Article VI.
Supplementary Regulations

This Article includes provisions that are applicable to all or substantial portions of the City.

Section 600 Storage of Recreation Vehicles, Trailers. and Boats

The outdoor storage or parking and use of a trailer or recreation vehicle by any person or persons is hereby prohibited in all districts, except that:

A. Not more than one camping trailer or recreation vehicle per dwelling unit may be stored, but not used for any purpose, on a lot in any residential district, provided that such lot is occupied by a dwelling; and provided that such camping trailer or recreational vehicle (RV):

(1) Shall be registered with the Department of Motor Vehicles (DMV) with evidence of such proximately displayed as required by the DMV;

(2) Shall be stored in one of the following locations of the lot:

(a) the sideyard;

(b) the front yard only if stored in the area which is an access-way to an approved parking space, garage or carport or

(c) a rear yard provided that said camping trailer/recreation vehicle is stored no closer to the rear & side property line than the minimum required setback for an accessory structure for the zone.

B. Not more than one boat per dwelling unit may be stored on a lot in any residence district provided that such lot is occupied by a dwelling and provided that such boat shall be:

(1) Shall be registered with the Department of Motor Vehicles (DMV) with evidence of such proximately displayed as required by the DMV;

(2) Shall be stored in one of the following locations of the lot:

(a) the sideyard;

(b) the front yard only if stored in the area which is an access-way to an approved parking space, garage or carport or

(c) a rear yard provided that said camping trailer/recreation vehicle is stored no closer to the rear & side property line than the minimum required setback for an accessory structure for the zone.

C. Where a building permit has been issued for the construction or alteration of a building the Zoning Enforcement Officer may issue a temporary permit for one or more trailers, for a period not to exceed one year to be used as a site office or a sales office. The number of trailers shall be limited to that which the Zoning Enforcement Officer shall deem to be necessary in each case.

Said temporary permit may be extended for additional successive periods of six months each, if the Zoning Enforcement Officer finds that construction has been diligently pursued and that justifiable circumstances require such an extension.

Section 601 Swimming Pools

Except as provided hereinafter, no swimming pool shall be located, constructed, or maintained on any lot, except in conformity with the following requirements:

A. Said pool may be installed or maintained in any residential district or in any nonresidential district where specifically permitted.

B. Said pool shall be used as an accessory use to a dwelling or group of dwellings or as part of the recreational facilities of a camp, club, motel/hotel, or similar use.

C. When accessory to a residential use, such pool shall be located only in a rear yard.

D. The portion of the premises upon which such pool is located shall be entirely enclosed with a good quality security fence, which, any other provision of this regulation notwithstanding, shall have a height of not less than four feet. All gates or doors opening through the fence shall be equipped with self closing and self latching devices designed and capable of keeping such gates or doors securely closed at all times when not in actual use. Said fence shall be of a type approved by the Zoning Officer.

E. Every gate or other opening in the fence enclosing such pool shall be kept securely locked at all times when said Pool is not in use.

F. Such pool shall be located only in the area reserved for accessory uses.

G. Such a pool shall be chemically treated in a manner sufficient to maintain the bacterial standards established by the provisions of the Connecticut State Sanitary Code relating to public swimming pools.

H. Where the proposed pool is so located, or is of such height or design that protective fencing is not required or impractical, the Building Inspector may, at his discretion, issue a permit for the erection of said pool without such fencing. The Zoning Officer shall, however, first make a finding to the effect that, in his opinion, the said pool has protection from entry equivalent to that afforded by the erection of a fence as provided for in paragraph D above.

I. Such pool shall be equipped with an integral filtration system and filter pumps or other mechanical devices which shall be so located and constructed as not to interfere with the peace, comfort, and repose of the occupant of any adjoining property.

J. No permission shall be granted for the installation of any swimming pool unless the plans therefore meet the minimum City of New London Building Code requirements.

Section 602 <u>Tennis Courts, Paddle Tennis Courts, and Similar Accessory Recreation Facilities</u>

A. When accessory to a residential use, any tennis court, paddle tennis court or similar accessory recreation facility shall be located in a rear yard. No such facility may be located closer to the property lines than is permitted for accessory structures in the district in which the property is located.

B. A fence or suitable planting strip shall be provided to screen the recreation use from view from adjacent properties.

Section 603 <u>Landscaping Requirements and Buffers</u>

A. Required Landscaping

1) All portions of improved multi-family and nonresidential properties which are not used for buildings, structures, off-street parking and loading, permitted outdoor storage, driveways, walkways, or similar purposes, shall be appropriately landscaped with grass, shrubs, trees, and other ground cover in such manner as to minimize erosion and storm water runoff and to maintain or improve the aesthetics of such development.

2) Landscape strips at least three feet wide shall be provided along all property lines of multi-family developments in any zone and nonresidential uses within or adjoining residential zones. Such landscape strips shall comply with the following minimum standards as well as all applicable requirements set forth elsewhere in this regulation.

(a) Said landscape strips shall include evergreen planting and other landscaping of such type, height, spacing and arrangement as will effectively screen the activity on the lot from neighboring uses. New trees shall have a caliper of not less than 3", three feet from the base, and shall be at least 6' high when planted.

(b) Unless specifically required elsewhere in this regulation, wall or fence of location, height, design, and materials as approved may be substituted for part or all of the required landscape strips, or may be combined with the landscape screen, provided that if a fence or wall is included, it may not be more than six feet in height and the outside of the wall must face the residential district and the plantings must be located on the side of the wall facing the residential district.

(c) Where the existing topography and/or existing landscaping provides adequate screening, the planting and/or landscape requirements of this regulation may be waived.

B. Maintenance

All fences, trees, plantings, shrubbery, or other screening required by direction of the City Council, the Zoning Board of Appeals, the Planning and Zoning Commission, or by the zoning regulation shall be maintained at all times at least to the same quality required of said items at the time they were initially installed.

Section 604 <u>Outdoor Storage</u>

A. Junk Yards, Building Material Yards, Industrial and Commercial Equipment Storage as a principal use.

1) The storage of scrap, salvage, vehicle parts, lumber, fuel, equipment and similar operations shall be conducted within a building, or screened by solid board or masonry fence at a maximum of 10 feet in height. Said fence shall be no less than the maximum height of the materials stored.

2) The required fencing shall not be allowed to deteriorate and the required set backs shall be maintained and kept free of rubbish, scrap, weeds and other unsightly materials.

3) No storage of scrap, wrecked vehicles, supplies, construction materials or equipment shall be allowed to extend above the required fencing.

B. Outdoor storage of vehicles, materials and equipment as an accessory use in any nonresidential district subject to the following conditions:

1) The outdoor storage of vehicles, materials, and equipment shall be located on the same

2) All outdoor storage areas shall be located in the side or rear yards but not within the required yard except as provided herein.

3) All outdoor storage areas shall be screened from view by suitable landscaping and/or an eight-foot fence except as provided herein.

4) The outdoor display of motor vehicles when accessory to a permitted use in the C-l or C-2 District shall be exempt from provisions 2 and 3 above.

5) In no case shall stored materials exceed the height of the screening or fencing.

6) No outdoor storage area shall be located within 10 feet of any lot line.

7) All equipment and vehicles in a storage area shall be in operable condition.

8) No tractor trailer or truck loaded with merchandise shall be parked or stored on a lot for a period exceeding seven consecutive days in one calendar month.

Section 605 <u>Supplementary Lot, Yard, Height and Building Regulations</u>

The following general regulations relating to lots, yards, visibility at intersections, height limits and dwellings are applicable to all zoning districts unless otherwise specified and are to be applied in addition to the specific requirements of the applicable zoning district.

A. Building on Unaccepted Streets

1) No building permit shall be issued and no building shall be erected on any lot within the City, unless the street giving access to the lot upon which said building is proposed to be placed shall have been accepted by the City or unless such street corresponds in its location and lines with a street shown on an approved subdivision plan.

2) This requirement shall not prevent issuance of a building permit for the construction of accessory buildings which are not in violation of any lawful zoning or building

B. Rear Lot

1) Rear lots shall be permitted only in R-l, R-lA, or R-2 Districts.

a) Access to a rear lot shall be provided by a driveway or accessway, which shall not exceed a length of 400 feet, shall be in the same ownership as the rear lot and the area of such accessway shall not be included in the minimum required lot area. Each accessway shall provide access for one rear lot only and no such accessway shall be closer than seventy-five (75) feet to another such accessway on the same side of the street. *(Amended 02/10/86)*

b) Access to an area lot shall also be permitted over an accessway, which is a perpetual, unencumbered right-of-way provided:

1. said accessway shall not exceed a length of 400'.

2. owner of said rear lot, as of adoption of this regulation, does not own other land contiguous thereto which fronts on a city accepted street.

A restricted deed covenant shall be filed in the City land records prior to the approval of any rear lot for development under the provisions of this subsection which clearly provides that the City of New London shall not ever be required to plow, maintain, take over the ownership of, or provide school bus service or garbage service along any land or right-of-way providing access to an approved rear lot.

The owner of a rear lot proposing use of a perpetual, unencumbered right-of-way shall file an affidavit acceptable to the Director of Law his assumption of the maintenance responsibility for the right-of-way.

2) Any rear lot shall have an area equal to 1.5 times the minimum lot area requirement of the district within which it is located excluding the area of the accessway.

3) Accessways to rear lots shall be a minimum of 20 feet wide with a minimum 15 feet of paved driveway.

C. Corner Lots

On a corner lot, front yards are required on both street frontages, and one yard other than the front yard shall be deemed to be a rear yard and the other a side yard. One of the front yards shall be as required by the applicable district. The other front yard shall not be less than half the sum of the side yard and the front yard required by the applicable district.

D. Through Lots

On a through lot, front yards are required on all streets in accordance with the applicable district.

E. Lot Size and Area

The following are additional requirements to the foregoing regulations, which may apply, to any district in which the use is located.

1) Any lot used for any purposes shall have a minimum size of at least 50 feet in width and at least 100 feet in depth and contain an area of at least 5,000 square feet, except where a higher requirement is specified.

2) No lot on which a building is or will be erected may be reduced to less than the minimum area, yard or open space requirements of the district in which it is located.

F. Pre-existing Lot

Nothing in the regulation shall prevent a permitted structure or use of any lot having less than the minimum area, depth or width requirement of the district in which it is located, provided:

1) That such lot was owned separately from the adjoining lots and provided that no contiguous lots are in the same ownership as evidenced by a deed recorded prior to the effective date of this regulation, or any amendments thereto, and

2) That such lot complied with the minimum area, depth or width requirements of which it was located when it was created, prior to the effective date of this regulation or any amendments thereto.

G. Yards

1) All required front and side yards shall be suitably landscaped and shall not be used for any building or structure.

2) Parking shall not be permitted within the front yard in an R-l, R-lA, R-2, R-3, R-4, or NB District. In an LI-O District, the parking shall not be permitted between the front of a structure and the front lot line.

3) Front Yards. Each lot shall be required to have a minimum front yard as specified in the applicable district

4) Where four or more lots in a block have been improved with buildings, the minimum required front yard for main buildings shall be the average of the front yards of the improved lots if less than the front yard requirements herein.

H. No lot shall be occupied by more than one permitted principal building except in accordance with the following:

1) The permitted principal buildings must be under the same ownership.

2) More than one principal building is permitted on a lot in the CBD, C-l, C-2 and WC-I zoning districts, LI-O, and in R-3 and R-4 zoning districts for buildings containing multiple dwelling units. Arrangements of buildings, access, parking, and other improvements shall reflect consideration of existing and future development, or redevelopment, of the neighborhood. The intent of this provision is to achieve a safer and more attractive, functional, and viable site development layout than would occur with only one principal building on a lot. Buildings containing townhouses shall not contain more than eight dwelling units. In determining compliance with yard requirements, all principal buildings shall be considered together as a unit, rather than individually. (Amended 03/28/18)

3) All bulk setbacks, and other site requirements contained in these regulations shall be satisfied unless varied under Section 1020.

4) Except in the CBD zoning district, each unattached principal building shall be separated from each other principal building by a minimum distance of the side yard setback for the zone where the buildings are located. (Amended 03/28/18)

5) The applicant shall obtain a Special Use Permit from the Planning & Zoning Commission in accordance with the requirements of Article VIII, Section 810 of the Regulations.

Not withstanding the definitions and illustration set forth in Section 210 of the regulation, front yards, side yards, and rear yards shall be defined and measured in a manner consistent with the purposes of this section. *(Amended 07/26/06)*

I. Exterior Porches, Decks and Stairs

All front, side and rear yard setbacks shall be maintained in all districts, except that open, unenclosed porches, decks, and stairs, serving the first floor only, may project not more than three feet into said required yards. *(Amended 06/28/90)*

J. Handicapped Ramps/Handicapped Accessibility Features *(Amended 07/26/06)*

Americans with Disabilities Act (ADA) compliant handicapped ramps or other similar installations shall be exempt from all setback requirements if it is demonstrated to the satisfaction of the Zoning Enforcement Officer that it is not feasible to construct the handicapped ramp or other similar installation in compliance with the otherwise required setbacks. *(Amended 07/26/06)*

K. Bus Stop Shelters – Bus stop shelters shall be permitted on private property at a bus stop utilized by a public transportation provider in any nonresidential zoning district in accordance with the following: *(Amended 03/26/16)*

(1) Bus stop shelters may be no larger than 5 x 14 (70 square feet) and no greater than twelve (12) feet in height measured from grade to the top of the structure.

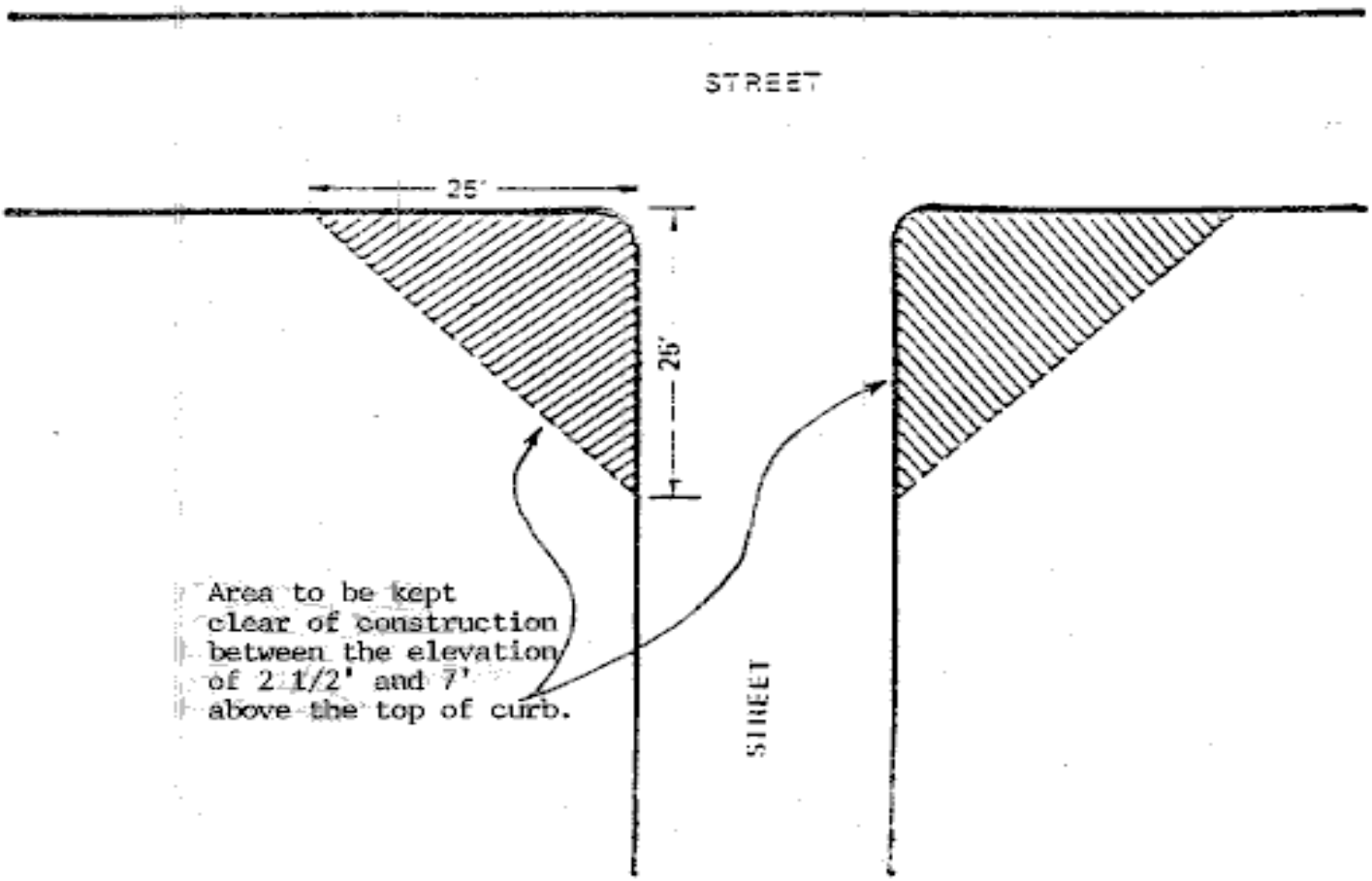
(2) An administrative zoning permit from the Zoning Enforcement Officer is required for this structure and must be signed by the property owner. Bus stop shelters are exempt from setback requirements and may be located in a front yard when their principal purpose is to provide a shelter for a publically operated bus service.

(3) The bus stop shelters are permitted one (1) two faced (non-illuminated) sign which shall be no greater than 15 square feet in size.

(4) Bus stop shelters shall be designed, constructed and maintained in a manner so that it is in harmony with and appropriate in appearance to the surrounding structures.

Section 606 <u>Visibility at Street Intersections</u>

No structure, wall, fence, shrubbery, or trees shall be erected, maintained, or planted on any lot which unreasonably or dangerously obstructs or interferes with the visibility of drivers of vehicles on a curve or at any street intersection. The minimum vision clearance shall require a clear space between the elevations of two and one half feet and seven feet above the street grade (top of curb) within 25 feet of the intersecting street lines bordering corner lots. (See attached sketch.)

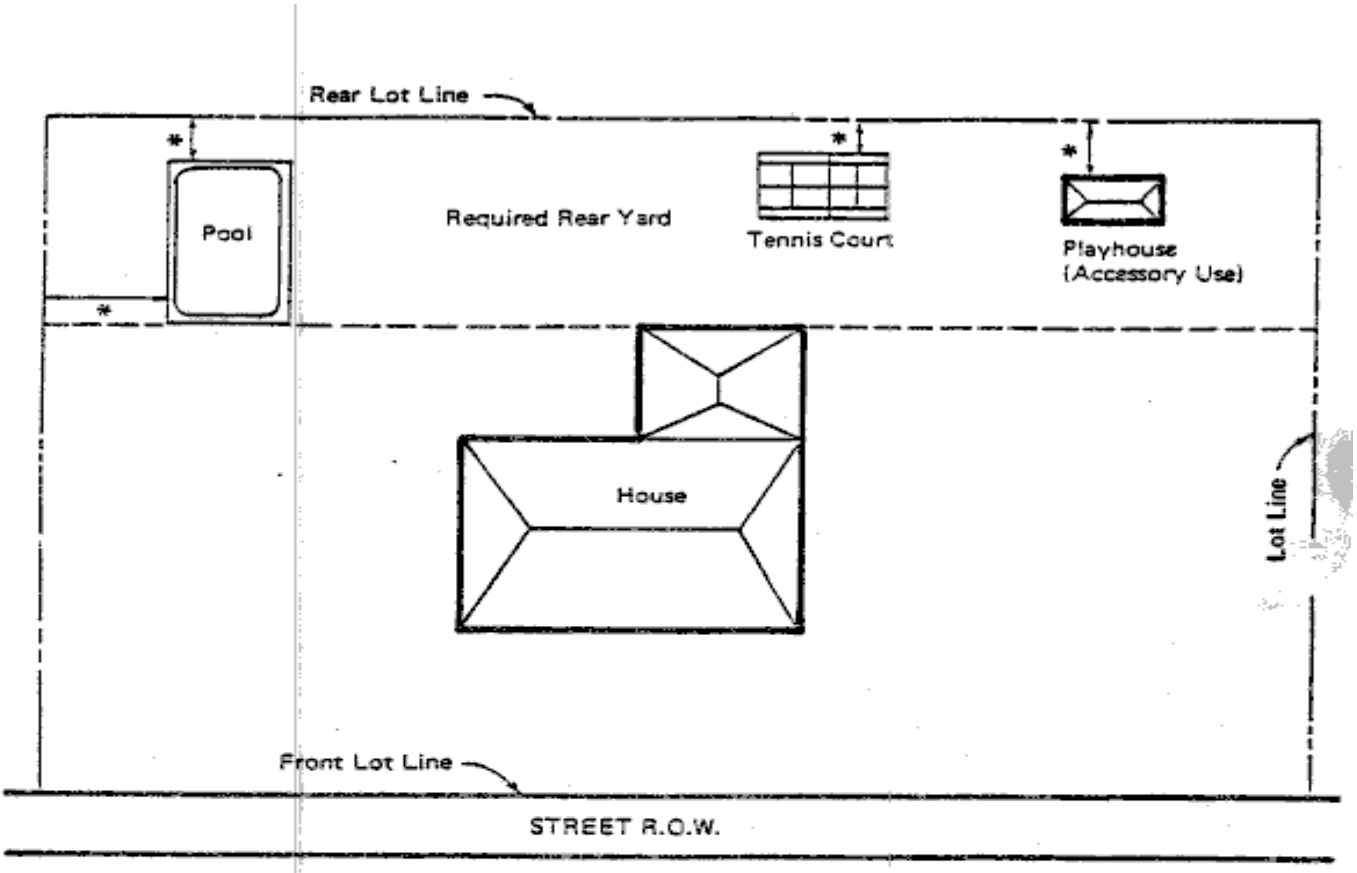


VISIBILITY AT STREET INTERSECTIONS
Section 606

Section 607 <u>Accessory Buildings and Structures</u>

No accessory building or structure shall be placed in any required front or side yard and no accessory building placed in the required rear yard may be closer than the minimum side yard requirement for the zoning district in which it is located. (See attached sketch.)

In case any accessory building is attached to and made structurally a part of the main building, it shall comply in all respects with the requirements of this regulation applicable to the main building.



*Minimum distance to property line must be equivalent to minimum required side yard for district.

LOCATION OF SWIMMING POOL OR TENNIS COURT OR ACCESSORY USE

Section 607

Section 608 Exceptions and Modifications - Height Limits

A. Height Limits

1) Spires, chimneys, elevator housings, machinery, towers, flagpoles, ventilating equipment, radio and television towers, antennas, penthouses, scenery lofts, cupola, water tanks, structures utilized as part of solar heating systems and similar structures may be built and used to a height of not more than 15 feet above the height limit established for the district in which the structure is located, provided that no such architectural structure in excess of the allowable height shall be used for sleeping or eating quarters or for any commercial advertising.

2) Public utilities, gas and electric transmission lines, towers and poles adjacent thereto, may be allowed in all districts to greater heights than established for the district in which the structures are located without the securing of a special permit therefore, provided that all routes of transmission lines shall be submitted to the Planning and Zoning Commission prior to installation of such routes.

3) In the C-2 zone, the height of a cable-restrained air supported structure may exceed the otherwise applicable height limit by thirty feet (30'). The non-cable-restrained air supported portions of the building including the foundation wall shall be no greater than five-feet (5') in height. *(Amended 09/15/14)*

Section 609 Earth Products Extraction and Fill

A. Extraction. No earth, sand, gravel, clay, stone or other materials shall be removed from the premises in any district except as surplus material resulting from a bona fide construction, landscape or agricultural operation being executed on the premises for which a building permit or site approval has been granted, and in this case any damage to the landscape must be repaired prior to the issuance of an occupancy permit or in the case where no occupancy permit is required, prior to continued use of the property.

Except in the instances cited above, the Planning and Zoning Commission, after public hearing, may permit other removal of earth, sand, gravel, clay or stone in any district, provided that in its judgment such operation will not impair water supply, flood protection, or the natural condition of any public park, coastal beaches or dunes or wildlife preserve, and subject to the following conditions:

1) The applicant shall submit a plan showing existing grades in the area from which the above material is to be removed, together with finished grades at the conclusion of the operation.

2) The plan shall provide for proper drainage of the area of the operation during and after completion and no bank shall exceed a slope considered excessive for the material encountered. No removal shall take place within 30 feet of a property line except that where the grade from a property line rises towards the lot where

removal is to take place, material lying above the grade at the property line may be removed.

3) At the conclusion of the operation or of any substantial portion thereof, the whole area where removal takes place shall be covered with not less than four inches of topsoil and seeded with a suitable cover crop, except where ledge rock is exposed.

4) Before a permit is granted by the Planning and Zoning Commission under this subsection, the applicant shall post a bond with the Commission in an amount approved by the Commission as sufficient to guarantee conformity with the provisions of the permit issued hereunder, including an amount sufficient to cover the cost of fill, if necessary, under the provisions of Section 609.C.

B. Fills. Where fill is required to carry out an approved plan for site development including approved drainage plans or to restore an area excavated in accordance with Section 609.A. herein, the following shall apply:

1) Slopes created by fill shall not be steeper than one foot of vertical rise in one and one half feet of horizontal distance unless stabilized by a retaining wall or cribbing except where approved by the City Engineer.

2) Adequate provisions shall be made to prevent surface water from damaging the sloping surfaces of fills.

3) Fills shall not endanger adjoining property.

4) All fills shall be compacted to provided stability of material and to prevent undesirable settlement. The fill shall be spread in a series of layers, each not exceeding 12 inches in thickness, and shall be compacted after each layer is spread. The City Engineer may require tests or other information if, in his opinion, the conditions or materials are such that additional information is necessary.

5) Fills shall not encroach on wetlands, natural watercourses, constructed channels or flood plain area.

6) Fills placed adjacent to wetlands, natural watercourses, constructed channels or flood plains shall have suitable protection against erosion during periods of flooding.

7) Grading shall not be done in such a way as to divert water onto the property of another landowner without the expressed consent of the Planning and Zoning Commission and the affected landowner.

8) During fill and grading operations, necessary measures for dust control shall be exercised.

C. In the event that a building operation is arrested prior to completion and the building permit therefore is allowed to lapse, within six months after the date of expiration of such permit, the premises shall be cleared of all rubbish or other unsightly accumulations, and topsoil shall be replaced over all areas from which such soil may have been removed at the cost of the applicant. Any excavation for a basement or foundation with a depth greater than three feet below grade shall be either filled or surrounded by a substantial fence adequate to deny children access to the area and adequately maintained by the holder of the permit.

If such action is not taken within said six months, the bond or other surety filed, as part of the approved plan shall be utilized by the City for such purpose.

Section 610 **<u>Regulations Concerning Retail Sale of Alcoholic Liquor</u>** *(Amended 08/08/86)*

A. The sale of alcoholic liquor at retail under any valid class of permit, as defined in Section 30-15, as amended, of the Connecticut General Statutes, issued by the Liquor Control Commission of the State of Connecticut for consumption either on the premises or off the premises shall be permitted only in the following districts as established by these regulations and at Ocean Beach Park:

NB	Neighborhood Business (for consumption off premises only)
C-1	General Commercial
C-2	Limited Commercial District *(Amended 11/15/98)*
CBD-1	Central Business District (1) *(Amended 09/30/08)*
CBD-2	Central Business District (2) *(Amended 09/30/08)*
WD	Waterfront Development *(Amended 11/15/98)*
WCI-1	Waterfront Commercial-Industrial (1)*(Amended 09/30/08)*
WCI-2	Waterfront Commercial-Industrial (2) *(Amended 09/30/08)*
MD	Maritime District *(Amended 01/22/2001)*
LI-O	Light Industrial Office (*Amended 03/28/18)*

B. No building or premises shall be used for the sale of alcoholic liquor at retail for consumption off the premises under any class of permit, as defined in Section 30-15, as amended, of the Connecticut General Statutes, which may be issued by the Liquor Control Commission of the State of Connecticut if the main front entrance to the permit premises shall be located within a 1,000 foot radius, measured in a straight line, from the main front entrance of any other permit premises used for the sale of alcoholic liquor at retail for consumption off the premises under any class of permit issued by the Liquor Control Commission of the State of Connecticut.

C. No building or premises shall be used for the sale of alcoholic liquor at retail for consumption on the premises under any class of permit, as defined in Section 30-15, as amended, of the Connecticut General Statutes, which may be issued by the Liquor Control Commission of the State of Connecticut if the main front entrance to the permit premises shall be located within a 1,000 foot radius, measured in a straight line, from the main front entrance of any other permit premises used for the sale of alcoholic liquor at retail for consumption on the premises under any class of permit issued by the Liquor

Control Commission of the State of Connecticut. The sale of alcoholic liquor at retail for consumption on the premises is prohibited in the NB - Neighborhood Business Zone District.

D. In addition to the provisions of Article VI, Section 610.B and C, no new building or premises for the sale of alcoholic liquor at retail for consumption on the premises under any class of permit, as described herein, shall be permitted to be established on any lot which is within 1,500 feet from any lot on which is located public or private schools, recognized public places of worship, or public hospitals. In determining compliance with this provision, the controlling distance shall be the shortest distance between those lot lines of the proposed outlet and those lot lines of the affected facility.

E. Notwithstanding the distance restrictions set forth above in this section, any permittee using a permit premises for the sale of alcoholic liquor under any class of permit issued by the Liquor Control Commission of the State of Connecticut shall be allowed to move such permit premises within a radius of 750 feet of the old permit premises, provided said new location is within a district in which the sales of alcoholic liquor at retail is permitted under these regulations and, provided further, that said removal shall be in accordance with the Liquor Control Act and the rules and regulations of the Liquor Control Commission and, more particularly, the need for said removal is a result of hardship or caused by reason of the commencement of an eviction action against such permittee from the particular permit premises for which the original permit was issued. All other provisions of these zoning regulations shall be applicable except the distance restrictions set forth within this section.

F. The provisions of this section shall not be deemed to be retroactive, except that any permit premises being used for the sale of alcoholic liquor under any class of permit issued by the Liquor Control Commission of the State of Connecticut prior to the effective date of this regulations which use is not in conformity with the provisions of this regulation and which shall be voluntarily discontinued for a period of more than 90 days may not be resumed unless such use shall thereafter conform to these zoning regulations.

G. The restrictions contained in this section shall not apply to the sale of alcoholic liquor under temporary permits for outings, picnics, or social gatherings.

H. The distance restrictions contained in Article VI, Section 610.B, C, and D shall not apply to the sale of alcoholic liquor at retail, under a hotel, restaurant, druggist, non-profit theater, bowling alley, or grocery store permit, as described in the appropriate sections, as amended, of the Connecticut General Statutes, issued by the Liquor Control Commission of the State of Connecticut, within the following districts as established by these regulations: *(Amended 08/01/14)*

C-1 - General Commercial District
C-2 - Limited Commercial District *(Amended 11/15/98)*
CBD-1 - Central Business District (1) *(Amended 09/30/08)*
CBD-2 - Central Business District (2) *(Amended 09/30/08)*

WD - Waterfront Development *(Amended 11/15/98)*
WCI-1 - Waterfront Commercial-Industrial (1) *(Amended 09/30/08)*
WCI-2 - Waterfront Commercial-Industrial (2) *(Amended 09/30/08)*
LI-O- Light Office Industrial (*Amended 03/28/18)*

The distance restrictions contained in Article VI, Section 610.B, C, and D shall also not apply to the sale of alcoholic liquor at retail, under a tavern permit (smaller than 5,000 square feet of gross floor area) or a manufacturer permit for a brew pub (smaller than 10,000 square feet of gross floor area), as described in the appropriate sections, as may be from time to time amended, of the Connecticut General Statutes concerning Intoxicating Liquors in the Central Business District (CBD). *(Amended 02/01/08)*

The distance restrictions contained in Article VI, Section 610.B and C shall not apply to the sale of alcoholic liquor at retail, under a manufacturer permit for a brew pub, as described in the appropriate sections, as may be from time to time amended, of the Connecticut General Statutes concerning Intoxicating Liquors in the General Commercial District (C-1). *(Amended 02/01/08)*

The distance restrictions contained in Article VI, Section 610.B, C, and D shall not apply to the sale of alcoholic liquor at retail, under a grocery store beer permit as described in the appropriate sections, as may be from time to time amended, of the Connecticut General Statutes concerning Intoxicating Liquors provided that nay grocery store beer permit within the CBD-1 & CBD-2 zones shall be associated with a supermarket, food store, grocery store or delicatessen, providing at least 1,500 square feet in gross floor area and shall be primarily engaged in the retail sale of canned goods and dry goods, either packaged or in bulk, with or without fresh fruits and vegetables, and with or without fresh, smoked and prepared meats, fish and poultry.

I. In addition to meeting the requirements of Paragraphs C, D, E, and F, above, of this Section 610, no building or premises shall be used for the sale of alcoholic beverages for consumption on the premises or for retail sale for consumption off the premises under any class of permit from the state Liquor Control Commission without first obtaining a Special Permit in accordance with the requirements of Article VIII, Section 810, of these Regulations. *(Amended 09/25/09)*

Section 611 <u>Vending Machines</u>

Vending machines shall not be located in any front yard. Vending machines shall not be located in any street right-of-way unless licensed under the provisions of the City Code of Ordinances.

Section 612 <u>Wind Energy Conservation Systems. Solar Devices. and Dish Antennas</u>

A. Wind energy conservation systems such as windmills are permitted accessory uses in any District subject to Site Plan approval and the following conditions:

1) No windmill or similar structure shall exceed 80 feet in height.

2) No windmill or similar structure shall be located in any front or side yard and shall be considered an accessory structure.

3) The windmill or similar structure shall be setback from all lot lines a distance at least equal to the height of the windmill or similar structure.

B. Solar System

1) When screening is required on a roof to enclose mechanical equipment, said screening may be modified to allow access to solar heating devices.

2) Where solar heating devices are placed within a side or rear yard they shall be exempt from coverage requirements provided they do not occupy more than 10 percent of the yard area.

3) In any new construction requiring a building permit and/or site plan, access to solar devices on adjoining property shall be considered and maximum effort to retain solar access shall be made.

C. Dish Antenna

1) A dish antenna may be installed in a residential district in any rear yard provided that its height is not greater than permitted for accessory uses in said district and its size is limited to a maximum of 25 percent of the rear yard area.

2) In a non-residential district said antennas may be permitted as accessory uses and regulated as such.

D. Review for Neighborhood Compatibility

The Planning and Zoning Commission shall review installations proposed under Article VI, Section 612 A, B, or C under the Site Plan Approval provisions of this regulation. Further, the Commission must determine that the proposed installation is compatible with the design, scale, building elevation and roof line of adjoining buildings and is in harmony with the surrounding neighborhood.

Section 613 <u>Performance Standards</u>

A. Purpose

It is the intent of this section to insure that all activities in all zones are established and maintained in a manner not detrimental to the public health, safety and welfare, and in a manner beneficial to the use, enjoyment and value of neighboring properties. The use of performance standards is necessary to measure potential nuisances and hazards objectively, thereby protecting various uses from arbitrary control and at the same time affording the neighboring properties and general public necessary protection against hazards and nuisance.

B. Performance Standards

The following conditions are imposed as standards to be met in order that any activity or land use be in compliance with the New London Zoning Regulations:

1) Noise. The sound level (a frequency weighted sound measure level as measured with a "sound level meter" using the A-weighting network = dBA) of any operation or activity, other than:

(a) noise created as a result of, or relating to an emergency, including, but not limited to sirens, alarms, etc.;

(b) construction or demolition activity during the daytime as herewith defined;

(c) noise created by blasting other than conducted with construction activity, shall be exempt provided that the blasting is conducted between 8 a.m. and 5 p.m.;

(d) noise created by on site recreational activities sanctioned by the State or local government, including but not limited to parades, sporting events, concerts, fireworks, etc.;

(e) noise generated by maintenance equipment for landscaping and snow removal, i.e. plows, mowers, etc.;

(f) farming activity;

(g) noise generated by transmission or distribution facilities and substations of public utilities;

(h) noise that is directly caused by flight operations specifically preempted by the Federal Aviation Administration shall not exceed the noise zone standards of the State Statutes (Section 22a-69), as indicated in subsection (i) below:

(i) Maximum noise limit to be generated or received by zoning district:

WC-I LI-O	C-1, C-2 CBD, WD NB	R-1, R-3, WD,	R-2, R-4 INST,
		Day*	Night**
70 dBA	66 dBA	61 dBA	51 dBA

* day = 7 a.m. to 10 p.m., on Sunday 9 a.m. to 10 p.m.

** night = 10 p.m. to 7 a.m., on Saturday 10 p.m. to 9 a.m.

Measurements shall be taken at a point that is located about one foot beyond the boundary of the emitter's property within the receptor's property.

2) Vibration. No vibration shall be transmitted and therefore felt outside the lot from which it originates.

3) Air Pollution. Provisions shall be made to control emissions of air pollutants (dust, fumes, smoke, vapor, gas, odorous substances, etc.) into the outdoor atmosphere. Such provisions shall be in compliance with the following standards and all applicable Federal (i.e. "Clean Air Act") and State (i.e. "Control of Air Pollution" Section 19508) regulations.

   Odor from any use, except agricultural activities conducted in a manner as to minimize odors and except mobile sources, shall not be discernible to any objectionable degree at the property line.

   An odor will be deemed objectionable when either:

   (a) The Zoning Officer determines, following personal observation, that the odor is objectionable taking into account its nature, concentration, location and duration, or

   (b) The Department of Environmental Protection, Air Compliance Unit, determines such according to guidelines and standards provided by Section 19-508(23) of the State Statutes.

4) Glare and Heat. All uses shall be conducted so that direct or indirect illumination from the source of light shall not cause illumination in excess of .5 foot-candles in any residential zone.

   Any form of heat shall not be perceptible outside the lot where it originates.

5) Electromagnetic Radiation. No use on any lot shall cause interference with radio and television reception on any other lot, and any use shall conform to the regulations of the Federal Communications Commission with regard to electromagnetic radiations and to any other applicable regulation.

6) Dangerous Materials and Hazardous Wastes. Materials which are dangerous due to the possibility of explosion, fire, radioactivity, corrosion, toxic or contamination must be secured and maintained in a manner approved by Federal, State and City agencies against such dangers as:

   (a) ground water contamination via leachate and direct discharge;

   (b) surface water contamination via runoff, overflow, or direct discharge;

(c) air pollution via open burning, evaporation, sublimation and wind erosion:

(d) fire and explosion;

(e) human and wildlife contact.

Any activity whether the generation, treatment, storage, transportation of hazardous waste (as defined and controlled by Section 3001 of the Federal Resource Conservation and Recovery Act and amendments or subsequent Federal, State or City regulations) is restricted to approved and confirmed EPA and DEP registrants and security methods, and prior to commencement, such activity is to be reported to and must be approved by appropriate City officials.

Any discharge of wastewater into the waters of New London (surface or ground) or into public disposal system must comply (either by its nature or pretreatment) with all Federal (i.e. National Pollutant Discharge Elimination System), State (i.e. Water Quality Standards & Criteria), and City standards.

7) Standards. In addition to these standards, all relevant provisions of any other Federal, State, and City laws, and regulations shall also apply. Where such standards, controls or regulations are not in agreement, the more restrictive shall apply.

C. Administration

The occupant of a parcel will be solely responsible for the maintenance of the performance standards. Where the occupant requests an analysis or investigation by a competent technical expert after having been informed of an alleged violation, the officer charged with enforcement may engage competent technical experts to study the alleged violation. The report of the officer charged with enforcement, charging that a violation has occurred, shall have sufficient ground for invoking the provisions of law to enforce compliance hereunder.

Where technical experts have been engaged at the request of the occupant, the occupant shall bear the cost of such technical investigation if he is thereafter found to be in violation of the foregoing standards. Where technical investigation reveals that no violation has occurred, the cost of the technical investigation shall be borne by the City.

Section 614 Off-Street Parking and Loading *(Amended 10/12/99)*

A. Purpose and Intent

The following regulations are designed to provide adequate off street parking and loading facilities and safe vehicle movements while minimizing any detrimental effects to adjacent properties, neighborhoods and the environment.

1) Exemption

Off-street parking for passenger vehicles shall be provided pursuant to the provisions of this section. However, no provision of this regulation shall prevent; the repairing, alteration, modernizing, reconstruction or rebuilding without enlargement, or the continued use of any building, structure or use lawfully existing, or for which building permits shall have been approved as of the effective date of this regulation. Any parking facilities now existing and serving such structures or uses shall not in the future be reduced, except to the extent that they meet or exceed such requirements.

2) Plans Required

No zoning permit shall be issued for a new building, a change in use of an existing building, enlargement of floor area in an existing building or conversion to additional dwelling units until a plan is approved by the ZEO or the Planning and Zoning Commission. The plan shall show specifically the location and size of the required off-street parking spaces, access aisles, driveways, relationship to the structure, proposed landscaping and any other information deemed necessary to determine compliance with these regulations.

3) Permits Required

(a) Plans for any new or expansion of any existing parking area that creates four (4) or more cars on a lot must be submitted to the ZEO for a zoning permit.

(b) Plans for any new or expansion to any existing parking area that results in ten (10) or more cars on a lot must be submitted to the Planning and Zoning Commission for approval.

(1) No alteration, improvements or modifications to an existing parking lot may be made until a site plan has been approved by the ZEO.

4) Expansions or Enlargements

In the event that it is proposed to expand or enlarge any structure or use, or add residential dwelling units the applicant shall be required to provide additional facilities so that the new use or the enlarged portion of the use(s) or structure(s) only and not the existing use or structure shall meet fully all parking requirements.

5) Change of Use

No building or structure shall be erected, enlarged, modified, or its use changed to a use requiring additional off street parking and/or loading spaces unless permanently maintained off-street parking and loading spaces are provided for the new use in accordance with the provisions of these regulations, except, where such change of use, new building, alteration or increase in floor area requires no increase in parking over what presently exists.

6) Traffic Impact Analysis

For all uses generating over five hundred (500) vehicle trips per day or when otherwise required by the Commission a Traffic Impact Analysis shall be

submitted. The analysis shall include at least the following information and shall be prepared by a professional engineer registered in the State of Connecticut, with expertise in traffic engineering. This analysis shall include, but not be limited to: a measurement of present roadway conditions, existing traffic, traffic accidents, a calculation of trip generation based on the proposed land use, the directional distribution of the traffic, assignment of trip volumes, capacity analysis, identification of congestion and conflicts and recommended mitigation measures.

7) Obligation and Duration

The requirements for off-street parking space and off-street loading space shall be a continuing obligation of the owner upon which any such structure is located, so long as the structure or use is in existence and its use continues. It shall be unlawful for an owner of any structure to discontinue, change or cause the discontinuance or change of the required vehicle parking or loading space.

B. Number of Required Parking and Loading Spaces.

1) Parking and loading spaces shall be provided in all zones in sufficient number to accommodate the motor vehicles of all occupants, employees, customers and any others normally visiting the premises for each new, expanded or change in use in accordance with the following schedule:

Use	Minimum Spaces Parking Required		Minimum Loading Spaces Required
Accessory Apartment	1	parking space required per accessory apartment	None
Auditorium, theater, stadium, convention hall or similar place of public gathering	1	4 seats (Note: Bench capacity is computed at 1 seat for each 20 inches)	1 per 100,000 sq. ft GFA
Automotive service station	1	5,000 sq. ft. of lot area (minimum 3 spaces required)	None
Bank	1	300 sq. ft. of gross floor area or 3 per teller window which-ever is greater	None
Bed & Breakfast Inn		Two (2) off-street parking spaces designated on the site plan for the owner and at least one (1) additional off-street parking space for each guest room unless the Commission determines that adequate parking is available in the immediate area	None
Bowling Alley	3	Lane	None
Brew Pub *(Amended 02/01/08)*	1	Per every 3 seats or per 50 sq. ft. of floor area open to customers (excluding bathrooms) whichever is greater	1 loading space per facility unless determines unneeded due to availability of designated on- street loading space
Business or trade school, junior college, college or university	1	Per faculty plus .75 per student	As determined by the Commission
Business Records Document Storage Facility *(Amended 06/07/06)*			To be determined by Planning and Zoning Commission
Cocktail Lounge	1	3 seats per 100 sq. ft.. of gross floor area, whichever is greater	As determined by the Commission
Convalescent Home	1	6 beds and 1 for each 3 total employees	1 per facility
Church	1	6 seats (Note: Bench capacity is computed at 1 seat for each 20 inches)	None
Drive-in or Fast Food restaurant	1	75 sq. ft. of gross floor area or per 3 seats whichever is greater	None
Educational Establishment for learning disabled or mentally retarded adults	1	300 sq. ft. of gross floor area (amended 03/02/95)	None

Use		Minimum Spaces Parking Required	Minimum Loading Spaces Required
Elementary or middle school	2	Classroom (in addition to parking spaces required for auditorium	None
Funeral Home	1	75 sq. ft of assembly room space	None
Homeless service centers and homeless support centers	1	300 square feet of gross floor area	As determined by the Commission
Hospital	1	3 beds and 1 for each 3 total employees	1 per 100,000 sq. ft. GFA up to 500,000 sq. ft. plus 1 per additional 200,000 sq. ft. FA
Hotel, motel	1	Guest bedroom and 1 for each 3 employees (in addition to required parking for other uses such as restaurants, meeting rooms. etc.)	As determined by the Commission
Indoor Tennis	3	Per court (for racquetball and similar court games one half this amount)	None
Industrial (non-warehouse)	1	Per 3 total employees or per 500 sq. ft. of gross building area whichever is greater	1 per 25,000 sq. ft. up to 50,000 sq. ft GFA plus 1 for the next 50,000 sq. ft. GFA plus 1 per every additional 100,000 sq. ft. GFA
Marina and boat dock	1	Per boat slip or rental boat except slips dedicated for use by transient boats. Additional space shall be provided for boat trailers at discretion of Planning and Zoning; Commission.	None
Membership club	1	100 sq. ft. of assembly room space	None
Multiple family dwelling (See Section 614 B (5) for additional requirements. *(Amended 07/26/06)*	.75	Per efficiency unit *(Amended 10/24/18)*	None
	1	per 1-bedroom unit	None
		(Amended 10/24/18)	
	1.5	per unit with two bedrooms	None
		(Amended 10/24/18)	
	2	Per unit with three or more bedrooms	
		(Amended 10/24/18)	

Use	Minimum Spaces Parking Required		Minimum Loading Spaces Required
Multiple family housing for elderly	1	3 dwelling units	None
Office; office building	1	300 sq. ft. of gross floor area	As determined by the Commission
Professional office in a residential dwelling	1	100 sq. ft. of net floor space used by such office, minimum of 2 spaces must be provided	None
Public library, gallery or museum	1	200 sq. ft. of area accessible to public	None
Research institute or laboratory	1	2 employees	None
Residential homeless shelters	1	Per staff member and volunteer up to the maximum present in any one shift; 1 per 20 patrons; and 1 space for drop-off and deliveries	None
Restaurant *(Amended 02/01/08*)	1	1 per every 3 seats or per 50 sq. ft. of floor area open to customers, except bathrooms) whichever is greater.	As determined by the Commission
Retail store or shop	1	300 sq. ft. of sales floor space	None for the first 10,000 sq. ft. GFA, then 1 per 30,000 sq. ft. up to 70,000 sq. ft GFA plus 1 per every additional 80,000 sq. ft.
Religious Bath	2		None
Self Service Storage Facility	1	per employee (minimum 4) plus 1 per 50 units (individual leasing spaces)	As determined by the Commission
Senior high school	4	Classroom (in addition to parking spaces required for auditorium)	None
Service establishment	1	200 sq. ft. of gross floor space	None
Single-family dwelling	2	Dwelling Unit	None
TattooParlor/ Tattoo Facilities (*Amended 03/31/09*)	1	One space per 200 gross floor space of the area occupied or three (3) spaces per each licensed artist	None

Use	Minimum Spaces Parking Required		Minimum Loading Spaces Required
Tourist Homes		Minimum spaces parking required: There shall be at least two (2) off-street parking spaces designated on the site plan for the owner or manager of the premises and one additional off-street parking space for each guest room unless the Commission determines that adequate parking is available in the immediate area.	
Wholesale distribution, Limited Processing Recycling *(Amended 09/30/08)*	1	Per 3 employees or 1 per 1,000 square feet of gross floor area, whichever is greater.	1 per 50,000 sq. ft. GFA plus 1 per every additional 100,000 sq. ft GFA

2) Determination of Required Parking Spaces

The parking space requirements for a use not mentioned or variations of above uses shall be determined by the Planning and Zoning Commission or the ZEO to prevent frequent parking on the street. Where a determination must be made, the decision shall be based upon: (1) standards set forth herein for uses with similar characteristics, (2) previous experience with similar uses and (3) studies or standards such as those promulgated by the Institute of Traffic Engineers of the parking requirements of such uses.

3) Multiple Uses

Except as specified in Section 614. D where two or more different uses occur on a single lot, the total amount of parking facilities to be provided shall be the sum of the requirements of the uses computed separately for each individual use on the lot.

4) Fractional Measurements

Where fractional spaces result from calculation of parking space requirements equal or greater than one-half (1/2) total parking spaces required shall be the next highest whole number.

5) Additional parking for larger Multi-family developments *(Amended 10/24/18)*

Where more than three units of multi-family development is proposed for a single property or adjoining properties under unified ownership, operation, or management, the Commission may, at its discretion, require additional parking not to exceed 20% of the calculated parking demand to accommodate guests and/or overflow. The Commission may, at its discretion, count available legal on-street parking along the frontage of the development property towards the requirement of this section. *(Amended 10/24/18)*

C. Design, Layout and Location

1) Parking Setbacks

a) In an R-1, R-lA, R-2, R-3, R-4, or NB District, parking in the front yard shall be restricted to parking within a driveway that shall not be wider than twenty (20) feet for that portion that passes through the front yard. Any combination of driveways, turnaround areas and vehicle maneuvering areas shall not exceed an area of twenty-five (25) percent of the total area of the front yard. Under no circumstance shall parking be allowed in front of the dwelling unless that parking area is the accessway to an approved parking space, garage or carport. No turnaround area or vehicle maneuvering area shall be more than twelve (12) feet wide.

b) In an LI-O District, parking shall not be permitted between the front of a structure and the front lot line.

c) In all zones no parking space shall be located closer than three (3) feet to any property line.

d) No paved or impervious parking surface area shall be permitted within twenty-five (25) feet from the Thames River at mean high water (mhw) elevation unless it can be demonstrated that no impacts to coastal resources would result.

e) In an R-1, R-1A and R-2 Zone no parking area for a Cluster Development shall be located within fifty (50) feet of a street or property line.

f) In an R-2, R-3 and R-4 Zone no parking or loading area for a Place of worship shall be located nearer than fifty (50) feet to any street line or property line.

2) On Site Location

a) Required parking spaces shall be provided upon the same lot as the use that it supports, except where specifically permitted elsewhere in these regulations.

b) No land within any public right-of-way shall be used in computing the parking or loading areas for a specific use.

3) Parking Aisles

a) Access to a parking area for more than eight (8) vehicles shall consist of a minimum twelve (12) foot wide one-way lanes and twenty (20) foot wide lanes for two-way movement.

b) The Zoning Enforcement Officer (or the Commission, when reviewing site plans) may approve access width reductions of up to 25 percent of this standard when the parking area served by such access is for eight or less vehicles, provided such

smaller access is determined by the ZEO or Commission to be safe and convenient for the users.

4) Curb Cuts, Ingress and Egress

a) An entrance or exit to any off-street parking area shall be located a safe distance (minimum 25 feet) from any street intersection. No such entrance or exit may exceed a grade in excess of six (6) percent within twenty-five (25) feet of any street line nor ten (10) percent at any other point. All points of ingress or egress shall be appropriately signed unless such signing is considered unnecessary.

b) Ingress and egress location shall be reviewed by the Police Department and the City Engineer in order to prevent hazards to motorists and to promote the orderly and safe flow of traffic and pedestrians.

c) Curb cut widths and curb cut radii must be reviewed and approved by the City Engineering Department or the State Traffic Commission, where appropriate and no curb cut, driveway entrance, utility work or other improvements shall be constructed unless a permit has been obtained from the City Engineer.

d) The portion of access drives extending from the street to the property line must be concrete with granite curbing as required by City Ordinance.

e) No parking area shall be so designed or constructed as to force a vehicle to back out directly into a public street, provided that this prohibition shall not apply to off-street parking areas for one and two family dwellings.

f) All access driveways and curb cuts shall be planned and located to provide as much sight distance as possible at intersections with the connecting public street. A sight line demonstration plan may be required as part of a site plan.

g) The street giving access to the site shall have a traffic carrying capacity and be suitably improved to accommodate the amount and types of traffic generated by the proposed use. When the Commission determines that the condition of the existing public street is such that the approval of the site development plan could result in a potential safety hazard, the Commission may require that the applicant make improvements to the existing street to assure the safety of traffic to and from the site. These improvements may include, but not be limited to, turning lanes, deceleration lanes, traffic islands, road widening and traffic islands.

5) Sidewalks

a) The Commission may require the installation of sidewalks along public streets in places deemed proper by the Commission for public necessity and safety.

b) When sidewalk construction is required as part of site plan approval, construction drawings for the sidewalks shall be provided and sidewalks shall be designed and constructed to the City Ordinance.

6) Pedestrian Safety

a) Off-street parking shall be separated from the building served in such a way as to assure safe movement of pedestrian traffic to all major entrances of the building.

b) A concrete walk or combination of walk and landscaping shall be protected from vehicles by suitable means.

7) Safety Precautions

Where the topography of a site is such that a potential safety hazard for parked vehicles exists, the Commission may require that barriers or other safety devices are incorporated into the design of the parking area.

8) Parking Spaces

a) Each required space, exclusive of drives and aisles, shall be not less than eighteen (18) feet long nor less than eight and one half (8 ½) feet wide, and shall be served by an aisle between rows of parking spaces as designated in the attached Figure "Minimum Parking Area Dimensions", except that, where more than one space is provided for any dwelling unit, such spaces may be located in tandem to the required number of parking spaces for that dwelling unit after approval by the New London Planning & Zoning Commission. *(Amended 05/02/02)*

b) The PZC may, at its discretion and by issuance of a Special Permit allow parking spaces sizes that vary from the standard parking space requirements in facilities where the predominant use is to be non-transient low turnover parking significant number of the daily users park for more than three (3) hours at a time such as multi-family residences, office buildings and industrial facilities. Non-transient parking spaces may be eight and one-quarter (8 ¼) feet wide and sixteen (16) feet long. *(Amended 05/02/02)*

9) Compact Car Spaces

The applicant may be permitted to provide a limited number of compact car spaces in accordance with the following standards:

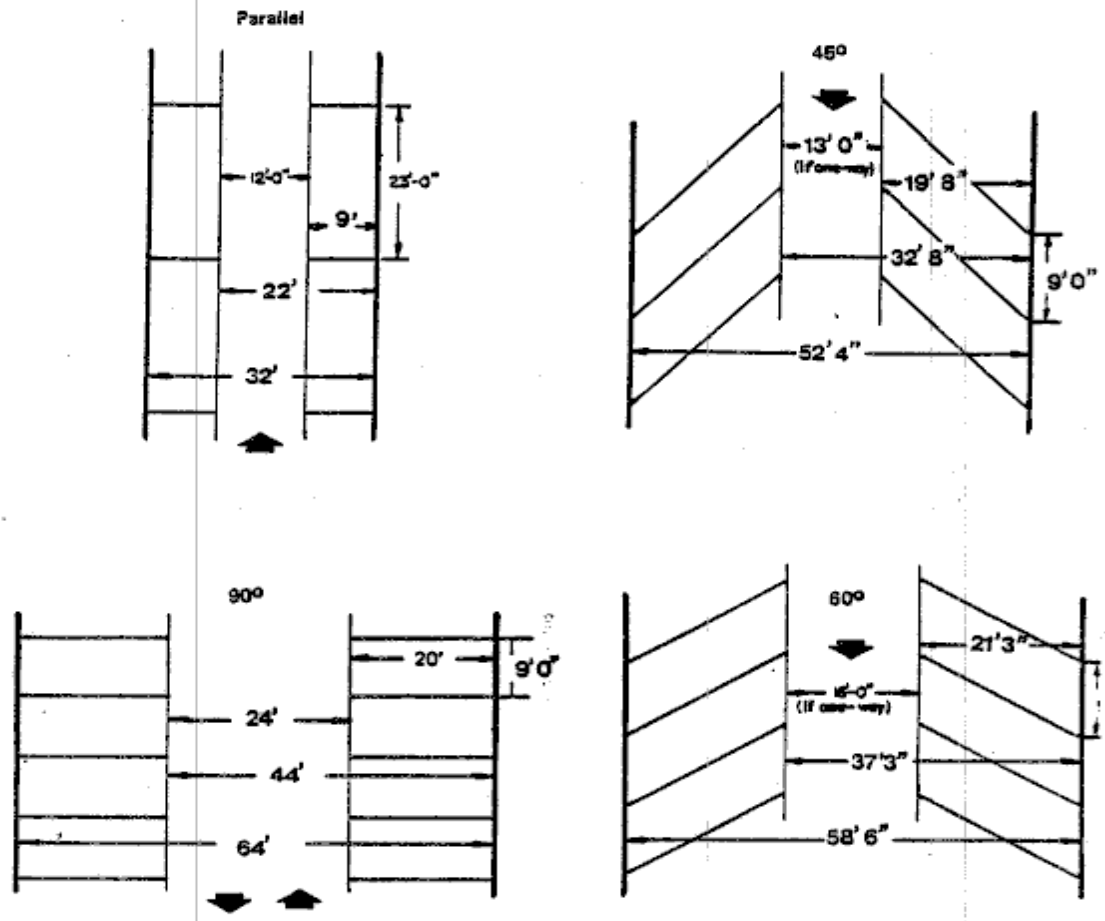
a) Up to twenty-five percent (25%) of the minimum number of required parking spaces may be allocated for small cars and correspondingly reduced in size subject to the approval of a small car parking layout plan. A small car space (stall) shall not be less than eight (8) feet in width and sixteen (16) feet in stall length.

b) The small car spaces shall be laid out in groups and marked with "Small Car Only" free-standing or wall signs not to exceed 1 sq. ft. each.

10) Handicapped Accessible Spaces *(Amended 08/01/10)*

a) All aspects relative to requirements such as but not including number, dimensions and signage of parking spaces for the handicapped shall be as required by the State of Connecticut Building Code as it may be from time to time amended.

b) Required handicapped accessible parking spaces shall be considered part of the number of parking spaces required under these regulations and not in addition to.



MINIMUM PARKING DIMENSIONS

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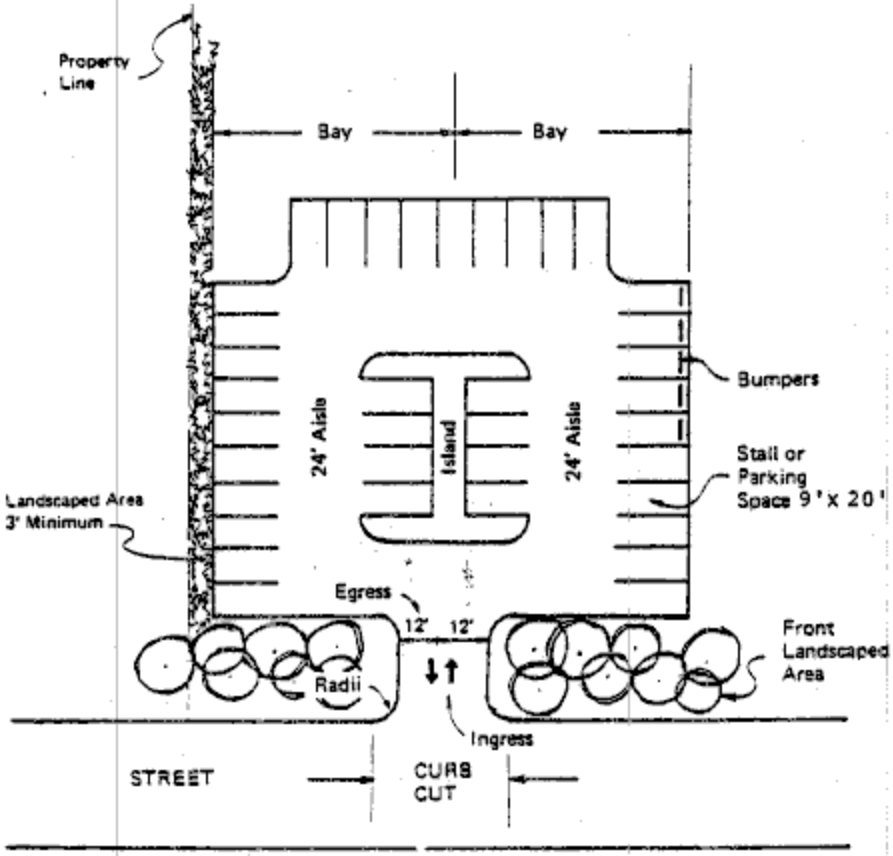

TYPICAL ARRANGEMENT FOR 90º PARKING
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11) Lighting

Off-street parking areas shall be adequately illuminated for convenience and safety, but no lighting for parking areas shall cause glare on adjoining property.

12) Surface Treatment

a) All parking areas shall be paved with a durable, dust free all weather surface of bituminous or concrete paving, maintained in good condition. However, the Commission may allow an alternate surface treatment if the use is a low traffic generator, or if the design is part of a storm water management plan to minimize storm water impacts. In these cases the applicant shall submit a maintenance plan to the Commission for their approval.

13) Landscaping and Screening.

a) On any parcel where a Site Plan approval or Special Permit is required and the parking area faces a street or a property line, a landscape area of a minimum width of three (3) feet planted with a combination of grass, perennials, ground cover or shrubs shall be planted between the parking area and the street line or property line. The landscape area shall include at least one deciduous tree of not less than three (3) inch caliper and at least six (6) feet in overall height at time of planting for every fifty (50) feet along the perimeter of the parking lot. The trees may be planted in groupings to enhance the landscaping of the parking lot.

b) Where a parking area abuts a residential property, it shall be screened from view by a buffer consisting of landscaping, a berm, opaque fence or wall, or other means as approved by the Planning and Zoning Commission. This buffer shall be planted sufficiently close and be large enough when constructed to effectively screen automobile headlights. Within the CBD zone this requirement shall only apply to parking areas abutting a residential zoning district but shall apply whether or not the abutting properties in the residential zoning district are currently in residential use. *(Amended 09/20/07)*

c) The Commission may reduce or waive the landscaping requirements within a parking area and between a parking area and a street line when the area is used as a display area of a new or used automobile dealership, or if the Commission determines that adequate existing landscaping around the site is retained in a manner to insure that the site will be aesthetically pleasing, or where the parking area is functionally integrated with an adjoining area on an abutting lot.

d) All parking areas containing 20 or more off-street parking spaces shall provide at least 10 square feet of interior landscaping within the paved portion of the parking area for each parking space. Each separate landscape island shall contain a minimum area of 100 square feet. No landscape island shall be less than 8 feet wide.

e) These landscape islands shall be designed and located to assure safe and efficient channelization of both pedestrian and vehicular traffic and to separate the major accessways through the parking area from parking aisles. Each separate landscape island within the parking area shall be contained by the use of cast in place concrete curbing, stone or precast concrete curbing or other suitable material as approved.

f) Plantings in landscaped areas shall be consistent with the visibility requirements of Section 606 of these Regulations, both at street intersections and at exit driveway intersections with abutting streets.

g) Site Plans shall be designed to attempt to preserve as much natural vegetation as possible.

h) All proposed landscaping shall be specified on the plan as to location, botanical name and size at time of planting.

i) Notwithstanding the preceding subjections, the Commission may modify or eliminate the requirements of subsections (a) and (d) above; to include in lieu thereof some combination or wall/fencing and/or landscaping in a three-foot buffer strip to be maintained along all areas where a parking lot fronts a public street. Landscaping elements shall only include those that grow or are maintained at a low height (less than three feet) and shall include a combination of formal evergreen hedges and trees (one tree per fifty-five feet of street frontage) unless an alternative is determined by the Commission to be more appropriate. *(Amended 09/20/07)*

14) Parking Structures

a) The dimensional standards for parking spaces, parking aisles and driveway grades may be reduced by up to twenty (20) percent for parking structures.

b) The landscaping and screening requirements of this section shall not apply to the interior parking areas of parking structures.

15) Pavement Marking

All required parking spaces, directional arrows, stop bars, fire lanes and loading areas shall be marked by painted lines maintained in good condition or by curbs or other means to indicate individual spaces. Additionally, directional arrows and signs shall be provided where necessary.

16) Connections Between Abutting Parking Areas

Where appropriate, the Planning and Zoning Commission may require paved driveway connections between abutting parking areas in different ownerships, so as to facilitate the

flow of traffic for the public to travel between sites without the need to travel on a public street.

17) Operation and Maintenance of Off-Street Parking Facilities

a) Required off-street parking facilities shall be maintained throughout the life of any use or structure, which the said facilities are designed to serve.

b) Required parking areas developed for specific structures and uses shall be reserved at all times for the use of those persons who are employed at, or making use of, such structures and uses, except when dedicated to, and accepted by, the City as public parking areas.

18) Designation of Employee Parking Areas

For retail and service establishments, and for other uses with a frequent exchange of customers or patrons, employee parking shall be designated in parking spaces remote from entrances so as to retain closer spaces for customers or clients.

19) Fire Lanes

a) Fire Lanes shall be provided as required by the Fire Department.

b) No parking shall be permitted in areas designated as fire lanes on any site plans approved under these regulations or established by the City's Fire Marshal.

c) "No Parking" signs shall be posted in accordance with the requirements of the Fire Department.

20) Stormwater Drainage

a) Parking areas shall be graded and drained to dispose of all surface water in accordance with sound engineering principles.

b) No storm water drainage shall be allowed to cross any sidewalk area or public streets.

c) Drainage shall be designed by a professional engineer licensed in the State of Connecticut.

d) The commission shall require that a stormwater management plan is submitted for all proposed parking lots consisting of twenty-five (25) or more parking spaces. However, the Commission may require a stormwater management plan for any proposal if it determines that the site disturbance and proposed use may cause significant nonpoint source pollution. The stormwater management plan shall provide, but not be limited to at a minimum the following information: (The City's Office of Development and Planning (ODP) has been charged with the

responsibility to prepare a recommended format for stormwater management plan submissions to the Commission under these regulations. All applicants are encouraged to consult with ODP staff prior to application submission.)

(1) Soil characteristics including soil types, hydrologic soil group, and depth to bedrock and groundwater where necessary.
(2) DEP ground/surface water quality classification of the site.
(3) Location and description of all proposed best management practices (BMPs) both for construction activities and post-construction long-term nonpoint source pollution control.
(4) Proposed maintenance and operation manual or schedule for any stormwater control methods.
(5) Hydrologic analysis and calculations of stormwater runoff rates and water quality pollutant concentrations including suspended solids removal rates for pre and post development.
(6) To the extent practicable, maintain post-development peak runoff rate and average volume at levels that are similar to pre-development levels and reduces post-development average annual total suspended solid (TSS) loads by 80%.

e) Stormwater management systems shall be designed and maintained to manage site runoff in order to prevent flooding, control peak discharges where required, and maximize retention and water quality treatment on-site.

f) On proposed sites with discharges of stormwater within five-hundred (500) feet of coastal waters, the stormwater management system shall be designed to retain and treat the volume generated by the first one (1) inch of rainfall unless a demonstration can be made that specific site constraints prevent meeting this goal. In such case, the stormwater management system should be designed to retain and treat the maximum amount that is technically feasible.

D. Joint Use of Parking Areas/Shared Parking

In the case of two or more structures or uses on the same lot or on contiguous lots, the Planning and Zoning Commission may approve the joint use of parking areas for sites using the same driveway giving access thereto where the total capacity of the parking area shall not be less than the sum of the space required for each use computed separately, or the Commission may approve a Special Permit to permit the joint use where the total capacity is less than the sum of the spaces required for each use computed separately, provided:

1) A finding is made by the Commission that the proposed capacity will substantially meet the intent of these regulations.

2) In a mixed-use development, there are two or more uses which have differences in their principal operating hours, thereby allowing the utilization of the same parking spaces.

3) If a use is enlarged, changed or terminated the Planning and Zoning Commission shall have the discretion to terminate the approval of such joint use or require full compliance for each separate use upon finding that conditions justifying joint use no longer exist.

4) If a use is located within five-hundred (500) feet of another use such as a church that is not in operation during the same hours or days as the first use, and where such church or other use is willing to make its parking available to the first use through written agreement acceptable to the City's Director of Law.

5) An agreement for the construction, use, and maintenance of such joint parking and loading area, and the cost thereof, shall be entered into by all participating owners and the continuance of such agreement shall be guaranteed by a covenant identified on the site plan and filed with the deed of each participating property binding each participating owner and his successors in interest for the life of the joint use of the facility. Any covenant for such joint use shall be in a form acceptable to the City's Law Director.

6) Upon finding that the foregoing conditions have been met, and where the joint parking facility adjoins or straddles a joint lot line, the Planning and Zoning Commission may, for the period covered by such agreement waive the requirements applicable to side yards.

E. Waiver and Reductions of the Number of Required Parking Spaces *(Amended 9/30/08)*

New uses in the CBD-1 and CBD –2 Districts located within buildings in existence as of the effective date of this amendment, or in additions not defined in this section as "major", shall not be required to provide any parking spaces in addition to those already serving the building either on or off the property. Reduction, relocation or elimination of these existing spaces may be allowed only by Special Permit if the requirements of subsection 1) below are met.

All or portions of the minimum number of off-street parking spaces required as a result of the construction of new buildings or the major expansion of existing buildings (i.e. consisting of more than 25% of the gross floor area in existence as of the effective date of this regulation) may be waived or reduced at the discretion of the Planning and Zoning Commission by issuance of a Special Permit provided that:

1) Central Business Districts (CBD-1 and CBD-2)

a) The proposed use is within 500 feet in the CBD-1 and CBD-2 Districts of a municipally operated off-street parking facility or privately owned and operated parking area. The aforesaid five hundred (500) feet shall be measured by the shortest route of the available pedestrian access between any entrance to such use and the entrance the parking facilities.

b) At the time of submission of a permit application the applicant shall provide a report from the City's Parking Commission that the municipally operated off-street parking facility or, in the case where nearby private parking area is to be utilized, a report from the owner or operator of the private parking facility that the lot has adequate capacity for storage of passenger vehicles generated by activities

proposed to be conducted on the subject lot in addition to those generated by any other lots already serviced by such off-street parking facility. In determining the existence of such adequate capacity, the Commission shall consider the need for preventing frequent parking on the street by persons visiting or connected with each use which is proposed to be served by such off-street municipal or private parking facility.

c) Where a private parking facility is to be utilized, the applicant shall provide written assurance from the owner that such facility will be available for the life of the proposed use.

All or portions of the minimum number of required off-street parking spaces may be waived or reduced at the discretion of the Planning and Zoning Commission by issuance of a Special Permit provided that:

2) Van/Car Pools

An applicant may partially satisfy the off-street parking requirement if the applicant can document that a van pool, car pool or employee public transit program will be in operation for the duration of the use. Each two (2) occupied seats in a van or transit bus shall be considered as one parking space for purposes of this section. A plan shall be submitted to show how the alternative mode(s) will be implemented, the permanency of such mode(s), the extent of the program, number of vehicles and any other pertinent information. The applicant shall record a covenant, the content and form of which must be approved by the Director of Law, which binds all successors in title to the commitments approved and the petitioner shall include in all leases a clause, content and form approved by the Director of Law, which binds all tenants to the commitments made by the applicant.

3) Reduction of Number of Parking Spaces

a) Parking space requirements for a particular use as established by these regulations may be reduced if an applicant can demonstrate that the intensity of the particular use will need a lesser amount of parking than is otherwise required.

b) An application for a reduction in the number of required parking spaces shall include a survey of persons using and working on the premises in order to demonstrate that the number of spaces provided in the permit application are sufficient to accommodate the vehicles of all persons using and visiting the facilities specified in the application.

c) The Special Permit shall be applicable only to the specific use or occupancy of land, buildings or other structures specified in the application. The Special Permit shall become null and void in the event that the use or occupancy is changed to another use or occupancy.

F. Location of Required and/or Additional Off-Site Parking Areas

1) Required parking spaces, may be provided on sites other than the site they serve under certain circumstances after meeting all of the following requirements:

a) The site must be located within five hundred (500) feet along public pedestrian thoroughfares measured from property line to property line.

b) Parking for uses located in non-residential districts shall not be located in residential districts except as provided herein for additional accessory surface parking on divided lots or unless the parking area is permitted as an accessory use.

c) In all cases, such parking shall conform to all of the provisions of the regulations of the district in which they are located.

d) Such spaces shall be in the same ownership as the use to which they serve or if in separate ownership, there shall be a written agreement between the owners that the spaces shall be available to the use to which they are assigned. In all cases the spaces shall be subject to deed restriction, satisfactory to the City's Director of Law, binding the owner and his heirs and assigns to maintain the required number of spaces available either (a) throughout the existence of the use to which they serve, or (b) until such spaces are provided elsewhere.

e) A Special Permit must be issued by the Planning and Zoning Commission.

2) Additional accessory surface parking on divided lots.

a) For the purposes of this regulation, a "divided lot" is a lot of record as of the date hereof divided by a zoning district boundary delineating the boundary between a residential and non-residential zone.

b) This regulation shall only apply to additional parking for conforming principal uses.

c) Notwithstanding any use restriction provided in a residential zone, additional accessory surface parking may be provided on the residential portion of any divided lot, subject to issuance of a Special Permit by the Planning and Zoning Commission in accordance with the requirements of Article VIII, Section 810 of these regulations, and subject to the following conditions:

(1) The lot must adjoin or contain the principal use to which the parking is accessory.

(2) The minimum lot area for the lot upon which such additional accessory parking is located shall be 40,000 square feet.

(3) A landscaped buffer, providing year round visual screening of 80 percent or more opacity of the screened object, consisting of fencing, walls, screen plantings or the combinations of such, in accordance with the requirements of Article VI, Section 603 of the Regulations, of not less than forty (40') feet from R-1 or R-1a Districts and not less than 25 feet from all other districts shall be provided and maintained along all property lines. This requirement may be modified, by the Planning and Zoning Commission after a written request, provided that the Commission determines that as a result of topography, vegetation or other factors unique to the parcel, such a buffer is not needed to protect residential uses.

(4) All entrances and exits to such additional parking areas shall be through the portion of the lot located in the non-residential zone or the adjoining property containing the principal use.

(5) Parking structures are not permitted.

(6) The lot containing such spaces shall be in the same ownership as the property to which it is accessory.

G. Off-Street Loading Facilities

1) Off-street loading facilities shall be required on the same lot as the principal building or structure.

2) Determination of Required Loading Spaces

Where the Planning and Zoning Commission determines the number of loading berths, the decision shall be based upon: (1) standard set forth herein for uses with similar characteristics and (2) previous experience with similar uses.

3) Any land which is developed as a unit under single ownership and control shall be considered a single lot for the purpose of these loading requirements.

4) Size of Spaces.

Each required loading berth shall be at least fifteen (15) feet wide, thirty five (35) feet long, and have a clear height of fourteen (14) feet high.

5) Location and Access.

a) Said loading berths may be provided in the principal building or in any side or rear yards. No off-street loading berth shall be located in any front yard. Unobstructed access, at least 15 feet wide, to and from a street shall be provided. Such access may be combined with the access driveway to a parking lot, provided that said driveway has a minimum width of 25 feet. All loading berths shall be on the same lot as the use to which they are accessory.

b) No entrance or exit for any loading area shall be located within 50 feet of any street intersection.

6) Joint Facilities.

Required loading berths, open or enclosed, may be provided in spaces designed to serve jointly two or more adjacent establishments provided that the number of required berths in such joint facilities is not less than the aggregate spaces required for each use.

Section 615 <u>Signs</u>

All of Section 615 of the Zoning Regulations (Signs) including the illustration found on page VI-45 are hereby deleted and the following is inserted in its place. *(Amended 08/23/99)*

A. Purpose and Intent

1) The purpose of this section of the zoning regulations is to promote, preserve, enhance and protect the public health, safety, and welfare of the City by regulating signs of all types on public and private property through the establishment of standards to control the location, number, size, height, maintenance and character of signs. The indiscriminate construction, erection and maintenance of signs can create undue distractions to motorists and pedestrians, may tend to depreciate property values and may be detrimental to the preservation and enhancement of the aesthetic and historical values of the City. These regulations are intended to:

a) Provide specific and enforceable standards to protect the community.

b) Protect property values.

c) Encourage the installation of signs that assist in the creation of a more attractive economic and business climate so that travelers, visitors, residents and business people patronize the City's commercial establishments.

d) Enhance and protect the aesthetic appearance and historical heritage of the City.

e) Provide adequate identification, communication and advertising for land uses.

f) Distinguish between the City's various zoning districts and the desired character and development patterns of each district.

g) Ensure that signs are compatible with their surroundings.

2) In evaluating all sign applications, the Planning & Zoning Commission (PZC) and the Zoning Enforcement Officer (ZEO) shall insure that the sign:

a) Reduces distractions, confusion and obstructions that may contribute to unsafe traffic conditions.

b) Minimizes the adverse effect on adjacent property and the general public.

c) Reduces hazards that may be caused by signs overhanging or projecting over public rights-of-way.

d) Improves the appearance of the City.

B. Applicability and Permit Requirements

1) No sign, except as provided in this section, shall be constructed, altered, repaired, established, reconstructed, maintained, replaced, and relocated until a permit is issued either by the Zoning Enforcement Officer (ZEO) or the Planning & Zoning Commission (PZC) where required.

2) Before a sign is erected a permit must also be obtained from the Building Official.

3) Any sign not specifically listed, is not permitted, except where specific exceptions to this rule have been identified in these regulations.

4) The City has prepared a sign "handbook and guidelines" document to advise those considering applying for a sign permit. The document is available at the Office of Development and Planning.

5) Applications for a sign permit shall be made on the sign application form provided by the Zoning Enforcement Officer. After reviewing the application for compliance with these regulations the ZEO or PZC shall either approve, modify and approve or deny the application. The ZEO shall issue to the applicant a written notification of this action and in the case of an approval, a permit evidencing compliance with these regulations.

6) Persons aggrieved by the actions of the ZEO may appeal said decisions to the ZBA as prescribed by Section 1000 of these regulations.

7) This regulation does not require that a legal non-conforming sign be made to comply with the regulation or be removed by the owner or occupant of the land and premises unless the sign is altered in some way.

8) All applications for sign permits, shall include:

a) The complete information required on the application form supplied by the Zoning Enforcement Official.

b) The necessary drawings, sketches and site plans of the proposed sign(s) which shall show the following information: the size, height, dimensions, copy, letter type, materials, colors, location, electrical, landscaping, attachment details, lighting and other information that the ZEO or PZC may require to indicate full compliance with these regulations.

c) The size, dimensions, lighting, and location of all signs existing on the premises at the time of making said application.

d) The appropriate fee as prescribed by the City's fee schedule.

e) The application shall include the written consent of the owner of the property upon which the sign(s) is to be erected.

f) Any other information required by the ZEO or the PZC necessary to determine compliance with these regulations.

9) Submission of an incomplete application shall be a reason for denial of the application.

10) The Planning and Zoning Commission shall have the sole authority to review and approve the following types of signs: (All other signs shall be reviewed and approved by the ZEO)

a) Marquee.

b) Secondary freestanding.

c) Modifications.

d) Institutional signs that exceed regulations.

e) Roof.

C. General Standards and Criteria

In implementing these regulations the following general standards and criteria shall be adhered to except where more restrictive or more specific requirements are applicable:

1) Unless otherwise permitted, each site shall only be permitted to have one (1) wall sign per business frontage and one free standing sign per building.

2) Any sign may be two sided and only one face shall be counted in determining conformity to sign area limitations.

3) The total combined square footage for all permanent signs on a lot shall not exceed two and one half (2.5) square feet for each linear foot of building frontage.

4) Standard, approved methods of constant internal and external illumination shall be permitted on signs, provided, however, they shall concentrate the illumination upon the area of the signs so as to prevent direct glare upon the street or adjacent property. (Flashing signs are prohibited except for clocks and customary time and temperature devices.)

5) All ground or free standing signs shall be affixed to one or more vertical supports, with no guy wire or bracing.

6) No signs, other than those specifically authorized elsewhere within these regulations shall be erected within the right-of-way lines of any street, sidewalk or public way.

7) No sign or sign structure shall be erected at the intersection of any street or driveway in such a manner as to distract free and clear vision. Nor shall any sign be erected where it may interfere with or obstruct the view of or be confused with any authorized traffic sign, signal, or device.

8) Where signs are proposed for the Central Business District or any special design district the sign shall be reviewed for compliance with the established design standards/guidelines.

9) All permanent ground and free standing signs shall be provided with an appropriately landscaped planting bed surrounding the base of the sign consisting primarily of low growing shrubs, annuals, perennials, or ground cover except for any such area that is actively devoted to some other use.

10) Multiple tenant buildings or lots containing more than one tenant or occupant shall submit a unified signage program for approval before permits for new signs are issued for the site. The unified signage program is intended to insure that all signs proposed for a multi-tenant complex shall be in harmony and of a compatible shape, lettering, materials, and placement on the building(s). To this end, as a means to encourage unified signage applicants may apply for and receive modifications to these regulations as specified by Section G.

11) No person shall erect, install, remove, re-hang, or maintain, over public property, any sign for which a permit is required under the provisions of this regulation until an insurance policy for public liability and property damage shall have been filed with the City with coverage in an amount satisfactory to the City's Law Director.

12) No sign shall be designed so that the message content can be periodically changed unless specifically permitted under the terms of these regulations.

13) No illegal, non-conforming sign shall be altered, reconstructed, or changed in any way unless a permit is issued by the ZEO and the sign is made to conform to the requirements of these regulations. A new name or the changing of the advertising copy or message shall be deemed to be a change. No signs described above shall be relocated unless it results in eliminating or reducing the non-conformity. Nothing shall preclude the ordinary maintenance and repair of an illegal nonconforming sign.

14) Unless otherwise specified elsewhere in these regulations, all signs shall pertain to the principal use, service rendered or product sold on, or immediately abutting the premises on which the sign is located, and no sign shall include advertisement, identification, publicity or notice of goods, services, establishment, enterprises, activities, persons, organizations and facilities which are not located on the premises.

D. Prohibited Signs

The following signs are prohibited:

1) Signs not specifically permitted under these regulations.

2) Signs, which do not comply with the requirements of these regulations.

3) Any flashing sign or device with intermittent lights with changing degrees of intensity, except for approved time and temperature displays.

4) Vehicular signs when the vehicle is used primarily for the purpose of such advertising display.

5) Signs that are illuminated to an intensity to cause glare or brightness to a degree that could constitute a hazard or a nuisance as visible from any public right-of-way, any residential districts or from adjacent properties. Specifically, the performance standards of Section 613 of these regulations shall be used to measure glare.

6) Signs that use any combination of forms, words, colors, or lights, which imitate standard public traffic regulation or emergency signs or signals.

7) Signs attached or maintained upon any tree, public or private utility pole or structure.

8) Signs containing any obscene, indecent or immoral matter.

9) A sign encroaching onto a required fire lane designated by the City's Fire Chief or designated agent.

10) An off-premise sign or outdoor advertising billboard except as specifically permitted by this regulation.

11) A sign located so as to obstruct the view of any pedestrian or motor vehicle so as to cause an unsafe condition.

12) A sign located so as to obstruct or impede any flue, air intake, fire escape, fire exit door, window, skylight, or exhaust or so as to impede free access by fire fighters to any part of a premises.

13) A sign consisting of pennants, ribbons, streamers, spinners, strings of lights, or other similar devices unless otherwise permitted by these regulations.

14) Abandoned signs.

15) Portable, electric signs.

16) Permanent inflatable signs.

17) Signs located in any required buffer area.

18) The use of strings of lights or exposed tubes which contain luminescent inert gases to outline buildings, structures or other ornamental features, except as used on approved signs.

19) Roof signs, except as otherwise permitted.

E. Exempt Signs not requiring a permit

The following signs are permitted and may be erected without a permit, however, they shall be subject to the following requirements as well as the general standards of Section C and the special regulations of Section G of these regulations.

1) Public signs required by law or as required by the City of New London.

2) Signs for regulating traffic, street signs, legal notices, or railway closing warnings and all other such signs pertaining to public safety.

3) In residential zones Real Estate signs not in excess of six (6) square feet in area.

4) In non-residential zones, Commercial Real Estate advertising signs not exceeding sixteen (16) square feet in area.

5) The display of the National, State or any other flag adopted or sanctioned by the legislative body of a governmental jurisdiction. No freestanding flagpole shall exceed fifty (50) feet in height and no flagpole attached to or placed upon any building or other structure shall project more than twenty (20) feet above the roofline of any building or structure.

6) A sign erected in a bus shelter owned or operated by, or under the jurisdiction of the City that is in full compliance with an agreement entered into with the City.

7) Any "No Trespassing", "Private Parking", "Exit", "Entrance", or other similar signs not exceeding two (2) square feet for each sign.

8) Integral signs.

9) Directional signs on private property, provided such signs are not internally illuminated, have no advertising matter and do not exceed two (2) square feet in area.

10) Political signs. (see Section G of these regulations for the special requirements for political signs)

11) Temporary displays, signs, or lighting as a customary part of a national, state or religious holiday decoration, may be displayed over a period not to exceed a total of sixty (60) days per calendar year.

12) Identification sign for the address, name of occupant and, use of the premises, not to exceed two (2) square feet in area, provided such signs are not internally illuminated.

13) Temporary or permanent Window signs (See Section G Special Regulations).

14) Construction signs with message limited to project name, building name, architects, engineers, contractors, sponsors or other individuals or firms involved with the construction, provided such signs do not exceed one sign per site. These signs shall not exceed an area of twelve (12) square

feet for single family or duplex construction and thirty two (32) square feet for multi-family or non residential construction, and are removed within seven (7) days of issuance of a Certificate of Occupancy.

15) Yard or garage sales signs which are removed within seven (7) days of installation.

16) Interior signs placed within buildings and which are not intended to be visible beyond the premises on which the signs are located.

17) Gasoline price per gallon or credit card signs mounted on pump islands only, with maximum total area of any sign not to exceed four (4) square feet.

18) Words and images attached to machinery or equipment which are necessary or customary to the business, including but not limited to devices such as gasoline pumps, vending machines, ice machines etc. and provided that the words and images refer exclusively to products or services dispensed by the device.

19) Vehicular signs if the sign meets the following requirements:

    a) The vehicle must be in operable condition and is being used in the normal course of the business;

    b) The sign must be painted on or securely affixed on all edges to the surface of the side of the body of the vehicle;

    c) The vehicle shall be parked on a location so that the sign is not visible from the public right-of-way or;

    d) If the site does not allow the vehicle to be parked in the above referenced manner the vehicle must be parked as far away from the public right-of-way as is practical.

20) One flag or banner per use not exceeding sixteen (16) square feet containing no advertising.

21) Street banners sponsored or installed by the City of New London.

F. Temporary Signs

The Zoning Enforcement Officer may approve zoning permits for the following types of temporary signs as specified:

1) A sign or banner for municipal, charitable, or non profit organizations not exceeding twenty four (24) square feet for a period not to exceed thirty (30) days.

2) A sign announcing anticipated occupancy of a commercial establishment or anticipated land development of a site or building for a period not to exceed three (3) months. Such sign shall not exceed twenty-four (24) square feet if it is free standing and shall not exceed the maximum permitted for a permanent wall sign if it is affixed to a building.

3) Banners not to exceed (24) square feet, or other attention getting devices such as search lights, tents, bannerettes, laser light shows, pennants, streamers or string of lights may be used to announce special sales for commercial businesses for a period not to exceed thirty (30) days in any calendar year.

4) Grand opening or new management signs, flags or banners, for a period not to exceed thirty (30) days not to exceed thirty-two (32) square feet in area.

5) Street banners or signs advertising a public entertainment event installed not more than thirty (30) days before any event and removed within seven (7) days after the event.

6) One rooftop or other inflatable balloon sign per site for a maximum of one (1) week during any calendar year. The vertical dimensions of the inflatable cannot exceed twenty five (25) feet.

7) A sign displayed during the period after the approval of an application for a permanent sign until the permanent sign has been erected. The temporary sign shall conform to the same all dimensional requirements as the permanent sign.

8) Signs associated with a political campaign, drive, or movement at the central headquarters for the campaign for a period of not more than ninety (90) days before and ten (10) days after the event. Such sign shall not exceed twenty four (24) square feet if it is free standing and shall not exceed the maximum permitted for a permanent wall sign if it is affixed to a building.

9) Signs for activities in other special cases, subject to such conditions as the Zoning Enforcement Official may reasonably require for a specific period of time.

G. Special Regulations

In addition to all the other requirements of these regulations these special regulations shall apply to the following:

1) Awning/Canopy Sign (See Table 1)

a) No metal bar or other solid or hollow framing shall be less than eight (8) feet above the ground or sidewalk.

b) The flexible cloth, canvas or similar skirt may not hang more than twelve (12) inches below the lowest bar or part of the framing.

c) If placed parallel to the façade the area shall not exceed and shall be deducted from the maximum area permitted for a wall sign.

d) If placed at right angles to the façade the area shall not exceed and shall be deducted from the maximum area permitted for a hanging sign.

e) The maximum sign area shall not exceed the maximum area permitted for a wall sign.

f) Shall be affixed flat to the surface of the awning or canopy.

g) If an awning sign is internally illuminated through translucent material, the entire illuminated area of the awning or awning sign shall be included in the calculation of the area of the sign.

2) Bulletin Board

a) If free standing, shall be set back a minimum of 10 feet from all property lines.

b) May be affixed to a wall.

c) Shall not exceed a height of eight (8) feet.

d) Shall be limited to one sign/site.

e) The message can be changed manually.

f) Shall not exceed an area of twenty-four (24) square feet.

3) Directory Sign

a) One (1) free standing directory sign may be permitted at each public entrance to a site or building.

b) One (1) wall mounted directory sign at each public entrance to a building.

c) No directory sign shall exceed a maximum sign area of twenty-four (24) square feet.

d) Free standing directory signs shall not exceed a height of eight (8) feet.

4) Free-Standing Sign (See Table 1)

a) In the case of corner lots, one (1) free standing sign shall be allowed.

b) For through and triple frontage lots and for sites with more than one principal building secondary free standing signs may be permitted after approval of a Special Permit from the Planning and Zoning Commission that will not exceed fifty (50%) percent of the maximum sign area of the principal free standing sign. The sign shall comply to all other requirements of the regulations. If a site has more than one principal building secondary signs may be permitted in a ratio of one per building.

6) Gas Station Product Sign

a) Gas stations may have one changeable copy sign in addition to other permitted signs. A product sign may indicate the product sold, service provided, or product price. Size shall not exceed twelve (12) square feet.

b) The sign shall be mounted on the pump island, wall or free standing sign.

c) Gasoline price per gallon or credit card signs may be mounted on pump islands only with maximum total area of any sign not to exceed four (4) square feet.

6) Hanging/Projecting Sign (See Table 1)

a) The construction and method of securing such signs to the structure shall be approved by the Building Official.

b) The bottom of the sign shall be at least eight (8) feet above the sidewalk, public way or walkway.

c) Shall be double faced.

d) Shall not extend above the soffit, parapet, or eave line of the building to which it is attached.

e) Shall not project more than six (6) feet from the building to which it is attached.

f) The sign face shall be mounted at right angles to the building.

g) There shall be no more than one (1) hanging sign per business with building frontage.

7) Historical Marker

a) May only be placed by a bona fide historical organization or by a governmental agency.

8) Institutional Zones

a) In the institutional zone, signs for the institution which exceed the regulations shall be permitted, provided the sign is in accordance with a signage plan for the institution and approved by the Commission as a part of a Special Permit.

9) Marquee Sign (See Table 1)

a) Shall be built into and form a part of the marquee structure.

b) Shall not extend beyond the edge of the marquee.

c) Are limited to announcing the name of the establishment and a changeable list of the on-premise shows or events.

d) Shall not extend more than six (6) feet from the building.

e) Shall not be less than ten (10) feet above the ground or sidewalk at the lowest point.

f) The sign area for the marquee shall be based upon the maximum sign area formula permitted for a wall sign.

g) Messages may be manually or electronically changed.

h) Shall not be closer than two (2) feet to a curbline or roadway edge.

i) Shall be permitted by a Special Permit from the Planning and Zoning Commission.

10) Menu Board (See Table 1)

a) May be permitted for all licensed food service establishments.

11) Modifications

a) In order to provide for adequate visibility for commercial enterprises, to provide a bonus for property owners who are willing to install a unified signage program and while at the same time ensuring that signs do not detract from the health, welfare, and safety of the community the following provisions have been established to allow flexibility with the application of these regulations. The Planning and Zoning Commission may, at its discretion and after approval of a Special Permit, increase the height, area, setback and number of signs specified in these sign regulations. The commission must consider the applicant's written narrative explanation and justification for the modification including a discussion of the following criteria:

1) The signs are part of a unified signage program.

2) The increase shall not be greater than one hundred percent (100%) more than the specified standard of these regulations.

3) The modification will provide a more creative, aesthetically pleasing sign design that is in harmony with the characteristics of the area.

4) There are unusual site factors which impact the legibility and effectiveness of the sign as viewed from the City street system. These unusual site factors shall include, but are not limited to the location of the building, the location of the sign, the size of the use or building, the location of the surrounding buildings on other lots, the topography, or configuration of the lot.

12) Political Sign (*Amended 03/28/18)*

a) Deleted (03/28/18).

b) Deleted (03/28/18).

c) May not be erected on any public street, publicly owned property, building or structure.

d) Deleted (03/28/18).

e) Shall only be erected on private property with the consent of the property owner.

13) Portable Sign (See Table 1)

a) Shall not be mounted on vehicles, wheels or platforms.

b) Shall be limited to one per building.

c) Shall not exceed eight (8) square feet in area.

d) Shall not exceed forty-two (42) inches in height.

e) Shall not be internally illuminated.

f) Shall not obstruct the free flow of pedestrian traffic.

g) Shall be restricted to use during the business operating hours.

14) Real Estate Development Sign

a) One sign shall be permitted for each multi-unit apartment, condominium, subdivision or cluster development complex.

b) Shall be set back a minimum of ten (10) feet.

c) Shall not exceed an area of twenty four (24) square feet.

d) Shall not be internally illuminated.

e) The applicant shall provide written documentation which demonstrates that appropriate instruments will be executed that guarantee the perpetual maintenance of the sign. The responsibility may be assigned to a homeowners association, an individual lot owner or other appropriate entity. All appropriate documents shall be approved by the City's Director of Law and recorded in the Office of the City Clerk after the issuance of a Zoning Permit.

f) Where a residential development has more than one entrance road intersecting with established City streets, the ZEO may permit more than one sign.

15) Roof Sign (See Table 1)

a) Permitted upon approval of a Special Permit issued by the Planning and Zoning Commission.

b) Any business utilizing a roof sign will not be permitted a wall sign.

c) The sign area shall not exceed the area permitted for a wall sign but in no case shall a wall sign exceed a maximum area of fifty (50) square feet.

d) One roof sign may permitted per business.

g) Shall not exceed the height limits established for buildings in the zone.

f) Shall not extend above the peak or ridgeline of a pitched roof.

g) May not be higher than eight (8) feet above the roofline of a flat roof.

h) Shall be constructed so as to conceal all sign support structures and fastenings above the sign.

i) The applicant must demonstrate that a roof sign would be more effective than a wall sign because of building design.

16) Wall Sign (See Table 1)

a) Shall be attached to the facade of the building in a plane parallel to such facade.

b) Shall not extend or project more than twelve (12) inches over the sidewalk, roadway, public way, street, or highway.

c) Shall not extend higher than the parapet wall.

d) Where there are two or more occupants occupying a portion of the building frontage of a given structure, each occupant shall be entitled to a sign equivalent in size to that portion of the frontage so occupied by the business.

e) Where multiple occupants share a common sign, the maximum sign area shall be limited as if there was a single occupant.

f) Where an establishment has a rear entrance on a public right-of-way, or publicly or privately owned parking lot, or frontage on two or more streets, or is a corner lot, an additional wall sign may be permitted on each frontage, up to one half (1/2) the maximum area normally permitted for that building frontage.

g) Wall signs shall not project beyond the ends of the wall to which it is attached.

h) Shall not be displayed on the wall of a mechanical room or other such roof top structure.

i) In the case of a covered porch or walkway, a wall sign may be hung from the overhang or may be placed on the face of the porch.

j) Signs which have letters or graphics mounted directly on a wall or fascia or in such a way as to be without a frame shall be permitted to exceed the maximum sign area requirement by an additional thirty-three (33%) percent.

k) Tenants in spaces in portions of a building that do not have building frontage may be permitted to erect a hanging sign in lieu of a wall sign.

l) An additional wall sign is permitted in the WD and WCI zones for sites having water frontage. All of the dimensional requirements for the wall sign shall be satisfied.

17) Window Sign

a) Shall not be placed in a location that would block the view into the building from a public street of the clerk or cashier's area.

b) Permanent internally illuminated window signs shall not exceed an area of four (4) square feet.

c) The total area of all window signs shall not exceed an area of thirty-three percent (33%) of the total window area.

18) Allowed Off-site Signs *(Amended 08/01/10)*

Billboards or other off-premises business, identity, or outdoor advertising signs shall not be permitted except for those businesses located on lots having no frontage on a public highway or approved City road provided the following conditions are all met:

(a) Permitted upon approval of a Special Permit issued by the Planning and Zoning Commission in the C-2, MD, WC-I-1, WC-I-2 zones only.

(b) The business is of such a nature as to require location and identification by the public, as well as the City.

(c) The property on which the business activities are situated is clearly disadvantaged by its lack of exposure to the normal flow of traffic.

(d) The proposed location of the sign and supporting structure is the minimum feasible distance from the disadvantaged property required for practical location and identification of the business activities thereon.

(e) Where a multiplicity of businesses are established on a lot having no frontage on a public highway or approved City road, all location and identification signs shall be incorporated into a single supporting structure.

(f) Only one double-faced sign shall be allowed for each business, the exposed surface of the sign shall not exceed five square feet per side, and no sign structure shall exceed an overall height of fifteen feet above ground. When necessary, the sign may be arranged in two or more tiers within the supporting structure.

(g) The installation of the sign and supporting structure shall not present an obstacle to the visibility and safe passage of traffic moving in all relevant directions.

(h) Applicants for a Special Permit under the above provisions shall present the Commission with conclusive evidence of their right to erect the off-premises sign in the proposed location.

H. Enforcement

1) The provisions of these regulations shall be administered and enforced by the Zoning Enforcement Officer (ZEO) of the City of New London.

2) Every sign in the City shall be maintained in a safe, presentable, and sound structural and operational condition at all times, including the replacement of nonfunctioning, broken, defective, or missing parts, painting, repainting, cleaning, and any other acts required for the maintenance of such sign. All signs and sign supports, brackets and frames shall be kept painted or otherwise treated to prevent rust, rot, or deterioration.

3) Signs not meeting the standards imposed by these regulations shall be subject to removal or repair as prescribed by the ZEO.

4) The ZEO may suspend or revoke any permit issued under the provisions of this chapter whenever it is determined that the permit is issued in error or on the basis of incorrect or false information supplied, or whenever such permit is issued in violation of any of the provisions of this regulation.

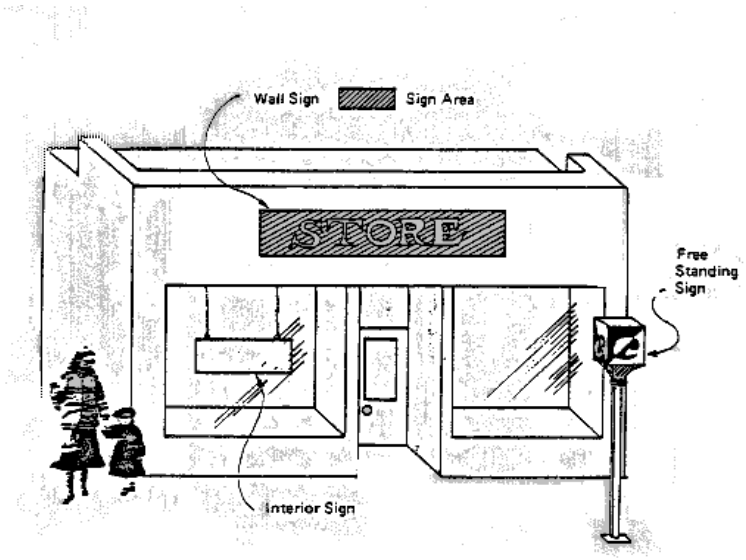
5) The provisions of the enforcement of these regulations shall be effective when communicated in writing to the person to whom the permit is issued, the owner of the sign or the responsible party of the premises upon which the sign is located. The ZEO shall be guided by the provisions of Section 8 – 12 of the Connecticut General Statutes as they may be amended.

6) Any sign, which advertises, identifies, or pertains to an activity or business no longer in existence shall be removed by the owner or lessee of the property within thirty (30) days from the time the activity ceases. Failure to do so is subject to the enforcement provisions of these regulations.

7) The ZEO has the authority to periodically inspect signs for which a permit has been issued in order to determine compliance with these regulations.

8) The ZEO may require existing signs which extend into the public right-of-way to be modified if streets are widened, or other improvements are made in the right-of-way which result in the creation of unsafe conditions.

9) Any sign found by the ZEO not to have been lawfully erected shall be made to conform to the requirements of these regulations.



SIGNS
Section 615

TABLE 1				
Non Residential Zone Sign Matrix				
CBD, NB, WD, WCI, LIO, C1, C2, INST and OS ZONES				
SIGN TYPES	**REQUIREMENTS**	**CBD, NB, WD, WCI, LIO**	**C-1 & C-2**	**INST & OS**
WALL SIGNS	**Maximum Number**	One per Business*		1 per Building*
	Size Determination	1 sf/linear ft business frontage	2 sf/linear ft. business frontage	1 sf/linear ft. building frontage
	Max Area	30 sf	75 sf	50 sf
	Max Extension from Wall	12 Inches		
	Permit Type	ZEO		
	Illumination	External Only	Internal or External	Internal or External
FREE STANDING	**Max Number**	1 Per Building or Site**		
	Max Area	32 sf	75 sf	50 sf
	Max Height	8 feet	20 feet	12 feet
	Permit Type	ZEO		
	Set Back	5 feet	10 feet	10 feet
	Illumination	External Only	Internal or External	Internal or External
HANGING	**Max Number**	1 Per Business		1 Per Building
	Max Area	8 sf	12 sf	12 sf
	Max Extension from Wall	6 feet	6 feet	6 feet
	Minimum Clearance	8 feet		
	Permit Type	ZEO		
	Min Clearance to Curb	3 feet		
	Illumination	External Only	Internal or External	Internal or External
DIRECTORY	**Max Number**	1 free standing and 1 wall mounted/Entrance		
	Max Area	24 sf		
	Max Extension from Wall	12 inches		
	Permit Type	ZEO		
	Illumination	External Only	Internal or External	Internal or External
MENU BOARD	**Max Number**	1 Per Business		
	Max Area	6 sf	10 sf	6 sf
	Max Extension from Wall	12 Inches		
	Permit Type	ZEO		
	Illumination	Internal or External		
	Max Height	6 feet		
	Set Back - Freestanding	25 feet		
MARQUEE	**Max Number**	1 Per Building		
	Size Determination	1 sf/linear ft business frontage	2 sf/linear ft. business frontage	1 sf/linear ft. building frontage
	Max Area	100 sf		
	Max Extension from Wall	6 feet		
	Permit Type	PZC - Special Permit		
	Clearance to Curb	2 feet		
	Min Clearance	10 feet		
	Illumination	Internal or External		

TABLE 1 (Continued)				
Non Residential Zone Sign Matrix				
SIGN TYPES	**REQUIREMENTS**	**CBD, NB, WD, WCI, LIO**	**C-1 & C-2**	**INST & OS**
AWNING/CANOPY	**Size Determination**	1 sf/linear ft business frontage	2 sf/linear ft business frontage	1 sf/linear ft bldg frontage
	Max Area	30 sf	75 sf	50 sf
	Max Ext Wall	5 feet		
	Permit Type	ZEO		
	Min Curb Clearance	3 feet		
	Min Clearance	8 feet		
	Illumination	External Only	Internal or External	Internal or External
PORTABLE	**Max Number**	1 Per Building		
	Max Area	8 sf		
	Max Height	42 inches		
	Permit Type	ZEO		
	Min Curb Clearance	3 feet		
	Illumination	External Only	External Only	External Only
ROOF	**Max Number**	1 Per Business		
	Size Determination	1 sf/linear ft business frontage	2 sf/linear ft business frontage	1 sf/linear ft bldg frontage
	Max Area	30 feet	50 feet	50 feet
	Max Height	8 feet above the roof line		
	Permit Type	PZC - Special Permit		
	Illumination	External Only	Internal or External	Internal or External
*** See Section G. 16) f) ** See Section G. 4) b)**				

TABLE 2

RESIDENTIAL ZONE SIGN MATRIX

R-1, R-1A, R-2, R-3, R-4 ZONES

The following signs require the issuance of a permit from the ZEO

All signs within residential zones may only be illuminated by external methods

USE	WALL	FREESTANDING			HANGING
	Max Area	Setback	Max Area	Height	Max Area
Family Daycare Home	6 sf	5 ft	6 sf	8 ft	8 sf
Utility Substation	4 sf	5	4 sf	8	8 sf
Home Occupation	6 sf	5	6 sf	8	8 sf
Membership Clubs	8 sf	5	8 sf	8	8 sf
Library	10 sf	5	10 sf	8	8 sf
Museums	16 sf	10	16 sf	8	8 sf
Art Gallery	16 sf	10	16 sf	8	8 sf
Place of Worship	16 sf	10	16 sf	8	8 sf
Professional Business Office	18 sf	10	18 sf	8	8 sf
Schools	18 sf	10	18 sf	8	8 sf
Parish House/Rectory/Convent	6 sf	5	6 sf	8	8 sf
Convalescent Home	16 sf	10	16 sf	8	8 sf
Boarding, Lodging, Rooming House	6 sf	5	6 sf	8	8 sf
Nursery/Preschool	10 sf	5	12 sf	8	8 sf
Professional Office in Residence	6 sf	5	6 sf	8	8 sf
Office Building	24 sf	10	24 sf	8	8 sf
Multi-Family Building	12 sf	5	24 sf	8	8 sf
Real Estate Development	24 sf	10	24 sf	8	8 sf
Government or Civic Organization	16 sf	10	16 sf	8	8 sf
Historic Marker/Plaque	10 sf	5	10 sf	8	8 sf
Parks/Open Space	18 sf	10	24 sf	8	8 sf
Bulletin Boards - Religious	12 sf	10	24 sf	8	8 sf
Pre Existing Non Conforming	18 sf	10	18 sf	8	8 sf
Non Conforming Uses	16 sf	10	16 sf	8	8 sf

Section 616 Outdoor Recreational Space

In any residential or multi-family development exceeding 20 dwelling units, a minimum parcel of 5,000 square feet of outdoor recreational space shall be provided for the first 20 dwelling units, plus 150 square feet for each additional dwelling unit. However, the total outdoor recreation space requirement need not exceed 80,000 square feet. Said open recreation space shall be developed and maintained by the owners, convenient to the occupants of the development and subject to the approval of the Planning and Zoning Commission.

Section 617 Fences

Section 910, Zoning Permits, authorities the Zoning Enforcement Officer to issue zoning permits prior to the construction of a fence. (Amended)

Fences up to four feet in height are permitted at the property line. For each additional two feet of height, up to a maximum of eight feet, a fence must be set back one foot. In all cases a fence must satisfy the requirement of Article VI, Section 606 regarding visibility at intersections

The frame or supporting members of the fence shall be on the applicant's side, the good or finished side of the fence shall face the street or the abutting property owner(s). In unusual situations and when unique site conditions are warranted the Zoning Enforcement Officer may allow the finished side of the fence to face the applicant's property. Any disputes between property owners and the Zoning Officer shall be adjudicated by the Planning & Zoning Commission. (Amended)

Section 618 Temporary Forms of Outdoor Entertainment

The following temporary forms of outdoor entertainment, provided that such activity does not continue for more than 10 days shall be permitted to take place if approval is granted for such activity by the Planning and Zoning Commission.

Such activities permitted under this provision shall include fairs, bazaars, concerts, dances, exhibitions, rodeos, circuses, carnivals, beer festivals, outdoor theater productions, or other similar activity when sponsored by an official City board or agency; a parent-teacher organization of a New London public school; a church or non-profit charitable institutions which owns a building and property within New London which is used as its primary base of operations; or service club chartered in the City of New London. In no event, is this section to be interpreted as being applicable to activities conducted at Ocean Beach Park.

An application for approval of such activity shall be submitted to the Planning and Zoning Commission at least 30 days prior to the first day of the event, indicating the type of entertainment to be provided, the site of the event and the period of time over which the event is to occur. Such application shall be accompanied by a sketch of the site, to scale, indicating the location and method of sanitary facilities, provisions for off-street parking, provisions for fire safety, proposed seating arrangement, location of all temporary booths, canopies and/or tents, and such other information as the Commission may require in order to assure that the public health, safety and welfare is provided for.

Such event shall not be permitted unless approved by the Commission and all forms of temporary signs posted to advertise such event shall be removed within three days after such event. Furthermore, the Commission may require the applicant to post a bond in an amount up to $2,500.00 to assure site clean-up of the subject premises within three days after such event.

Section 619 <u>Houseboats</u>

No houseboat as defined by these regulations may be docked or tied up at any location within the City of New London except those areas in which a legally established marina or boat yard exists. As such, the permitted existence of a houseboat shall be allowed only as an accessory use to said marina or boat yard, and all houseboats shall be located strictly within the confines of said marina or boat yard.

Section 620 <u>Exterior Stairways</u>

Exterior stairways above the first floor shall not be permitted in a residential or NB district unless installation of an interior stairway is structurally or economically infeasible. Exterior stairways above the first floor shall not be visible from a public street.

Section 621 <u>Crematories</u>

Crematories are allowed in any district by Special Permit as an accessory use to an existing cemetery or funeral home. *(Amended 02/10/86)*

Section 622 <u>Keeping of Animals</u> *(Amended 08/10/12)*

A. Keeping of customary household pets

1. For the purpose of this regulation a customary household pet is any animal, that customarily is found to dwell in a residential dwelling. These are animals, that include but are not limited to domestic felines, domestic canines, small hamsters (or other like rodents), non-venomous snakes, rabbits, etc. Customary household pets are not: fowl (including chickens, ducks, geese, etc), swine, cows, horses, goats, etc.

2. This regulation shall allow for the keeping of not more five (5) customary household pets in all zones in the City.

3. Commercial breeding and boarding of animals within the City limits is expressly prohibited.

B. Keeping of hens

1. This regulation is intended to make provision for the limited keeping of female chickens, hereinafter referred to as hens, on certain residential properties for the health, convenience, and personal enjoyment benefits afforded by such use, in a manner, that preserves the quality of life of the surrounding neighborhood.

2. The keeping of hens shall require the issuance of a Zoning Permit. The Zoning Permit application shall be accompanied by a plot plan (drawn to scale) that illustrates all structures on the lot including the proposed coop for the hens, fencing enclosure, and any other applicable information to determine compliance with these regulations.

3. The keeping of hens shall be approved in writing by the property owner, if the owner of said hens is someone other than legal resident.

4. No more than six (6) hens may be kept on any property in the following residential zoning districts: R-1, R-1A, and R-2 as well on properties within the C-1 Zone (General Commercial District), as long as the principal use on such lot is single family residential.

5. Hens may be kept only as a noncommercial accessory use. No sale of eggs (or meat from slaughtered chickens) is allowed.

   (a) A fence shall be installed between properties that is not less than six feet in height and made of a solid material.

6. The keeping of said hens shall be confined to an enclosure which shall meet the following minimum requirements (in addition to the otherwise applicable setbacks the more restrictive requirements shall apply):

   (a) Shall be located in the rear yard of the property;

   (b) Shall be a minimum of twenty (20) square feet in area per hen;

   (c) Said enclosure shall not be closer to any property line than twenty (20) feet and shall not be closer to any neighboring residential dwelling than thirty (30) feet.

7. There shall be a building (hereinafter referred to as a coop) provided for the hens that meets the following (in addition to the otherwise applicable setbacks the more restrictive requirements shall apply):

   (a) Shall not be located any closer to any lot line than twenty (20) feet. *(Amended 12/21/12)*

   (b) Shall be constructed so that it is impenetrable by rodents, vermin, wild birds, and predators, including dogs and cats;

   (c) All food products shall be kept secured inside the coop or other secured structure so as to prevent offensive odors and the presence of pests and predators.

(d) Shall be not greater than six (6) feet in height and shall be calculated towards the total maximum lot coverage for the property.

8. The coop and the enclosure must be clean and odor free, kept in a neat and sanitary condition at all times with adequate light and ventilation in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impact.

9. Provision must be made for the storage and removal of hen droppings. All stored droppings shall be covered by a fully enclosed structure with a roof or lid over the entire structure. All other droppings not used for composting or fertilizing shall be removed. In addition, the coop, enclosure and surrounding area must be kept free from trash and accumulated droppings.

10. Perceptible noise from the hens shall not be loud enough at the property boundaries to disturb persons of a reasonable sensitivity.

11. No hens shall be permitted inside any residential dwelling.

12. No roosters and/or capons shall be kept on any property.

13. The keeping of hens shall be conducted in a manner consistent and in compliance with the Health Code for the City of New London and the State of Connecticut.