum criteria for producing income (i.e., level at which a Schedule F needs to be filed as part of a Federal Income Tax submittal).

FARM, NONCOMMERCIAL – Any area of land used for farming which is not a commercial farm (including accessory to a residential use), operated primarily for self-sustainment of a family or community, as a hobby, for education purposes, or for otherwise noncommercial purposes.

FLASHING SIGN – See [Section 7.1](#)

FLOOD / FLOODING – See [Appendix A](#)

Floor Area-Related Terms

FLOOR AREA, GROSS – The total area of all floors and levels of a building as measured to the outside surfaces of exterior walls without deduction for hallways, stairs, closets, thickness of walls, columns, or other features.

FLOOR AREA, LIVABLE – The floor area of a dwelling unit finished for human occupancy in accordance with the requirements of applicable codes (Building, Health, Fire, etc.).

Areas INCLUDED In Livable Floor Area

- Habitable rooms
- Hallways within tenant spaces or dwelling units
- Closets

Areas NOT INCLUDED In Livable Floor Area

- Garages
- Porches, verandahs, breezeways, or open or closed outside vestibules
- Utility rooms
- Bay windows
- Public stairways
- Public hallways

HABITABLE FLOOR AREA – Any floor area usable for living purposes including working, sleeping, eating, cooking, recreation, or a combination thereof. Floor area intended only for storage purposes is not defined as habitable floor area.

FRONTAGE – See “Street Frontage”

FUEL PRICE SIGN – See [Section 7.1](#)

FULL-SERVICE RESTAURANT – See “Restaurant-Related Terms”

GARAGE, SERVICE – See “Service Garage”

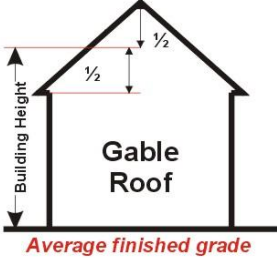
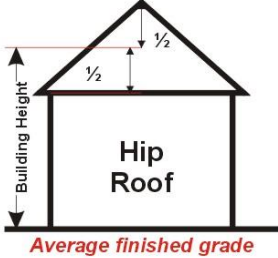
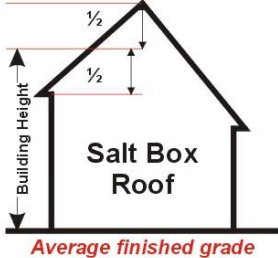
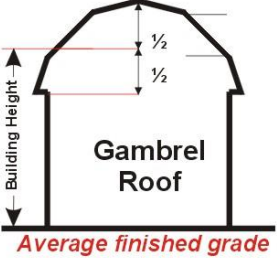
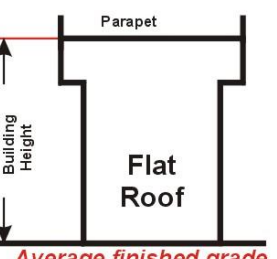
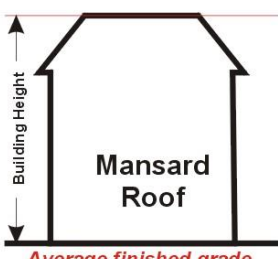
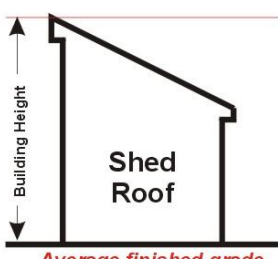
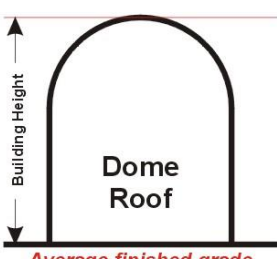
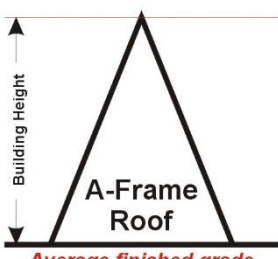
GRADING – Any excavation, grubbing, filling (including hydraulic fill) or stockpiling of earth materials or any combination thereof, including the land in its excavated or filled condition.

GROCERY STORE – Any store with a gross floor area greater than 3,500 square feet primarily engaged in the retail sale of meat, seafood, poultry, fruits, vegetables, candy, nuts, confectionaries, dairy products, bakery products, and/or all sorts of canned goods and dry goods (commonly known as a supermarket, food store, or grocery store). Grocery stores having a gross floor area greater than five thousand (5,000) square feet may have ancillary uses subject to the provisions of these Regulations. (See “Convenience Store”)

GROSS FLOOR AREA – See “Floor Area-Related Terms”

HEALTH OFFICER – The Director of Health or duly authorized agent.

HEIGHT, BUILDING – The vertical distance measured from the average finished grade to the point on the roof as indicated below.

<p>For These Roof Types, Building Height Is Measured To the Average Height Between the Eaves And The Ridge</p>	 <p>Gable Roof</p>	 <p>Hip Roof</p>
 <p>Salt Box Roof</p>	 <p>Gambrel Roof</p>	
<p>For These Roof Types, Building Height Is Measured To the Highest Point Of The Roof</p>	 <p>Flat Roof</p>	 <p>Mansard Roof</p>
 <p>Shed Roof</p>	 <p>Dome Roof</p>	 <p>A-Frame Roof</p>

HEIGHT OF TOWER - The distance from the average ground elevation to the uppermost point of the tower including any antenna or other appurtenances.

HOME OCCUPATION – An accessory use of a residence for business purposes.

HOTEL – See *“Lodging-Related Terms”*

HOUSE OF WORSHIP – A building or structure or part thereof which is operated, maintained and/or used by a religious organization in which people regularly congregate primarily to participate in or hold religious services, worship, religious training or education, or meetings or other activities related to religious expression.

HOUSING FOR SENIOR CITIZENS – A building or group of buildings containing dwellings occupied by persons fifty-five (55) years of age or older or couples where either spouse is fifty-five (55) years of age or older.

IMPERVIOUS COVERAGE – Any situation on or above the ground level where rainfall is intercepted by a material that reduces sub-surface infiltration of water and increases the volume of storm water runoff including, but not limited to – buildings, parking areas and driveways regardless of surface material, all walkways regardless of surface materials, all equipment pads and platforms, etc.

INCIDENTAL – See *“Principal and Accessory”*

JOINT ACCESS – See *“Access-Related Terms”*

JUNKYARD – Any area of land or building used in whole or in part for the accumulation, collecting, storage, and/or sale of wastepaper, rags, scrap metal, or other similar material and including an automobile junkyard as defined by state law, but not including Town refuse disposal areas or Town transfer stations.

LANDSCAPING – Changing, rearranging, or adding to the original vegetation or scenery of a piece of land to produce an aesthetic effect appropriate for the use to which the land is put. It may include reshaping the land by grading, as well as preserving the original natural vegetation or adding vegetation.

LIVABLE FLOOR AREA – See *“Floor Area-Related Terms”*

LIVESTOCK – Animals of any kind, raised and/or maintained for sale, resale or agricultural field production. The keeping of common household pets such as dogs, cats and the like for non-commercial purposes shall not be considered as the keeping of livestock.

Lodging-Related Terms

HOTEL – A building providing temporary lodging accommodations to people and so designed that normal access to the rooms is through a public lobby or corridor. The hotel may have accessory restaurant facilities but no guest room shall have kitchen or cooking facilities.

EXTENDED-STAY HOTEL – A hotel where rooms contain kitchen or cooking facilities for the convenience of travelers or business persons desiring longer duration stays.

MOTEL – A building providing temporary lodging accommodations to people and so designed that normal access to the rooms is direct from the out-of-doors. The motel may have accessory restaurant facilities but no guest room shall have kitchen or cooking facilities.

ROOMING HOUSE – A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one-family dwelling or a two-family dwelling.

Lot-Related Terms

LOT – A parcel of land that is recognized as a separate legal entity for purposes of transfer of title and is capable of being lawfully built on in conformity with these Regulations.

LOT OF RECORD – A lot that existed prior to the adoption of subdivision regulations as shown or described on a plat or deed filed in the records of the Town Clerk.

LOT, LEGAL BUILDING – A lot of record that meets all the requirements of these Regulations for the zoning district within which it is located.

LOT, NONCONFORMING – See “Non-Conforming-Related Terms”

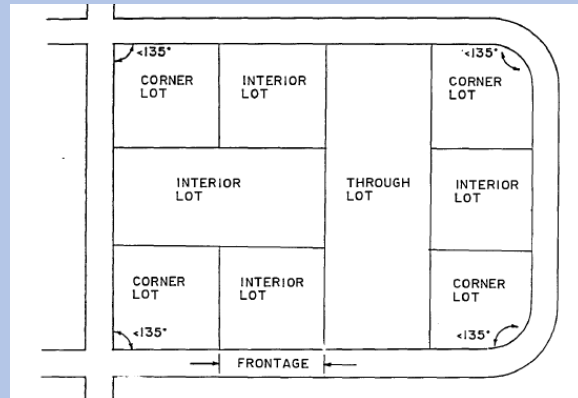
Types Of Lots

LOT, CORNER – A lot at the junction of and fronting on two (2) or more intersecting streets that has an interior angle of less than one hundred thirty-five (135) degrees at the intersection of two (2) street lines.

LOT, INTERIOR – A lot other than a corner or through lot.

LOT, REAR – A lot not having the required lot width on a public street with the building location generally located behind other lots fronting on the same street.

LOT, THROUGH – A lot other than a corner lot having frontage on two (2) parallel or approximately parallel streets.



Lot-Related Attributes

LOT AREA – The area of land contained within the property lines of a lot including the area of any easement, but excluding any area within existing or designated future street right(s)-of-way.

LOT FRONTAGE – See “Street Frontage” In “Lot-Related Standards”

LOT SHAPE – A requirement that a lot shall be of such shape that a square with the indicated dimension sides of will fit on the lot behind and touching the required front setback.)

LOT WIDTH – The distance between the side lot lines measured in a straight line at the front setback line. Where the front setback line is curved, the straight line of measurement shall:

- Be measured at right angles to the mean direction of such side lot lines,
- Touch, but not be in front of, the front setback line.

LOT WIDTH, AVERAGE – The average width between the required front and rear yards measured in the same manner as for lot width.

STREET FRONTAGE – The distance measured along the street line fronting on a State of Connecticut or Town of East Hartford duly accepted street or approved subdivision street.



Lot Line-Related Terms

LOT LINE – The boundary of a lot that divides it from another lot or from a street.

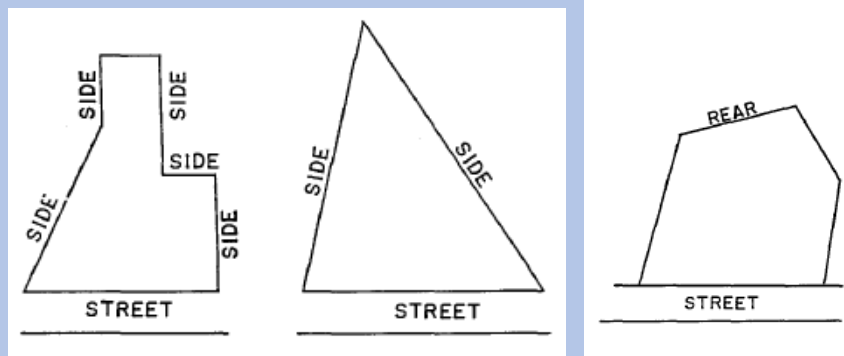
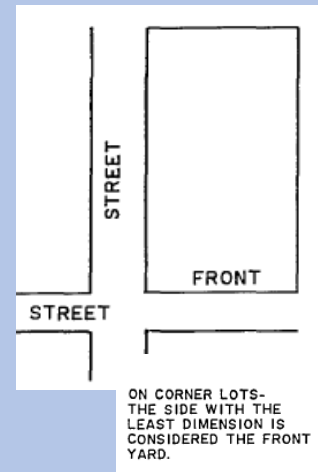
FRONT LOT LINE – The line separating the lot from the street or, in the case of a rear lot, the property line (or property line extended) adjacent to where the lot gets its access to the street.

In the case of a corner lot, the street line that has the least dimension shall be considered the front lot line and the lot lines adjacent thereto shall be considered the side lot lines.

REAR LOT LINE – That lot line opposite or most nearly opposite to the front lot line.

SIDE LOT LINE – Any lot line not a front or rear lot line.

STREET LINE – The dividing line between a street and a lot.



CANNABIS – See “Cannabis-Related Terms”

MARINA – A facility for storing, servicing, fueling, berthing and securing and launching of private pleasure craft that may include the sale of fuel and incidental supplies for the boat owners, crews and guests.

MASSAGE THERAPY – The provision of massage therapy services as a business as defined and regulated under CGS. Section 20-206a through 20-206g and further regulated and enforced by the State of Connecticut Department of Public Health.

Mixed Use Terms

MIXED USE – A combination of commercial and residential uses on a single property or within a specific area, e.g. an apartment building with offices or stores.

MIXED USE BUILDING – A combination of commercial and residential components in a single building, e.g. an apartment building on upper floor(s) with offices or stores below.

MIXED USE SITE / AREA – A combination of commercial and residential components in separate buildings on a single property or in an area, e.g. an apartment building with separate building(s) containing offices or stores.

Mobile Home-Related Terms

MOBILE HOME – a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary and complies with the standards established under this chapter; and except that such term shall not include any self-propelled recreational vehicle. Also known as a manufactured home and defined in the National Manufactured Home Construction and Safety Standards Act, 42 U.S.C. Section 5402).

Notwithstanding the foregoing, any mobile home in existence and presently occupied within the town which met the definition of “mobile home set forth in the Zoning Regulations in effect prior to the effective date of these regulation shall be considered a “mobile home” within this definition.

MOBILE HOME PARK – Any site or tract of land upon which seventy-five (75) or more mobile homes for dwelling or sleeping purposes are located, regardless of whether or not a charge is made for such service, or any site or tract of land designated for such purposes.

EXISTING MOBILE HOME PARK SUBDIVISION – A parcel of land under single ownership that has been planned and improved for the placement of mobile homes for dwelling purposes.

MOBILE HOME SPACE – A plot of ground within a mobile home park designed for the accommodation of one (1) mobile home in accordance with these Regulations.

MODIFICATION – Any change of a site plan approved by the Commission which is different from that plan brought in for initial review by an applicant. Such change or changes may include changes requested or required by the Planning and Zoning Commission based on recommendations from the Town Engineer, the Town Planner, the Director of Development, the Fire Marshal, the Police Chief, the Director of Inspections and Permits, the Director of Health, the Director of Public Works, the Corporation Counsel, and/or their authorized agents, and the Design Review Committee. It may also include minor field adjustments as authorized by the Town Engineer.

MOTEL - See *“Lodging-Related Terms”*

MOTOR VEHICLE – A machine propelled by power other than human power designed to travel along the ground by use of wheels, treads, runners, or slides and transport persons or property or pull machinery, except for electric battery operated or assisted wheel chairs, bicycles, or scooters; self-propelled snow plows, snow blowers or lawn mowers; and shall include, without limitation, automobile, truck, trailer, major recreational equipment, motorcycle, tractor, buggy and wagon.

MULTI-DISCIPLINED BEAUTY SALON / HEALTH SPA BUSINESS - An establishment comprised of or combining several usually separate areas of cosmetology expertise consisting of but not limited to nail specialists, cosmetologists, facial specialists, full specialists, hair stylists, hair braiders, hair wrappers, and body wrappers.

MULTIPLE-FAMILY DWELLING – A dwelling containing four (4) or more dwelling units.

Non-Conforming Related Terms

NON-CONFORMING – A situation where a use, structure or lot does not conform with the regulations for the zone in which it is situated.

NON-CONFORMING USE – The use of land or use of a building or structure which does not conform to the applicable use provisions of these Regulations for the district in which it is located.

NON-CONFORMING LOT – A lot which does not conform to the area, shape, frontage, or locational provisions of these Regulations for the district in which it is located.

NON-CONFORMING BUILDING OR STRUCTURE – A building or other structure which does not conform to the dimensional or locational or other applicable provisions of these Regulations for the district in which it is located.

ILLEGAL NON-CONFORMING – A situation where a nonconforming use, structure or lot is not a legal conforming use, structure, or lot.

LEGAL NON-CONFORMING – A situation where a use, structure, or lot:

- Was legally existing as of March 21, 1927 or any pertinent amendments hereto and became nonconforming as a result of such adoption.
- Had been issued a building permit prior to March 21, 1927 or any pertinent amendments hereto and actual construction (as defined in these Regulations) had lawfully begun.
- Was authorized by variance or other legal approval.

NON-PROFIT ORGANIZATION – An organization which qualifies as a non-profit enterprise under applicable state and/or federal law.

OUTDOOR DINING FACILITIES - Any outdoor dining area associated with a restaurant establishment.

OWNER - Any person, firm, association, syndicate, partnership, or corporation having such other interest or estate therein as will permit the exercise of effective possession thereof or dominion or control there over.

PARKING SPACE - The area required for parking an automobile, not including passageways and driveways appurtenant thereto and giving access thereto, and having direct access to a street or alley.

PERSON - Any individual, firm, association, partnership, owner, corporation, lessee or licensee.

PERSONAL SERVICE ESTABLISHMENT - See *"Service Establishment, Personal."*

Pet And Animal Facilities

PET BOARDING FACILITY - A place, other than a veterinary hospital, at which overnight boarding of dogs and/or other common household pets not registered to a resident of the property is provided for remuneration or compensation of any kind:

PET TRAINING / PET DAY CARE FACILITY - A commercial establishment at which dogs and/or other common household pets are kept, maintained, groomed, or trained for monetary remuneration but no overnight boarding is provided. (includes “doggie day care”)

VETERINARY HOSPITAL – A place where dogs and/or other common household pets are given medical care and the boarding of animals is limited to short-term care accessory to the hospital use.

PET BOARDING FACILITY – See “*Pet and Animal Facilities*”

PET TRAINING / DAY CARE FACILITY - See “*Pet and Animal Facilities*”

Places of Public Assembly

PLACE OF PUBLIC ASSEMBLY - A facility or space that has organized services, meetings, or programs to benefit, educate, entertain, or promote discourse amongst the residents of the community in a public or private setting. It may include such uses as houses of worship, community centers, catering halls, auditoriums, civic centers, civic clubs and lodges, convention centers, performing arts facilities, parks, recreation centers, and indoor/outdoor commercial recreation areas.

TIER 1 PLACE OF PUBLIC ASSEMBLY - Tier 1 places of public assembly are those that are commercial in nature and generate significant taxable revenue. They provide shopping, retail, commerce, and entertainment opportunities and are higher traffic uses than non-commercial places of public assembly. Tier 1 places of public assembly include, but are not limited to, indoor and/or outdoor commercial recreation.

TIER 2 PLACE OF PUBLIC ASSEMBLY - Tier 2 places of public assembly are those that are not commercial in nature and do not generate significant taxable revenue. They provide general meeting space, programs, and organized services and are lower traffic uses than commercial places of public assembly. Tier 2 places of public assembly include, but are not limited to, houses of worship, community centers, catering halls, auditoriums, civic centers, civic clubs and lodges, convention centers, performing arts facilities, parks, and recreation centers.

PREMISES - All land comprising a lot and including all buildings and uses located on the lot.

Principal And Accessory

PRINCIPAL – That which is most important. The main or primary condition.

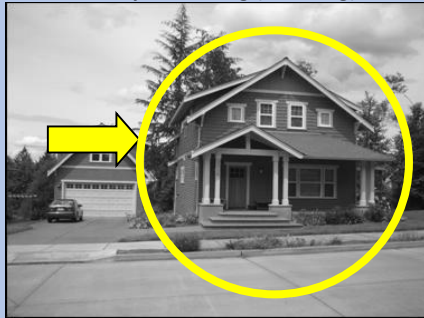
ACCESSORY - That which is subordinate to the principal condition.

PRINCIPAL BUILDING - The primary or predominant building on a parcel of land and/or a building in which is conducted the principal use of the parcel. *See "Building". See also "Accessory Building"*

ACCESSORY BUILDING - Any building that is subordinate to, and whose use is subordinate and customarily incidental and supplementary to, the use of the principal building on the same lot. An accessory building attached to the principal building by any covered porch, breezeway or any other roofed structure is considered part of the principal building.

ACCESSORY STRUCTURE – Any structure that is subordinate to, and whose use is subordinate and customarily incidental and supplementary to, the use of the principal building on the same parcel. An accessory structure attached to the principal building by any covered porch, breezeway or other roofed structure in any way is considered part of the principal building. *See "Structure"*

Principal Building (Dwelling)



Accessory Building (Detached Garage)



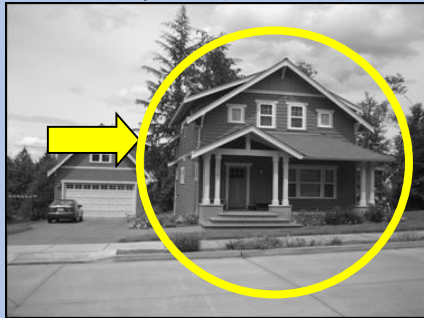
(continued on next page)

(continued from previous page)

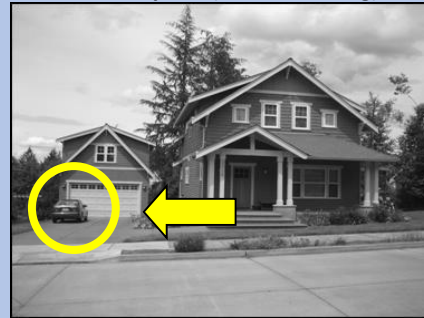
PRINCIPAL USE – The primary or predominant use or activity of a building, structure, or parcel of land. See “Use”. See also “Accessory Use”.

ACCESSORY USE – A use of a building, structure, or parcel of land that is customarily incidental to, and subordinate to, a principal use or activity on the same parcel as the principal use. See “Use”. See “Principal Use”, “Customary”, “Subordinate”, and “Incidental.”

Principal Use (Residential)



Accessory Use (Vehicle Parking)



CUSTOMARY – Something commonly practiced, used, or observed such that it is considered conventional and typical rather than unusual.

INCIDENTAL - Something likely to ensue as a minor consequence of another activity or something that happens as a minor part or result of something else.

SUBORDINATE – Something inferior, smaller, fewer, and of less importance or impact or something placed in or occupying a lower class, rank, or position.

PUBLIC STORAGE - Interior storage spaces for rental to the general public in discrete cubicles, generally not less than twenty (20) square feet nor more than five hundred (500) square feet in area.

QUICK-SERVICE RESTAURANT - See “Restaurant-Related Terms”

Recreational Equipment / Vehicle Terms

RECREATIONAL EQUIPMENT / VEHICLE shall include the following:

TRAVEL TRAILER - a vehicular portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation use, permanently identified "travel trailer" by the manufacturer of the trailer.

TENT TRAILER / CAMPING TRAILER - A fabric folding structure mounted on wheels and designed for travel use.

PICKUP CAMPER - A structure designed primarily to be mounted on a pickup or truck chassis and with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational or vacation use.

MOTOR HOME - A portable dwelling designed and constructed as an integral part of a self-propelled vehicle.

UTILITY TRAILER - An open or closed trailer towed by an automobile or small truck (excluding trailers built to be towed by tractor trucks) for storing or carrying materials, equipment, or vehicles.

AQUATIC AND OFF-ROAD VEHICLES - Include boats, ski mobiles, dune buggies, amphibious vehicles, dirt bikes, and the like including trailers, cases, or boxes used for transporting such vehicles to point of use.

Travel Trailer



Tent / Camping Trailer



Pickup Camper



Motor Home



Utility Trailer



Aquatic / Off-Road Vehicles



RESIDENTIAL CLUSTER DEVELOPMENT, SINGLE FAMILY - A type of development limited to single family detached buildings where such buildings are concentrated in specific areas of the parcel in order to:

- Encourage creative site design that is sensitive to the land's natural features,
- Allow for more efficient use of land,
- Allow for flexibility in building placement, and
- Promote cost savings in infrastructure installation.

RESIDENTIAL EDUCATION FACILITY - A facility that provides for the long-term housing needs of students who are participating in a residential special education school. Educational services are provided on site in a school that is certified by the state Department of Education as a special education school. Limited medical services are provided by the facility by nursing and child care staff. Such facilities are designed to meet the long-term educational needs of the students.

Restaurant-Related Terms

RESTAURANT - A business establishment whose primary function is the service of food in a ready-to-eat state for human consumption. A restaurant may include beverage service as an accessory use.

RESTAURANT, FULL SERVICE - A restaurant where the primary mode of service is waitstaff taking orders and serving food to patrons seated at tables or counters within the principal building for consumption on the premises.

RESTAURANT, QUICK SERVICE - A restaurant where the primary mode of service is food being ordered from a menu display board or similar device and/or where food is being served on a tray or in a container to allow for consumption on or off the premises (may include fast food, pizzeria, coffee shop, candy shop, bakery, doughnuts, delicatessen, ice cream shop, etc.).

RESTAURANT, DRIVE-THROUGH - Any restaurant where service of any kind occurs:

- At a drive-through window, or
- Directly to customers seated in vehicles where consumption in the vehicle generally follows immediately.

RETAIL FOOD ESTABLISHMENT - A retail establishment, other than a grocery store, whose primary function is the selling of food not generally intended for immediate human consumption (such as a butcher, a fish market, etc.). A retail food establishment may include the sale of prepared food and beverages for immediate consumption as an accessory use.

ACCESSORY FOOD SERVICE - A designated portion of a principal building which dispenses food service to employees and guests of the building in which the use is located, i.e., a cafeteria or lunchroom.

RESTRICTIVE MEDIAN - A physical barrier in the roadway that separates traffic traveling in opposite directions, such as concrete barrier or landscaped island.

RETAIL FOOD ESTABLISHMENT - See "*Restaurant-Related Terms*"

REVOLVING SIGN - See [Section 7.1](#)

ROOMING HOUSE - See “Lodging-Related Terms”

QUEUING LANE - An area of stacking spaces and driving lane provided for vehicles waiting for drive-through service that is physically separated from other traffic and pedestrian circulation on the site.

QUEUING / STACKING SPACE - An area within a queuing lane for vehicles waiting to order and/or finish a drive-through transaction.

SEDIMENT - Solid material, either mineral or organic that is in suspension is transported, or has been moved from its site of origin.

Service Establishments

SERVICE ESTABLISHMENT - An establishment primarily engaged in commercial activities that sell or purchase specialized private services in a financial transaction that does not produce any tangible commodity but specifically not including:

- Adult entertainment, as defined in these Regulations, or
- Auto service or repair.

SERVICE ESTABLISHMENT, PERSONAL - Any establishment primarily involved with the provision of personal care or other service directly to the ultimate consumer on a one-to-one basis as walk-in trade or by appointment.

PERSONAL SERVICE ESTABLISHMENT – TYPE 1 – Personal service establishments including, but not limited to, tailors, multi-disciplined beauty salon/health spa business with a minimum floor area of two-thousand five hundred (2,500) square feet, dressmakers, dry cleaning or laundry pickup stations, express mail/couriers, shoeshine and shoe repair shops, shops for repairs or adjustments to appliances, watches, locks, and similar small items, and similar uses.

PERSONAL SERVICE ESTABLISHMENT – TYPE 2 – Personal service establishments including, but not limited to, beauty salons, tanning salons, nail salons, barber shops, check cashing facilities, same day payday advance loan facilities, pawn shops, professional cuddling services facility, fortune tellers and psychics, tattoo and/or body piercing parlors, laundromats, multi-level marketing business/network marketing/referral marketing facilities and similar uses.

SERVICE ESTABLISHMENT, OTHER - A service establishment other than a Personal Service Establishment (Type 1 or Type 2) as defined in these Regulations.

SERVICE GARAGE - Any building, premises, or land in which or upon which a business involving the maintenance, servicing, repair or painting of vehicles is conducted or rendered.

SETBACK - See “Yards Versus Setbacks”

SHARED ACCESS - See *"Access-Related Terms"*

SHOPPING CENTER / MALL - A lot containing not less than five (5) retail stores that is under single ownership and/or control, including single leasehold interest, having a total ground floor building area of not less than eighty thousand (80,000) square feet, a total lot area containing not less than three hundred twenty thousand (320,000) square feet, and immediate adjoining off-street parking facilities for not less than four hundred (400) automobiles.

SIGN - See [Section 7.1](#)

SMALL BOX DISCOUNT STORE - See *"Discount Store, Small Box"*

SOIL - Any earth, sand, clay, loam, gravel, humus, rock, or dirt, irrespective of the presence or absence therein of organic matter; any unconsolidated mineral and organic material of any origin.

SOIL EROSION AND SEDIMENT CONTROL PLAN - A plan including, but not limited to, a map and narrative for addressing site disturbance in ways that minimizes soil erosion and sedimentation.

Story-Related Terms

STORY - That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.

A mezzanine, as defined in the Connecticut State Building Code, shall be deemed a full story when it covers more than thirty three (33) percent of the area of the story underneath said mezzanine.

For the purpose of these Regulations, a basement or cellar, as defined in the Connecticut State Building Code, shall be counted as a story if:

- Its ceiling is more than five (5) feet above the level from which the height of the building is measured,
- If it is used for business purposes, or
- If it is used for dwelling purposes by other than a janitor or domestic servants employed in the same building, including the family of the same.

STREET - Any thoroughfare or public way other than an alley that has been accepted by the Town or the State and is not less than twenty-five (25) feet in width and gives access to lots. "Street" shall be deemed to include the entire width of the right-of-way.

STREET FRONTAGE - See *"Lot Related Standards"*

STREET LINE - See *"Lot Line Related Terms"*

STRUCTURE - See *"Building Versus Structure"*

SUBORDINATE - See *"Principal and Accessory"*

SUBSTANCE ABUSE TREATMENT FACILITY - Any structures or land used for the care or treatment of persons suffering from alcoholism or other drug addiction.

SWIMMING POOL - A pool used by people for swimming or bathing having one or more of the following characteristics:

- a depth of twenty-four (24) inches or more,
- a water recirculating system, or
- construction involving structural materials.

TIME AND TEMPERATURE SIGN – See [Section 7.1](#)

TOPSOIL - Soil that in its natural state constitutes the top layer of earth, is composed of two (2) percent or more by weight of organic matter and has the ability to support vegetation.

TOWER - A structure that is intended to support equipment used to receive and/or transmit electromagnetic waves or other purpose. Design examples of towers include, but are not limited to, self-supporting lattice, guyed and monopole.

TRUCK GARDEN - The raising of vegetables for sale either at wholesale or retail.

Truck Terminal-Related Terms

TRUCK TERMINAL - A structure or land used or intended to be used primarily to accommodate the transfer of goods or chattels from trucks or truck trailers to other trucks or truck trailers or to vehicles of other types in order to facilitate the transportation of such goods or chattels or for truck or truck-trailer parking or storage. The term “Truck Terminal” includes facilities for the storage of freight-shipping containers designed to be mounted on chassis for part or all of their transport, but does not include a warehouse as defined herein or moving and storage establishment.

A trucking terminal may include as an accessory use only facilities for trucking personnel, facilities for the service or repair of proprietor trucks only, or third party trucks associated with the trucking terminal as allowed by the permitted zone and necessary space for the transitory storage of goods or chattels.

As used in this definition, the terms “trucks”, “truck-trailers”, and “truck tractors” do not include any vehicle whose maximum gross weight is ten thousand (10,000) pounds or less, as rated by the State of Connecticut Department of Motor Vehicles.

Land used for the parking, storage or repair of trucks used as an accessory to a lawful business or industrial use of the land that such parking or storage area forms a part of shall not be considered a trucking terminal within the meaning of this definition.

MINOR TRUCK TERMINAL - A trucking facility other than a Major Trucking Terminal, including a truck yard, the primary purpose of which is to accommodate the parking or storage of trucks, truck trailers, or truck tractors.

MAJOR TRUCK TERMINAL - A trucking facility of ten (10) acres or more whose primary purpose is to accommodate the transfer of goods or chattels from trucks or truck trailers to other trucks or truck trailers or to vehicles of other types in order to facilitate the transportation of such goods or chattels.

USE -- Any activity, occupation, business, or operation carried on or intended to be carried on in a building or other structure or on a tract of land.

USE, ACCESSORY -- See “Principal and Accessory”

USE, PRINCIPAL -- See “Principal and Accessory”

VARIANCE - A grant of relief by the Zoning Board of Appeals from the requirements of these Regulations that permits construction and/or use in a manner that would otherwise be prohibited by these Regulations.

VETERINARY HOSPITAL – See “Pet and Animal Facilities”

WAREHOUSE - A building used primarily for storage of goods and materials provided such storage is in compliance with Connecticut Fire Safety Code Chapter 541 as amended, Federal Occupational Standard 1910.1200 as amended, Environmental Protection Agency Emergency Planning and Community Right to Know Act of 1986 as amended, and Department of Transportation Code of Federal Regulation 49 as amended.

WORK STUDIO/DWELLING - A combination work place and dwelling unit for artists consisting of one (1) or more floors which are arranged and designed and used as a dwelling unit with lawful sanitary facilities and including adequate working space for the persons residing therein.

Yards versus Setbacks

SETBACK - A line parallel to a street line or a lot line at a distance established by the minimum yard setback requirements of these Regulations for the zoning district, behind which buildings and structures may be legally erected. *See "Lot Line"*

- For corner lots in all districts, the front yard setback requirement shall apply on the shortest street line.
- For through lots in all districts, the front yard setback requirements shall apply on both frontages.

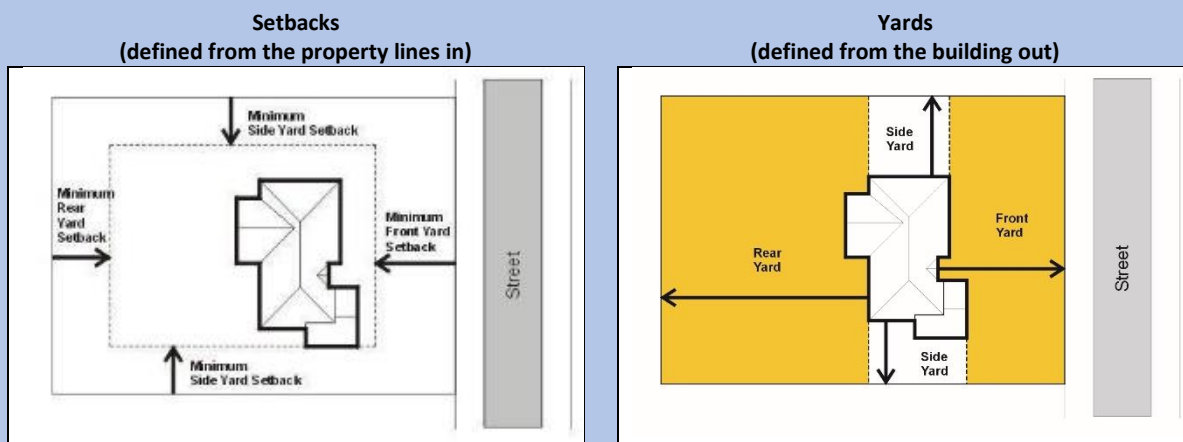
See [Appendix B](#) for building features subject to setback requirements.

YARD – The area between the principal structure and a lot line.

FRONT YARD - The area on a lot lying between the front of the principal building and the front lot line (the street line), extending across the full width of the lot.

SIDE YARD - The area on a lot between a side lot line and a parallel line located at the nearest principal structure on the lot.

REAR YARD - The area on a lot lying between the rear of the principal building and the rear lot line, extending across the full width of the lot.



APPENDICES

Appendix A.	Flood Hazard Provisions
Appendix B.	Application of Coverage / Setbacks
Appendix Z.	Amendment Dates

1. Quick Start
2. Residence
3. Business
4. Industrial
5. Special
6. Uses-
7. Standards
8. Special
9. Procedures
10. Framework
11. Glossary
12. Appendix

Appendix A – Flood Hazard Provisions

Note that the numbering of this Section is different than other Sections.

This numbering of this Section tracks the numbering system used in the 2018 DEEP Model Floodplain Management Regulations in order to facilitate updating and maintenance of these Zoning Regulations in the future. For the correct citation, the prefix “5.1” should be added to the numbering system in the DEEP Model Regulations to reflect the Section number in the East Hartford Zoning Regulations.

1.0 STATUTORY AUTHORIZATION AND PURPOSE

1.1 STATUTORY AUTHORIZATION

The Legislature of the State of Connecticut has in Title 8, Chapter 124, Section 8-2 of the General Statutes delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Planning and Zoning Commission of the Town of East Hartford, Connecticut does ordain as follows:

1.2 FINDING OF FACT

The flood hazard areas of the Town of East Hartford are subject to periodic flood inundation which results in the loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

These flood losses are caused by the cumulative effect of obstructions in the floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazards to other lands which are inadequately elevated, floodproofed, or otherwise unprotected from flood damage. Uncontrolled development and use of the floodplains can adversely affect the community.

The Town of East Hartford has voluntarily participated in the National Flood Insurance Program (NFIP) since at least December 18, 1979. The NFIP is founded on a mutual agreement between the federal government and each participating community. Local, state, and federal governments must share roles and responsibilities to meet the goals and objectives of the NFIP. The community’s role is of paramount importance. Property owners are able to receive federally-subsidized flood insurance only if the community enacts and enforces the minimum floodplain regulations required for participation in the NFIP.

1.3 STATEMENT OF PURPOSE

It is the purpose of this Section 5.1 of the Regulations to regulate floodplain development, promote public health, safety, and general welfare, and minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. To protect human life and health, and prevent damage to property;
2. To minimize expenditure of public funds for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions and other economic disruptions;
5. To minimize damage to public facilities, infrastructure and utilities, such as water and gas mains, electric, telephone and sewer lines, and streets and bridges, located in the floodplain;
6. To help maintain a stable tax base by providing for the sound use and development of flood hazard areas in such a manner as to minimize flood damage and flood blight areas;
7. To insure that potential buyers are notified that property is in a flood hazard area;
8. To prevent increase in flood heights that could increase flood damage and result in conflicts between property owners;
9. To ensure that those who occupy the flood hazard areas assume responsibility for their actions; and
10. To discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside of the floodplain.

1.4 OBJECTIVES

In order to accomplish its purposes, this Section 5.1 of the Regulations includes objectives, methods, and provisions that:

1. Restrict or prohibit uses which are dangerous to health, safety and property due to flood or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
2. Require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers that are involved in the accommodation of flood waters;
4. Control filling, grading, dredging and other development which may increase erosion or flood damage; and
5. Prevent or regulate the construction of barriers or obstructions which will unnaturally divert flood waters or which may increase flood hazards to other lands.

2.0 DEFINITIONS

Unless specifically defined below, words and phrases used in this Section 5.1 of the Regulations shall have the same meaning as they have in common usage and to give this regulation its most reasonable application.

AREA OF SHALLOW FLOODING - A designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

BASE FLOOD – The flood having a one (1) percent chance of being equaled or exceeded in any given year, also referred to as the one hundred (100) year flood, as published by the Federal Emergency Management Agency (FEMA) as part of a Flood Insurance Study (FIS) and depicted on a Flood Insurance Rate Map (FIRM).

BASE FLOOD ELEVATION (BFE) – The elevation of the crest of the base flood or 100-year flood. The height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas.

BASEMENT – Any area of the building having its floor subgrade (below ground level) on all sides.

BUILDING – see definition for “Structure” in this Section 5.1.2.

COST – As related to substantial improvements, the cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure shall be established by a detailed written contractor’s estimate. The estimate shall include, but not be limited to: the cost of materials (interior finishing elements, structural elements, utility and service equipment); sales tax on materials, building equipment and fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractor’s overhead; contractor’s profit; and grand total. Items to be excluded include: cost of plans and specifications, survey costs, permit fees, outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds, and gazebos.

DEVELOPMENT – Any man-made change to improved or unimproved real estate, including but not limited to the construction of buildings or structures; the construction of additions, alterations or substantial improvements to buildings or structures; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment; the storage, deposition, or extraction of materials; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION – A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured home are to be affixed (including, as a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before December 18, 1979, the effective date of the floodplain management regulations adopted by the community.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION – The preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) - The federal agency that administers the National Flood Insurance Program (NFIP).

FINISHED LIVING SPACE– As related to fully enclosed areas below the base flood elevation (BFE), a space that is, but is not limited to, heated and/or cooled, contains finished floors, has sheetrock walls that may or may not be painted or wallpapered, and other amenities such as furniture, appliances, bathrooms, fireplaces and other items that are easily damaged by floodwaters and expensive to clean, repair or replace. Unfinished enclosed areas below the BFE should comply with FEMA Technical Bulletin 2, Flood-Damage Resistant Materials Requirements.

FLOOD / FLOODING – A general and temporary condition of partial or complete inundation of normally dry land areas from either the overflow of inland or tidal waters, or the unusual and rapid accumulation/runoff of surface waters from any source.

FLOOD INSURANCE RATE MAP (FIRM) – The official map of a community on which the Federal Emergency Management Agency (FEMA) has delineated both the special flood hazard areas (100-year floodplain) and the insurance risk premium zones applicable to a community.

FLOOD INSURANCE STUDY (FIS) – The official study of a community in which the Federal Emergency Management Agency (FEMA) has conducted an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.

FLOODWAY – The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1.0) foot. For the purposes of these Regulations, the term “Regulatory Floodway” is synonymous in meaning with the term “Floodway”.

FUNCTIONALLY DEPENDENT USE OR FACILITY – A use or facility that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. The term does not include seafood processing facilities, long-term storage, manufacturing, sales or service facilities.

HIGHEST ADJACENT GRADE (HAG) – The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE – Any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.

LOWEST FLOOR – The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area is not considered a building’s lowest floor, provided that such an area meets the design requirements specified in Subsection 5.3.1.3 of this Section 5.1 of the Regulations.

MANUFACTURED HOME – A structure, transportable in one (1) or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term also includes park trailers, travel trailers, recreational vehicles and other similar vehicles or transportable structures placed on a site for one hundred and eighty (180) consecutive days or longer and intended to be improved property.

MANUFACTURED HOME PARK OR SUBDIVISION – A parcel or contiguous parcels of land divided into two (2) or more manufactured home lots for rent or sale.

MARKET VALUE – As related to substantial improvement and substantial damage, the market value of the structure shall be determined by (choose one of the following: an independent appraisal by a professional appraiser; the property’s tax assessment, minus land value; the replacement cost minus depreciation of the structure; the structure’s Actual Cash Value) prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring.

MEAN SEA LEVEL (MSL) – The North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community’s Flood Insurance Rate Map (FIRM) are referenced.

NEW CONSTRUCTION – Structures for which the “start of construction” commenced on or after December 18, 1979, the effective date of the floodplain management regulations, and includes any subsequent improvements to such structures.

NEW MANUFACTURED HOME PARK OR SUBDIVISION – A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after December 18, 1979, the effective date of the floodplain management regulation adopted by the community.

RECREATIONAL VEHICLE – A vehicle which is: (a) built on a single chassis; (b) four hundred (400) square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck; and (d) designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.

SPECIAL FLOOD HAZARD AREA (SFHA) – The land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year. SFHAs are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. SFHAs include, but are not necessarily limited to, the land shown as Zones A, A1-30, AE, AO, AH on a FIRM. The SFHA is also called the Area of Special Flood Hazard.

START OF CONSTRUCTION – For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-348), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, substantial improvement or other improvement was within one hundred and eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erections of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE – A walled and roofed building which is principally above ground, including a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

SUBSTANTIAL DAMAGE – Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT – Any combination of repairs, reconstruction, rehabilitation, alterations, additions or other improvements to a structure, taking place during a ten (10) year period, in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures that have incurred “substantial damage”, regardless of the actual repair work performed. For purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or (2) Any alteration of a “historic structure”, provided that the alteration will not preclude the structure’s continued designation as a “historic structure”.

VARIANCE - A grant of relief from the terms of this Section 5.1 of the Regulations that allows construction in a manner otherwise prohibited and where specific enforcement would result in unnecessary hardship.

VIOLATION – Failure of a structure or other development to be fully compliant with the community’s floodplain management regulations. A structure or other development without required permits, lowest floor elevation documentation, flood-proofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION – The height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

3.0 GENERAL PROVISIONS

3.1 AREAS TO WHICH THIS REGULATION APPLIES

This Section 5.1 of the Regulations shall apply to all Special Flood Hazard Areas (SFHA) within the Town of East Hartford.

3.2 BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS (SFHA)

The Special Flood Hazard Areas (SFHA) identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for the Town of East Hartford, Connecticut, dated September 16, 2011, accompanying Flood Insurance Rate Maps (FIRM), dated September 26, 2008 (Panels 09003C0386F, 09003C0387F, 09003C0388F, 09003C0389F, 09003C0526F, 09003C0527F and September 16, 2011 (panel 09003C0367G, 09003C0368G, 09003C0369G, 09003C0507G), and other supporting data applicable to the Town of East Hartford, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this Section 5.1 of the Regulations. Since mapping is legally adopted by reference into this Section 5.1 of the Regulations it must take precedence when more restrictive until such time as a map amendment or map revision is obtained from FEMA.

The SFHA includes any area shown on the FIRM as Zones A, AE, AO, and AH, including areas designated as a floodway on a FIRM. SFHAs are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. Also included are areas of potential, demonstrable or historical flooding, including any area contiguous with but outside the SFHA identified by FEMA, and where the land surface elevation is lower than the base flood elevation (BFE) as shown in the FIS, and the area is not protected from flooding by a natural or man-made feature. The FIRM and FIS are on file in the Town Hall, 740 Main Street, East Hartford, Connecticut.

3.3 STRUCTURES ALREADY IN COMPLIANCE

A structure or development already in compliance with this Section 5.1 of the Regulations shall not be made non-compliant by any alteration, modification, repair, reconstruction or improvement and must also comply with other applicable local, state, and federal regulations. No structure or land shall hereafter be located, extended, converted, modified or structurally altered without full compliance with the terms of this Section 5.1 of the Regulations and other applicable regulations.

3.4 ABROGATION AND GREATER RESTRICTIONS

This Section 5.1 of the Regulations is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this regulation and another ordinance, regulation easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

3.5 INTERPRETATION

In the interpretation and application of this Section 5.1 of the Regulations, all provisions shall be: 1) considered as minimum requirements; 2) liberally construed in favor of the governing body, and; 3) deemed neither to limit nor repeal any other powers granted under State statutes.

3.6 WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this Section 5.1 of the Regulations is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering consideration and research. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This regulation does not imply or guarantee that land outside the Special Flood Hazard Area or uses permitted in such areas will be free from flooding and flood damages. This regulation shall not create liability on the part of the Town of East Hartford or by any officer or employee thereof for any flood damages that result from reliance on this regulation or any administrative decision lawfully made thereunder. The Town of East Hartford, its officers and employees shall assume no liability for another person's reliance on any maps, data or information provided by the Town of East Hartford.

3.7 SEVERABILITY

If any section, subsection, paragraph, sentence, clause, or phrase of this Section 5.1 of the Regulations should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this regulation, which shall remain in full force and effect; and to this end the provisions of this regulation are hereby declared to be severable.

4.0 ADMINISTRATION

4.1 DESIGNATION OF THE LOCAL ADMINISTRATOR

The Planning and Zoning Commission is hereby appointed to administer and implement this regulation by granting or denying Floodplain Development Permit applications in accordance with its provisions.

4.2 CERTIFICATION

Where required under this Section 5.1 of the Regulations , a registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this regulation. Such certification must be provided to the Planning and Zoning Commission.

4.3 ESTABLISHMENT OF THE FLOODPLAIN DEVELOPMENT PERMIT

A Floodplain Development Permit shall be required in conformance with the provisions of this Section 5.1 of the Regulations prior to the commencement of any development activities. Permits issued under this regulation shall expire if actual construction of a permitted structure does not commence within one hundred and eighty (180) days of the permit approval date.

4.4 PERMIT APPLICATION PROCEDURES

A Floodplain Development Permit is hereby established for all construction and other development to be undertaken in Special Flood Hazard Areas in East Hartford:

Type of Permit	Permit Agency	Public Hearing
MINOR FLOODPLAIN DEVELOPMENT PERMIT: Any of the following development activities which comply with construction methods and compensatory storage as per Subsection 5.1 of this Section 5.1 <ul style="list-style-type: none"> a. Decks attached to existing residential structures. b. Residential accessory structures. 	Building Official Building Official	No
<ul style="list-style-type: none"> c. Rehabilitation of existing storm drainage, utilities, sidewalks, driveways or roadways. 	Town Engineer	No
MAJOR FLOODPLAIN DEVELOPMENT PERMIT: All activities not defined as minor floodplain development.	Planning & Zoning Commission	Yes

Prior to any development activities in Special Flood Hazard Areas in East Hartford, application for a Floodplain Development Permit shall be made to the permit agency listed above on forms provided and may include, but not be limited to, plans in duplicate drawn to scale showing, at a minimum, the property lines and location of the parcel; the nature, location, dimensions, and elevations of the area in question; limit and extent of the 100-year floodplain and/or floodway boundary and base flood elevation(s); existing and proposed structures, fill, storage of materials, drainage facilities and the location of the foregoing.

Specifically, the following information is required to be submitted:

4.4.1 Application Stage - The applicant shall provide at least the following information, where applicable. Additional information may be required on the permit application form.

	Minor	Major
1. Base flood elevation (BFE) for the site in question as determined in the FEMA Flood Insurance Study (FIS) or Flood Insurance Rate Map (FIRM). The FIS flood profiles provide more accurate BFE data than the FIRM. The extent of the 100- year floodplain and floodway must be depicted with a boundary line on any site plans and shown in relation to existing and proposed structures or development.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
2. Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all new construction, substantial improvements or repairs to structures that have sustained substantial damage.		<input checked="" type="checkbox"/>
3. Elevation in relation to mean sea level to which any non-residential new construction, substantial improvements or repair to structures that have sustained substantial damage will be dry flood-proofed.		<input checked="" type="checkbox"/>
4. Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development. Computations by a registered professional engineer must be submitted that demonstrate that the altered or relocated segment will provide equal or greater conveyance than the original stream segment. The applicant must submit any maps, computations or other materials required by the Federal Emergency Management Agency (FEMA) in order to officially amend or revise the Flood Insurance Rate Map. The applicant must pay any fees or other costs assessed by FEMA for this purpose. The applicant must also provide assurances that the conveyance capacity of the altered or relocated stream segment will be maintained.		<input checked="" type="checkbox"/>
5. A statement and supporting documentation (all costs of project, market value of structure, etc.) verifying that the proposed alterations to an existing structure meets or does not meet the criteria of the substantial improvement and/or substantial damage definition. If a development meets the definition of substantial improvement and/or substantial damage, the structure must be brought into compliance with all floodplain regulations as if it was new construction.		<input checked="" type="checkbox"/>
6. Where applicable the following certifications by a registered professional engineer or architect are required, and must be provided to the Planning and Zoning Commission. The design and methods of construction must be certified to be in accordance with accepted standards of practice and with the provisions of Subsection 5.3 of this Section 5.1 of the Regulations. a. Non-residential flood-proofing must meet the provisions of Subsection 5.3.1.2 of this Section 5.1 of the Regulations; b. Fully enclosed areas below the base flood elevation (BFE) must meet the minimum design criteria in Subsection 5.3.1.3 of this Section 5.1 of the Regulations; c. No (0.00) increase in floodway water surface elevations are allowed. Any development in a floodway must meet the provisions of Subsection 5.3.4 of this Section 5.1 of the Regulations.		<input checked="" type="checkbox"/>

4.4.2 Construction Stage - Upon completion of the applicable portion of construction associated with a Major Floodplain Development Permit, the applicant shall provide verification of the following as is applicable:

1. Lowest floor elevation shall be verified for:
 - a. A structure in Zones A, AE, A1-30, AO or AH is the top of the lowest floor (including basement);
 - b. A non-residential structure which has been dry flood-proofed is the elevation to which the flood-proofing is effective (Note: For insurance purposes, a dry flood-proofed, non-residential structure is rated based on the elevation of its lowest floor unless it is floodproofed to one foot above the BFE.);
2. Deficiencies detected by the review of the above listed shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

4.5 DUTIES AND RESPONSIBILITIES OF THE LOCAL ADMINISTRATOR

Duties of the Planning and Zoning Commission shall include, but not be limited to:

1. Review all permit applications for completeness, particularly with the requirements of Subsection 4.4.1 of this Section 5.1 of the Regulations.
2. Review all permit applications to determine whether the proposed development and building sites will be reasonably safe from flooding.
3. Review all development permits to assure that the permit requirements of this regulation have been satisfied.
4. Review all permit applications to assure that all necessary federal or state permits have been received. Require that copies of such permits be provided and maintained on file with the permit application. Such permits include, but are not limited to, Coastal Area Management (CAM) Permit, Water Diversion Permit, Dam Safety Permit, and Army Corps of Engineers 401 and 404 Permits.
5. Notify the Council of Governments and affected municipality at least thirty-five (35) days prior to a public hearing if any change of regulation or use of a flood zone will affect an area within five hundred (500) feet of another municipality.
6. Notify the adjacent communities and the Department of Energy and Environmental Protection (DEEP), Inland Water Resources Division, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
7. Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

8. Obtain, record and maintain the elevation (in relation to mean sea level) of the lowest floor (including basement) of all new construction, substantial improvements or repair to a structure that has sustained substantial damage.
9. Obtain, record and maintain the elevation (in relation to mean sea level) to which the new construction, substantial improvement or repair to a structure that has sustain substantial damage has been flood-proofed.
10. When flood-proofing is utilized for a particular structure, the Planning and Zoning Commission shall obtain certification from a registered professional engineer or architect, in accordance with Subsection 5.3.1.2 of this Section 5.1 of the Regulations.
11. Where interpretation is needed as to the exact location of boundaries of the area of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Planning and Zoning Commission shall make necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this regulation.
12. Require the applicant to provide base flood elevation data for all proposed development, including manufactured home parks and subdivisions.
13. When base flood elevation data or floodway data have not been provided in accordance with Subsection 3.2 and Subsection 4.4 of this Section 5.1 of the Regulations, the Planning and Zoning Commission shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source in order to administer the provisions of Subsection 5 of this Section 5.1 of the Regulations.
14. All records pertaining to the provisions of this regulation shall be obtained and maintained in the office of the Planning and Zoning Commission.
15. Upon completion of the permitted development and prior to issuance of a Certificate of Occupancy (CO), necessary as-built surveys (prepared by a Connecticut Licensed Professional as per Connecticut State Statutes) and engineering and architectural certifications shall be provided to the Planning and Zoning Commission demonstrating compliance with the approved plans and standards set forth in Subsection 4.4 of this Section 5.1 of the Regulations.

5.0 PROVISIONS FOR FLOOD HAZARD REDUCTION

5.1 GENERAL STANDARDS

In all Special Flood Hazard Areas (SFHAs) the following provisions are required:

1. New construction, substantial improvements, and structures that have sustained substantial damage shall be constructed using methods and practices that minimize flood damage.
2. New construction, substantial improvements, and structures that have sustained substantial damage shall be constructed with materials and utility equipment that are flood-damage resistant and conform to the provisions of FEMA Technical Bulletin 2, Flood Damage-Resistant Material Requirements. This includes, but is not limited to, flooring, interior and exterior walls, wall coverings and other materials installed below the base flood elevation plus one (1.0) foot.
3. New construction, substantial improvements, and repairs to structures that have sustained substantial damage shall be anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
4. New construction, substantial improvements and repair to structures that have sustained substantial damage cannot be constructed or located entirely or partially over water unless they are a functionally dependent use or facility.
5. The bottom of all electrical, heating, plumbing, ventilation and air conditioning equipment, appliances, fixtures and components, HVAC duct work and duct systems, and any other utility service equipment, facilities, machinery, or connections servicing a structure shall be elevated one (1.0) foot above the base flood elevation (BFE). This includes, but is not limited to, furnaces, oil or propane tanks, air conditioners, heat pumps, hot water heaters, ventilation duct work, washer and dryer hook-ups, electrical junction boxes, and circuit breaker boxes. Systems, fixtures, equipment and components shall not be mounted on or penetrate through breakaway walls intended to fail under flood loads. Connections or other equipment that must be located below the BFE plus 1.0 foot elevation are permitted only when no other elevation alternative is available and provided they are designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of the base flood event. Electrical wiring systems that must be located below the BFE plus 1.0 foot shall conform to the standards for wet locations.
6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood waters.
8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

9. Underground tanks shall be anchored to prevent flotation, collapse and lateral movement under conditions of the base flood. Above-ground storage tanks which are located outside or inside of a structure must be elevated one (1.0) foot above the base flood elevation (BFE) or shall be securely anchored to prevent flotation, collapse or lateral movement under conditions of the base flood. Where elevated on platforms, the platforms shall be cantilevered from or knee braced to the building or shall be supported on elevated foundations that conform to the standards for the particular flood zone as described in Subsection 5.3 of this Section 5.1 of the Regulations. Anchored tanks must have the top of the fill pipe located at least one (1.0) foot above the BFE and have a screw fill cap that does not allow for the infiltration of flood water.
10. In any portion of a watercourse that is altered or relocated, the flood carrying capacity must be maintained. Notify adjacent communities and the Connecticut Department of Energy and Environmental Protection (CTDEEP), Inland Water Resources Division (IWRD) prior to any alteration or relocation of a watercourse.
11. If any portion of a structure lies within the Special Flood Hazard Area (SFHA), the entire structure is considered to be located within the SFHA and must meet the construction requirements of the flood zone. The structure includes any structurally attached additions, garages, decks, porches, sunrooms, patios, or any other structure attached to the main structure.
12. If a structure lies within two or more flood zones, the construction standards of the most restrictive zone apply to the entire structure (i.e., VE zone is more restrictive than AE zone; structure must be built to the highest BFE). The structure includes any structurally attached additions, garages, decks, porches, patios, sunrooms, or any other structure attached to the main structure.
13. **Compensatory Storage** - The water holding capacity of the floodplain, except those areas which are tidally influenced, shall not be reduced. Any reduction caused by filling, new construction or substantial improvements involving an increase in footprint to the structure, shall be compensated for by deepening and/or widening of the floodplain. Storage shall be provided on-site, unless easements have been gained from adjacent property owners; it shall be provided within the same hydraulic reach and a volume not previously used for flood storage; it shall be hydraulically comparable and incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Compensatory storage can be provided off-site if approved by the municipality.
14. **Equal Conveyance** - Within the floodplain, except those areas which are tidally influenced, as designated on the Flood Insurance Rate Map (FIRM) for the community, encroachments resulting from filling, new construction or substantial improvements involving an increase in footprint of the structure, are prohibited unless the applicant provides certification by a registered professional engineer demonstrating, with supporting hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that such encroachments shall not result in any (0.00 feet) increase in flood levels (base flood elevation). Work within the floodplain and the land adjacent to the floodplain, including work to provide compensatory storage shall not be constructed in such a way so as to cause an increase in flood stage or flood velocity.

5.2 STANDARDS FOR WATERCOURSES WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS (UN-NUMBERED A ZONE), ADOPTED FLOODWAYS AND/OR FLOOD MAPPING

1. The Planning and Zoning Commission shall require base flood elevation (BFE) data be provided with any application for new construction, substantial improvement, repair to structures which have sustained substantial damage or other development in Zone A without a FEMA-published BFE (un-numbered A Zone). A registered professional engineer must determine the BFE in accordance with accepted hydrologic and hydraulic engineering practices and document the technical methods used. Studies, analyses, and computations shall be submitted in sufficient detail to allow thorough review and approval. The Planning and Zoning Commission shall obtain, review and reasonably utilize any BFE and floodway data available from a federal, state or other source, including data developed for subdivision proposals, as criteria for requiring that new construction, substantial improvements, repair to structures which have sustained substantial damage or other development in un-numbered A Zones on the community's Flood Insurance Rate Map (FIRM) meet the standards in Subsection 4.4 and Subsection 5.3 of this Section 5.1 of the Regulations. If no BFE can be determined, the lowest floor, including basement, must be elevated to two (2) feet above the highest adjacent grade next to the structure.
2. When BFEs have been determined within Zones A1-30 and AE on the community's FIRM but a regulatory floodway has not been designated, the Planning and Zoning Commission must require that no new construction, substantial improvements, repair to structures which have sustained substantial damage or other development, including fill, shall be permitted which will increase the water surface elevation of the base flood more than one (1.0) foot at any point within the community when all existing and anticipated development is considered cumulatively with the proposed development.
3. The Planning and Zoning Commission may request floodway data of an applicant for watercourses without FEMA-published floodways. When such data is provided by an applicant or whenever such data is available from any other source (in response to the municipality's request or not), the community shall adopt a regulatory floodway based on the principle that the floodway must be able to convey the waters of the base flood without increasing the water surface elevation more than one (1.0) foot at any point within the community.
4. The Planning and Zoning Commission shall obtain, review and reasonably utilize any BFE and floodway data available from a federal, state or other source, as criteria for requiring that new construction, substantial improvements, repair to structures which have sustained substantial damage or other development in any area of potential, demonstrable or historical flooding within the community meet the standards in Subsection 4.4 and Subsection 5.3 of this Section 5.1 of the Regulations.
5. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than one (1.0) foot, provided that the community first completes all of the provisions required by Section 65.12.

5.3 SPECIFIC STANDARDS

1. **Construction Standards in Special Flood Hazard Areas (SFHA), Zones A, A1-30, AE.**
 - a. **Residential Construction** - All new construction, substantial improvements, and repair to structures that have sustained substantial damage which are residential structures shall have the bottom of the lowest floor, including basement, elevated one (1.0) foot above the base flood elevation (BFE). Electrical, plumbing, machinery or other utility equipment that service the structure must be elevated one (1.0) foot above the BFE.
 - b. **Non-Residential Construction** -All new construction, substantial improvements, and repair to structures that have sustained substantial damage which are commercial, industrial or non-residential structures shall:
 - 1) Have the bottom of the lowest floor, including basement, elevated one (1.0) foot above the base flood elevation (BFE); or
 - 2) In lieu of being elevated, non-residential structures may be dry flood-proofed to one (1.0) foot above the BFE provided that together with all attendant utilities and sanitary facilities the areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, and provided that such structures are composed of structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall review and/or develop structural design specifications and plans for the construction, and shall certify that the design and methods of construction are in accordance with acceptable standards of practice for meeting the provisions of this section. Such certification shall be provided to the Planning and Zoning Commission on the FEMA Floodproofing Certificate, Form 81-65.
 - 3) The bottom of all electrical, plumbing, machinery or other utility equipment that service the structure must be elevated one (1.0) foot above the BFE.

2. **Fully Enclosed Areas Below The Base Flood Elevation Of Elevated Buildings** - All new construction, substantial improvements, or repair to structures that have sustained substantial damage, whether residential or non-residential, that include fully enclosed areas formed by a foundation and other exterior walls shall have the lowest floor elevated to one (1.0) foot above the base flood elevation (BFE). The elevated building shall be designed to preclude finished living space below the lowest floor and be designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls (wet flood-proofing). Designs for complying with this requirement must either be certified by a registered professional engineer or architect as meeting the requirements of ASCE 24 Section 2.6.2.2, or meet the following minimum criteria listed in sections (a)-(h) below:
 - (a) Provide a minimum of two (2) openings (hydraulic flood vents) having a total net area of not less than one square inch for every one square foot of enclosed area subject to flooding. The enclosed area is measured on the exterior of the enclosure walls. These hydraulic openings must be located on at least two different exterior walls of each enclosed area. If the structure has more than one enclosed area, openings must be installed in the exterior walls of each enclosed area so that flood waters can enter directly from the outside;
 - (b) The bottom of all openings shall be no higher than one (1.0) foot above the higher of either the final interior grade or floor elevation, or the finished exterior grade adjacent to the outside of the foundation wall. At least one side of the structure's fully enclosed area must be at or above grade. Fill placed around the foundation walls must be graded so that the elevation inside the enclosed area is equal to or higher than the adjacent outside elevation on at least one side of the building. The finished floor of the enclosed area shall be no lower than the bottom of the foundation openings. The foundation slab of a residential structure, including the slab or a crawlspace, must be set equal to the outside finished grade on at least one side of the building;
 - (c) The openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic entry and exit of flood waters in both directions without any external influence or control such as human intervention, including the use of electrical and other non-automatic mechanical means. These coverings must not block or impede the automatic flow of floodwaters into and out of the enclosed area. Other coverings may be designed and certified by a registered professional engineer or approved by the Planning and Zoning Commission;
 - (d) Openings shall not be less than three (3) inches in any direction in the plane of the wall;
 - (e) The area cannot be used as finished living space. Use of the enclosed area shall be the minimum necessary and shall only be used for the parking of vehicles, building access or limited storage. Access to the enclosed area shall be the minimum necessary to allow for the parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator). The enclosed area shall not be used for human habitation;

3. Manufactured (Mobile) Homes and Recreational Vehicles (RVs)

- a. In all Special Flood Hazard Areas (SFHA), any manufactured (mobile) homes to be newly placed, undergoing a substantial improvement or repaired as a result of substantial damage, shall be elevated so that the bottom of the frame is located one (1.0) foot above the base flood elevation (BFE). The manufactured home must also meet all the construction standards per Subsection 5.3.1. of this Section 5.1 of the Regulations. The foundation and anchorage of manufactured homes to be located in floodways shall be designed and constructed in accordance with ASCE 24. This includes SFHAs outside a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an existing manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or on a site in an existing park which a manufactured home has incurred substantial damage as a result of a flood.
- b. All manufactured (mobile) homes within a SFHA shall be placed on a permanent foundation which itself is securely anchored and to which the structure is securely anchored so that it will resist flotation, lateral movement, and hydrostatic pressures. Anchoring may include, but not be limited to, the use of over-the-top or frame ties to ground anchors.
- c. All manufactured (mobile) homes within a SFHA shall be installed using methods and practices which minimize flood damage. Adequate access and drainage should be provided. Elevation construction standards include piling foundations placed no more than ten (10) feet apart, and reinforcement is provided for piers more than six (6) feet above ground level.
- d. Recreational vehicles placed on sites within a SFHA shall either (i) be on the site for fewer than 180 consecutive days, and (ii) be fully licensed and ready for highway use, OR (iii) meet all the general standards of Subsection 5.1. of this Section 5.1 of the Regulations and the elevation and anchoring requirement of Subsections 5.3.2.1, 5.3.2.2, and 5.3.2.3. of this Section 5.1 of the Regulations. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

4. Floodways

- a. Located within Special Flood Hazard Areas (SFHA) are areas designated as floodways on the community's Flood Insurance Rate Maps (FIRM) or Flood Boundary and Floodway Maps (FBFM). Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and has erosion potential, no encroachments, including fill, new construction, substantial improvements, repairs to substantially damaged structures and other developments shall be permitted unless certification, with supporting technical data, by a registered professional engineer is provided demonstrating, through hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that encroachments shall not result in any (0.00 feet) increase in flood levels during occurrence of the base flood discharge published by FEMA. Buildings and structures meeting the standard above and located in whole or in part in the floodway shall be designed and constructed in accordance with ASCE 24. Fences in the floodway must be aligned with the flow and be of an open design. A permit may be given which allows encroachments resulting in increases in base flood elevations provided the community first obtains a conditional floodway revision by meeting the requirements of C.F.R. 44, Chapter 1, Subsection 65.12.

5. Standards for Development in Areas of Shallow Flooding (Zones AO and AH)

- a. Located within the Special Flood Hazard Areas (SFHA) are areas designated as shallow flooding areas (AO and AH Zones). These areas have flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In AO and AH zones, the following provisions apply:
- b. For residential structures, all new construction, substantial improvements and repair to structures that have sustained substantial damage shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as one (1.0) foot above the depth number specified on the Flood Insurance Rate Map (FIRM). If no depth number is specified, the lowest floor, including basement, shall be elevated at least three (3.0) feet above the highest adjacent grade.
- c. For non-residential structures, all new construction, substantial improvements and repair to structures that have sustained substantial damage shall:
 - 1) Have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as one (1.0) foot above the depth number specified on the Flood Insurance Rate Map (FIRM). If no depth number is specified, the lowest floor, including basement, shall be elevated at least three (3.0) feet above the highest adjacent grade; or
 - 2) Together with attendant utility and sanitary facilities be completely flood-proofed to above the highest adjacent grade at least as high as one (1.0) foot above the depth number specified on the FIRM, or if no depth number is specified at least three (3.0) feet above the highest adjacent grade, so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Designs for complying with this requirement must be certified by either a registered professional engineer or architect.
 - 3) On-site drainage for all proposed structures in AO and AH Zones located on slopes shall provide adequate drainage paths to guide flood waters around and away from such structures.
 - 4) Fully enclosed areas below the lowest floor in AO and AH Zones must comply with the provisions of Subsection 5.3.1.3. of this Section 5.1 of the Regulations for hydraulic flood vents.

6.0 DESIGN STANDARDS FOR SUBDIVISION PROPOSALS

If a proposed subdivision, including the placement of a manufactured home park or subdivision, is located in a Special Flood Hazard Area (SFHA) the following requirements shall apply:

1. All subdivision proposals shall be consistent with the need to minimize flood damage;
2. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards; and
4. The Planning and Zoning Commission shall require the applicant to provide BFE data for all subdivision proposals, including manufactured home parks and subdivisions, as per Subsection 4.5.12. of this Section 5.1 of the Regulations. In all special flood hazard areas where base flood elevation (BFE) data is not available, the applicant shall provide a hydrologic and hydraulic engineering analysis performed by a registered professional engineer that generates BFEs for all subdivision proposals and other proposed development, including manufactured home parks and subdivisions.

7.0 VARIANCE PROCEDURES

7.1 ESTABLISHMENT OF VARIANCE PROCESS

1. The Zoning Board of Appeals, as established by the Town of East Hartford , shall hear and decide appeals and requests for variances from the requirements of this regulation.
2. The Zoning Board of Appeals shall hear and decide appeals when it is alleged there is an error in any requirement, decision or determination made by the Planning and Zoning Commission in the enforcement or administration of this regulation.
3. Any person aggrieved by a decision of the Zoning Board of Appeals may, within fifteen (15) days after publication of the legal notice of the decision, appeal such decision to the State Superior Court, as provided in CGS Section 8-8.
4. The Building Official shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency (FEMA) in its biennial report.

7.2 SPECIFIC SITUATION VARIANCES

1. **Buildings on a Historic Register** - Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places, the State Inventory of Historic Places, or any locally-adopted historic district without regard to the procedures set forth in the remainder of this section and provided the proposed reconstruction, rehabilitation or restoration will not result in the structure losing its historical designation.
2. **Functionally Dependent Use or Facility** - Variances may be issued for new construction and substantial improvements and other development necessary for the conduct of a functionally dependent use or facility provided the structure or other development is protected by methods that minimize flood damage, creates no additional threat to public safety and meet all the requirements of Subsection 7.4.of this Section 5.1 of the Regulations.
3. **Floodway Prohibition** - Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

7.3 CONSIDERATIONS FOR GRANTING OF VARIANCES

In passing upon such applications, the Zoning Board of Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this regulation and the items listed below as 7.3.1 – 7.3.11 of this Section 5.1 of the Regulations. Upon consideration of these factors and the purposes of this regulation, the Zoning Board of Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this regulation.

1. The danger that materials may be swept onto other lands to the injury of others;
2. The danger to life and property due to flooding or erosion damage;
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
4. The importance of the services provided by the proposed facility to the community;
5. The necessity of the facility to waterfront location, in the case of a functionally dependent facility;
6. The availability of alternative locations not subject to flooding or erosion damage for the proposed use;
7. The compatibility of the proposed use with existing and anticipated development;
8. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
9. The safety access to the property in times of flood for ordinary and emergency vehicles;
10. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
11. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

7.4 CONDITIONS FOR VARIANCES

1. Variances shall only be used upon a determination that the variance is the minimum necessary to afford relief considering the flood hazard; and in the instance of a historical building, a determination that the variance is the minimum necessary as not to destroy the historic characteristics and design of the building and result in the loss of historic designation of the building. Variances pertain to a piece of property and are not personal in nature. A properly issued variance is granted for a parcel of property with physical characteristics so unusual that complying with the regulation would create an exceptional hardship to the applicant or the surrounding property owners. Those characteristics must be unique to that property and not be shared by adjacent parcels. For example, economic or financial hardship is not sufficient cause for a variance, nor are inconvenience, aesthetic considerations, physical handicaps, personal preferences, or disapproval of one's neighbors.
2. Variances shall only be used upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship, and; (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, damage the rights or property values of other persons in the area, cause fraud on or victimization of the public, or conflict with existing local laws, ordinances or regulations. Only hardships that are based on unusual or unique physical characteristics of the property in question, characteristics that are not shared by adjacent parcels, shall qualify to meet subsection (ii) above. Claims of hardship based on the structure, on economic gain or loss, or on personal or self-created circumstances are not sufficient cause for the granting of a variance.
3. No variance may be issued within a regulatory floodway that will result in any increase in the 100-year flood levels. A variance may be issued for new construction, substantial improvements, and other development necessary for the conduct of a "functionally dependent use" provided that there is good and sufficient cause for providing relief; and the variance does not cause a rise in the 100-year flood level within a regulatory floodway. The structure and other development must be protected by methods that minimize flood damages.
4. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation (BFE), and that the cost of flood insurance will be commensurate with the increased risk resulting from the lowest floor elevation up to amounts as high as \$25 for \$100 of insurance coverage.

8.0 ENFORCEMENT

1. Each Floodplain Development Permit shall authorize, as a condition of approval, the Planning and Zoning Commission or designated agents to make regular inspections of the subject property. The Planning and Zoning Commission or designated agents are also authorized to inspect any property in a Special Flood Hazard Area (SFHA) where it appears that violations of these Regulations may be taking place.
2. If the Planning and Zoning Commission finds that any person is undertaking any construction, substantial improvement, filling, or any other activity or maintaining a condition which in violation of these Regulations, the Planning and Zoning Commission shall:
 - a. Issue a written order by Certified Mail, return receipt requested, to the subject property owner, ordering that the activity cease and ordering the property owner to either seek to obtain a Floodplain Development Permit prior to continuing with the activity or, if appropriate, ordering that all violations and/or obstructions be removed from the Special Flood Hazard Area (SFHA) immediately.
 - b. Notify the Building Official and request that any Floodplain Development Permit(s) in force be revoked or suspended and that a stop work order be issued.
 - c. The Planning and Zoning Commission may suspend or revoke a Floodplain Development Permit if it is found that the applicant has not complied with the terms, conditions or limitations set forth in the permit or has exceeded the scope of work as set forth in the application including application plans. Prior to revoking any permit, the Planning and Zoning Commission shall issue notice to the permittee, personally or by Certified Mail, return receipt requested, setting forth the facts or conduct which warrants the intended action.
 - d. Failure to comply with any written order issued under this section shall be considered a violation of these Regulations and is subject to the penalties described in Subsection 5.1.9. of this Section 5.1 of the Regulations.
 - e. In the event violations or obstructions are not promptly removed from the Special Flood Hazard Area (SFHA), the Planning and Zoning Commission may cause such removal and remediation work to be performed utilizing bond money held in escrow pursuant to Subsection 3.0. of this Section 5.1 of the Regulations of this regulation, or may direct the Town Engineer to cause such work to be done and to place a lien against the property.
 - f. Any person subjected to enforcement action pursuant to this regulation, may appeal any requirement, decision, or determination of the Planning and Zoning Commission to the Zoning Board of Appeals, in accordance with Subsection 5.1.6. of this Section 5.1 of the Regulations. Such person shall provide such information as necessary including appropriate certifications from a registered professional engineer or architect in order to substantiate the claim that the requirement, decision, or determination of the Planning and Zoning Commission was in error or unwarranted.

9.0 PENALTIES FOR VIOLATION

Any violation of the provisions of this regulation or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grant of variances or special exceptions, shall constitute a misdemeanor. Any person who violates this regulation or fails to comply with any of its requirements shall, upon conviction thereof, be fined a penalty of [\$250.00] per day [or imprisoned for not more than ten (10) days for each day of violation, or both,] and in addition shall pay all costs and reasonable legal fees involved in the case. Nothing herein contained shall prevent the Town of East Hartford from taking such lawful action as is necessary to prevent or remedy any violation.

Appendix B - Application Of Coverage And Setbacks

A. Building / Structure	Counts to Building Coverage	Minimum Setbacks Apply*
1. Main Building(s)		
a. The surface area covered by all buildings on the lot except those specifically excluded in this table, as measured to the outside surface of the exterior walls. For a garrison colonial or similar cantilevered building, building coverage will be measured to the outermost wall(s)	Yes	Yes
2. Building Projections		
a. The following building projections provided no portion projects more than 24 inches from the wall of the building: (1) Roof eaves / overhangs. (2) Chimneys. (3) Balconies. (4) Bow or bay windows. (5) Rain gutters and leaders. (6) Awnings. (7) Columns, brackets, and pilasters. (8) Other minor architectural features.	No	No
b. If projects more than 24 inches from the wall of the building	Yes	Yes
B. Accessory Buildings / Structures	Counts to Building Coverage	Minimum Setbacks Apply*
1. Accessory Buildings / Structures		
a. Accessory building (such as a tool shed or chicken coop) measured to the outside surface of the exterior walls	Yes	Yes
b. Dog houses, playscapes, tree houses, and other minor structures not requiring a building permit	No	No
c. Small accessory or ornamental features such as a bird baths, well casings, etc.	No	No
d. Any dish antenna mounted off the ground on a base or riser on the ground	No	Yes
2. Special Structures		
a. Above ground propane tanks up to 125 gallons	No	No
b. Above ground propane tanks more than 125 gallons	No	Yes
c. Emergency generators, HVAC equipment, pool equipment	No	Yes
d. Roof-mounted solar arrays	No	No
e. Ground-mounted solar arrays	No	Yes
f. Wind energy systems	No	Yes

(continued on next page)

(continued from previous page)

C. Exterior Features	Counts to Building Coverage	Minimum Setbacks Apply*
1. Drives / Walks:		
a. Driveways	No	No
b. Porte cocheres or covered driveways	Yes	Yes
c. Uncovered walkways	No	No
d. Covered walkways and breezeways as measured to the outside surface of the exterior walls or columns	Yes	Yes
2. Fences / Walls:		
a. Fences or freestanding walls	No	No
b. Terrace wall / retaining walls	No	No
3. Trellises / Pergolas:		
a. Trellis / pergola / arbor (24 square feet or less in area)	No	No
b. Trellis / pergola / arbor (more than 24 square feet in area)	No	Yes
4. Decks / Patios:		
a. Decks attached to the principal building	Yes	Yes
b. Decks not attached to the principal building	No	Yes
c. Uncovered patios	No	No
d. Roofed patios	Yes	Yes
5. Porches / Gazebos :		
a. Open porch	Yes	Yes
b. Closed porch	Yes	Yes
c. Gazebos	Yes	Yes
6. Steps / Stoops / Entries:		
a. Unroofed exterior steps, stairs, and landings	No	No
b. Basement hatchway doors	No	No
7. Recreation Facilities:		
a. Swimming pools	No	Accessory Structure
b. At grade tennis courts, basketball courts, sports courts, or similar recreation surfaces	No	Yes
c. Above grade recreation surfaces	Yes	Yes

(this page intentionally left blank for pagination purposes)

1. Quick Start
2. Residence
3. Business
4. Industrial
5. Special
6. Uses-
7. Standards
8. Special
9. Procedures
10. Framework
11. Glossary
12. Appendix

Appendix Z - Amendments

Effective Date	Section(s)	Amendment
2/18/23	Multiple	Comprehensive Reorganization
3/28/23	3.2/5.5/6.3	Amendment to Business Zones Permitted Uses to allow mixed-use buildings and sites in B-2/B-5/Comprehensive Downtown Rehabilitation (CDR) Zones and establish Mixed-Use criteria in section 6.3.
7/17/23	3.2/6.4/11.2	Amendment to Business Zones Permitted uses to allow Cannabis Retailers in the B-1/B-2 Zones and revise the Retail Specific Use Criteria in section 6.4 for Cannabis Retail uses.

