

TOWN COUNCIL

March 29, 2017

TO: Ron Van Winkle, Town Manager

FROM: Essie S. Labrot, Town Clerk/Council Clerk

Essie S. Labrot

The Town Council at its meeting held on March 28, 2017 adopted the following Amended Ordinance Establishing Definitions for and Permitting of "Food Trucks and Food Truck Parks".

Attachment: Amended Ordinance with charts

cc: Pat Alair, Corporation Counsel
Kimberly Boneham, Deputy Corporation Counsel
Mark McGovern, Director of Community Services
Todd Dumais, Town Planner
Kevin Ahern, Chairman, Town Plan and Zoning Commission
Lynn Pike Disanto, Capitol Region Council of Governments
Tracy Gove, Chief of Police
Gary Allyn, Chief of Fire
Steven Huleatt, Director of Health



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AMENDED

**ORDINANCE ESTABLISHING DEFINITIONS FOR AND PERMITTING OF
“FOOD TRUCKS AND FOOD TRUCK PARKS”**

WHEREAS, food trucks have substantially grown in popularity over the past decade; and

WHEREAS, food trucks and food truck parks bring diverse options to residents and workers in areas where dining options are limited; and

WHEREAS, the Town desires to promote economic development through the encouragement of vibrant entertainment alternatives, including accommodating the popularity and growth of the food truck industry.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF WEST HARTFORD THAT:

Section One: Section 130-1 of the West Hartford Code of Ordinances is hereby repealed and the following is substituted in lieu thereof:

- A. No person shall sell or offer for sale or solicit retail orders for any goods, wares, food or other merchandise, unless such person shall have obtained a license so to do from the Chief of Police. This section shall not apply to the occupants of stores or shops, charitable bazaars or fairs or other charitable activities, to persons exempted by statute nor to any natural person under 16 years of age.
- B. No person shall utilize any portion of any public street or highway for the retail sale or display of goods, wares, food or other merchandise unless said person has obtained a permit pursuant to Subsection A of this section. No such use of the public street or highway shall be permitted to occur except in conjunction with parades, festivals, block parties and similar special public events. The prohibitions contained in this subsection shall not apply to:
 - 1) Sidewalk displays of merchandise permitted pursuant to West Hartford Code of Ordinances § 177-44.1, outdoor dining otherwise permitted pursuant to West Hartford Code of Ordinances Chapter 177, or temporary sidewalk displays of merchandise conducted by the operators of adjoining commercial establishments otherwise permitted pursuant to West Hartford Code of Ordinances Chapter 177, provided that a minimum five-foot pedestrian right-of-way remains unobstructed;
 - 2) Participants in events taking place on property owned by the Town of West Hartford and sponsored or sanctioned by it;
 - 3) Sales or displays conducted by tax-exempt nonprofit groups for fundraising purposes;
 - 4) Sales [of food from motor vehicles] from any Food Truck as defined in section §177-2 of the West Harford Code of Ordinances, provided that those motor

vehicles remain stopped in any one location only long enough to serve patrons and in no event for no more than 10 minutes on any calendar day; except that on streets located entirely within a General Industrial District zone, sales from any Food Trucks shall be permitted between the hours 7 am and 10 pm on any calendar day subject to the following restrictions:

- a. All Food Trucks shall be parked in compliance with West Hartford Code of Ordinances Chapter 168; shall be parked at least twenty (20) feet from an intersection; and shall only be parked on streets categorized as "Local" on the Connecticut Department of Transportation Functional Classification Map for the Town of West Hartford dated December 31, 2015 and as may be periodically amended.
- b. A maximum of two (2) Food Trucks may be parked adjacent to one-another. In no case shall more than two such vehicles be permitted within five hundred (500) feet of another such vehicle or vehicles.
- c. No Food Trucks shall be permitted within five hundred (500) feet of a restaurant.
- d. All Food Trucks shall be equipped with their own waste receptacles for use by its customers and under no circumstances shall any waste associated with the vehicle be disposed of in a public waste receptacle. Any waste left on the ground or in the area around the vehicle must be removed prior to vacating the parking spot.
- e. The use of temporary signs including portable signs or banners mounted on the Food Trucks is strictly prohibited.
- f. The placement of any tables or chairs outside of the Food Truck is strictly prohibited.
- g. The use of loudspeakers for projecting either voice or music is strictly prohibited.
- h. The license to operate a Food Truck within the Public Right of Way will be limited to the areas shown on the map provided at the time of application. No Food Truck will be permitted to reserve or hold a parking location either through its license application or other means.
- i. Prior to receiving its license, all Food Trucks shall comply with Chapter 91 of the Code of the Town of West Hartford and the Public Health Code of the State of Connecticut and any inspections required pursuant to federal, state or local law.

- j. The Chief of Police shall be empowered to adopt regulations establishing any procedures necessary to allocate parking spaces in order to ensure the orderly use of the public streets.

- 5) Temporary obstructions of the street right-of-way permitted pursuant to West Hartford Code of Ordinances § 155-26 or the distribution of handbills permitted elsewhere within this West Hartford Code of Ordinances.

Section Two. Section 177-2 of the West Hartford Code of Ordinances is hereby repealed and the following is substituted in lieu thereof:

- A. Word usage. All words used in the present tense include the future tense; all words used in the singular include the plural, and all words used in the plural include the singular, unless the natural construction of the wording indicates otherwise.
- B. Definitions. For the purpose of this chapter, certain words and terms used herein are defined as follows:

ABUT or ABUTTING -- Having a common boundary.

ADJACENT -- Near; close by. The term "adjacent" includes the meaning of the terms "abut" and "adjoin," as defined; however, it is not intended to imply any definite distance or boundary.

ADJOIN or ADJOINING -- Having a common boundary, with or without the intervention of a street. Thus the term "adjoin" includes the meaning of the term "abut," as defined.

ADULT DAY CARE CENTER – A non-residential facility in which custodial care is provided for more than twelve (12) adults, related or unrelated, who are in need of supervision and/or assistance with routine daily functions but who are not in need of regular medical attention, where the adults are receiving said care on a regular and recurring basis during a part of the twelve-hour period between 7:00 a.m. and 7:00 p.m., for not less than three (3) and not more than twelve (12) hours. Such a facility shall comply with all state and local codes and/or ordinances regarding zoning, building, fire, health and housing.

ADULT DAY-CARE HOME -- A nonresidential facility consisting of a private family home in which custodial care is provided for not more than six (6) adults, related or unrelated, who are in need of supervision and/or assistance with routine daily functions but who are not in need of regular medical attention, where the adults are receiving said care on a regular and recurring basis during a part of the twelve-hour period between 7:00 a.m. and 7:00 p.m., for not less than three (3) and not more than twelve (12) hours. Such a facility shall comply with all state and local codes and/or ordinances regarding zoning, building, fire, health and housing.

ADULT GROUP DAY-CARE FACILITY -- A nonresidential facility in which custodial care is provided for not less than seven (7) nor more than twelve (12) adults, related or unrelated, who

are in need of supervision and/or assistance with routine daily functions but who are not in need of regular medical attention, where the adults are receiving said care on a regular recurring basis during a part of the twelve-hour period between 7:00 a.m. and 7:00 p.m., for not less than three (3) and not more than twelve (12) hours. Such a facility shall comply with all state and local codes and/or ordinances regarding zoning, building, fire, health and housing.

ALCOHOL -- For purposes of this section, this term shall be deemed to have the same meaning as it has under Chapter 545 of the Connecticut General Statutes as that chapter may be amended or recodified from time to time.

AMUSEMENT ARCADE -- A building or room, the main use of which is the storage and operation of amusement devices.

AMUSEMENT DEVICE -- Any mechanical, electric or electronic device used or designed to be operated for entertainment or as a game by the insertion of a piece of money, coin, token or other article or by paying money to have it activated. For purposes of this definition, each station of a device which provides multiple stations, each of which allows separate games to be played, shall be considered one amusement device. This definition does not include:

- (1) A jukebox.
- (2) Rides.
- (3) Bowling alleys.
- (4) A pool table.
- (5) Any device maintained within a residence for the use of the occupants thereof and their guests.
- (6) Any device, the possession or use of which is prohibited by law.

APARTMENT -- A segregated portion of an apartment house, which apartment is provided with bathroom and toilet facilities and with kitchen facilities in a kitchen or kitchen alcove.

APARTMENT HOUSE -- A building arranged, intended or designed to be occupied by three or more families living independently of each other and doing their cooking upon the premises or by three or more individuals or groups of individuals living independently but having a common heating system and a general dining room.

BASE FLOOD -- A flood having a one-percent chance of being equaled or exceeded in any given year.

BEER -- For purposes of this section, this term shall be deemed to have the same meaning as it has under Chapter 545 of the Connecticut General Statutes as that chapter may be amended or recodified from time to time.

BOARDINGHOUSE -- A dwelling occupied by three or fewer persons who are lodged with or without meals, in which there are provided such services as are incidental to its use as a residence for the occupants and for which compensation is paid, either directly or indirectly.

BUILDING -- Any structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of persons, animals or chattel.

BUILDING, ACCESSORY -- A subordinate building, the use of which is customarily incidental to that of a main building on the same lot.

BUILDING COVERAGE -- That percentage of total lot area covered by the combined area of all buildings on the lot.

BUILDING LINE -- A line on a lot or parcel of land establishing the minimum setback for structures from a street line. Building line may or may not be coterminous with a street line. In the case of a rear lot, the building line shall be established parallel to the front lot line.

BUILDING, MAIN -- A building in which is conducted the main or principal use of the lot on which said building is situated.

BUILDING PERMIT -- A permit issued by the Building Inspector upon application, certifying that a proposed land use or structure, or any extension or structural alteration thereof, conforms with the requirements of this chapter and all other regulations or codes which are specified in the building permit.

CAR WASH FACILITY -- A commercial establishment for the washing of vehicles, whether performed by automated or manual means.

CHILD DAY-CARE CENTER -- A facility as defined pursuant to Subsection (a)(1) of C.G.S. § 19a-77, as amended, which offers or provides a program of supplementary care to more than 12 related or unrelated children outside of their own homes on a regular basis for a part of the 24 hours in one or more days in the week, which is licensed by the State of Connecticut pursuant C.G.S. § 19a-80, as may be amended, and which complies with all state and local zoning, building, fire and housing code requirements.

CLUB -- An organization catering exclusively to members and their guests, provided that the purpose of the club is not conducted primarily for gain and that there are not conducted any commercial activities, except as required generally for the membership and purposes of this club.

COMMERCIAL MOTOR VEHICLE -- A commercial motor vehicle shall include any vehicle registered for the transportation of merchandise or freight or of employees of the registrant, which is propelled or drawn by any power other than muscular, except such as run only on rails or tracks. Such registrations include but are not limited to commercial, combination, repair, transport, heavy-duty trailer or construction equipment, public service and/or commercial truck, tractor and/or semitrailer.

CONVALESCENT HOME -- A home for the aged or any establishment, other than hospitals, where three or more persons suffering from or afflicted with or convalescing from any infirmity, disease or ailment are habitually kept, boarded or housed for remuneration.

COURT -- A horizontal open space, other than a yard, on the same lot with a building, which is bounded on two or more sides by opposite walls of one or more buildings.

DRIVEWAY -- Any vehicular travelway serving not more than two contiguous lots.

DWELLING -- A building designed and used exclusively as living quarters for one or more families. The terms "dwelling," "attached dwelling," "detached dwelling" and "dwelling unit" shall not be deemed to include hotel, motel, boarding- or rooming house, convalescent or nursing home, mobile home trailer, tourist home or tent. In the case of buildings having two or more portions divided by party walls forming a complete separation above the basement, each such portion shall be considered to be a separate dwelling.

DWELLING, ATTACHED -- A dwelling having any portion of a wall in common with another dwelling.

DWELLING, DETACHED -- A dwelling with open spaces on all sides.

DWELLING, MULTIFAMILY -- A dwelling containing more than one dwelling unit.

DWELLING, ONE-FAMILY -- A dwelling containing one dwelling unit only.

DWELLING UNIT -- A dwelling or portion thereof providing complete housekeeping facilities for one family only.

FAMILY -- Any number of individuals related by blood or legal adoption or by marriage, living and cooking together on the premises as a single housekeeping unit. Customary domestic servants or foster children are an adjunct to the term "family." However, when three or fewer individuals not related by blood or marriage do live and cook together on the premises as a single housekeeping unit, such individuals, exclusive of domestic servants, may be considered a family, provided that a permit for such housekeeping unit has been issued by the Zoning Enforcement Officer to the owner of the property, which permit may be revoked if ordinances or regulations or laws of the Town relating to health, noise, parking or litter shall be violated in the occupancy of the premises. Application for such permit shall be made annually, and the permit shall show the names of the persons constituting the proposed family unit.

FAMILY DAY-CARE HOME -- A facility as defined pursuant to Subsection (a)(3) of C.G.S. § 19a-77, as may be amended, which consists of a private family home caring for not more than six children, including the provider's own children not in school full time, where the children are cared for not fewer than three nor more than 12 hours during a twenty-four-hour period and where care is given on a regularly recurring basis and which has been licensed by the State of Connecticut pursuant to C.G.S. § 19a-87b, as amended. Such a facility shall be maintained as the

operator's main residence and shall comply with all state and local codes and/or ordinances regarding zoning, building, fire, health and housing.

FLOOD HAZARD BOUNDARY MAP -- An official map of a community, issued by the Federal Insurance Administrator, where the boundaries of the flood and mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zone A, M and/or E.

FLOODPROOFING -- Any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOOR AREA RATIO -- The ratio of the total gross area of all buildings on one lot to the total area of the lot. (The floor area ratio of a building of 4,000 square feet on a lot of 10,000 square feet will be expressed as "FAR equals 0.4.")

FOOD TRUCK - A motor vehicle that is designed to be readily moveable and from which food is prepared, sold or served. The term includes, but is not limited to, a commercially manufactured vehicle. Commercially-manufactured vehicle means a vehicle that was originally manufactured for use as a mobile food preparation vehicle.

FOOD TRUCK PARK, MAIN USE – A permanently established area designed to accommodate up to five (5) food trucks and offering food and/or beverages for sale to the public as the main use of the property and functioning as a single business.

FRONTAGE -- A one-dimensional line, measured at the front lot line.

GOLF COURSE RESTAURANT -- A restaurant, defined pursuant to this section of the Code, which is located on the same parcel of land as a golf course.

GRADE, FINISHED -- The completed surfaces of lawns, walks and roads brought to grades as shown on official plans or designs relating thereto.

GROSS FLOOR AREA -- The sum of the horizontal area of all floors of a building, measured by exterior dimensions.

GROUND COVER -- A medium used in a confined area to check or prohibit the growth of undesirable plant materials. Ground cover may consist of plants, such as pachysandra and myrtle, or of materials, such as white gravel, brick or stone pavings.

GROUP-CARE FACILITY -- A supervised residence facility which houses not fewer than six persons who are handicapped, aged or disabled or in need of rehabilitation but are not acutely ill and are provided services to meet their needs. It does not include an institution as defined in C.G.S. § 19a-490 and required to be licensed pursuant to the provisions of C.G.S. § 19a-490 et seq.

GROUP DAY-CARE HOME -- A facility, as defined pursuant to Subsection (a)(2) of C.G.S. § 19a-77, as amended, which offers or provides a program of supplementary care to not fewer

than seven nor more than 12 related or unrelated children on a regular basis for a part of the 24 hours in one or more days in the week, which is licensed by the State of Connecticut pursuant to C.G.S. § 19a-80, as may be amended, and which complies with all state and local zoning, building, fire and housing code requirements.

HANDICAPPED RAMP -- An inclined structure installed for the primary purpose of allowing ingress to and egress from a building by a disabled person and constructed in accordance with applicable ANSI standards for handicapped ramps.

HEDGE -- A hedge shall provide complete visual screening and consist of evergreens at least four feet in height at the time of planting, and it shall be maintained at a height of at least six feet.

HEIGHT OF BUILDING -- The vertical distance to the level of the highest point of a flat roof or, if the roof is of any other shape, to the mean level between the eaves and the highest point of the roof, measured from the average level of the finished grade along the exterior walls of the building.

HOME FOR THE AGED -- An establishment, other than a hospital, which furnishes, for remuneration, food, shelter, laundry and other nonmedical services to three or more persons over the age of 60 years.

HOME OCCUPATION -- An accessory use conducted within a dwelling unit by the person who occupies the dwelling unit as his or her principal residence, which use is clearly secondary to the use of the dwelling unit for living purposes. As used herein, the term "dwelling unit" shall be defined as the same building and unit of occupancy in which the person conducting the business resides. A home occupation may not be conducted in an accessory building or a unit of occupancy in a multifamily dwelling other than the unit in which the person conducting the home occupation resides. Home occupations shall comply with either the performance standards established in § 177-49C(1), as amended, or § 177-49C(4), as amended.

HOSPITAL -- Any establishment for the diagnosis, treatment or other care of human ailments.

HOTEL -- A building containing rooms intended or designed to be used or which are used, rented or hired out to be occupied or which are occupied for sleeping purposes by guests and where only a general kitchen and dining room are provided within the building or in an accessory building. The term "hotel" shall be deemed to include the term "motel."

INTERMEDIATE-CARE FACILITY -- A facility which provides, on a regular basis, health-related care and services to individuals who do not require the degree of care and treatment which a hospital or skilled nursing facility is designed to provide but who, because of mental or physical conditions, require care and services which can be made available to them only through institutional facilities.

JUNKYARD -- Includes motor vehicle junk business and motor vehicle junkyard, as defined in the General Statutes of the State of Connecticut; any place of storage or deposit, whether in conjunction with a business or not, for two or more unregistered, inoperable, used motor

vehicles; and any place of storage or deposit of used parts of motor vehicles and old metals, iron, glass, paper, cordage and other waste materials which, on any lot, have an aggregate bulk equal to one automobile.

KENNEL -- The keeping of three or more dogs over the age of six months.

LANDSCAPING or LANDSCAPED -- That an area shall be at least covered with grass or ground cover. Any additional planting is either specifically required by this chapter or left to the discretion of the property owner.

LOT -- A parcel of land, not divided by streets, devoted or to be devoted to a particular use or occupied or to be occupied by a building and its accessory buildings together, and having adequate access so that a permit for a building or land use could be issued in accordance with this chapter. A lot may or may not be the land shown as a single lot on a duly recorded map.
LOT AREA -- The total horizontal area within the lot lines, except that no portion of the lot which is less than 25 feet wide shall be counted as lot area, and, in the case of a rear lot, the private right-of-way leading to the lot shall not be counted as lot area.

LOT DEPTH -- The mean horizontal distance between the front and rear lot lines, measured in the general direction of the side lot lines. In determining the required depth of a lot, any portion of said lot which is in excess of the minimum lot area need not be included.

LOT LINE -- The property lines bounding a lot as defined herein. In the case of a rear lot, the lot lines shall not include, for any purpose, the lines bounding the right-of-way or the fee title area which is used to provide access to the lot from the street.

LOT LINE, FRONT -- In the case of a lot abutting upon only one street, the line separating the lot from the street. In the case of a rear lot, the front lot line shall be designated as the longest lot line abutting the private driveway which provides access to the lot, and in no case shall this line be less than 40 feet in length. In the case of any other lot, the owner shall, for the purpose of this chapter, have the privilege of electing any street lot line as the front lot line.

LOT LINE, REAR -- The lot line which is generally opposite the front lot line; if the rear lot line is less than 10 feet in length or if the lot comes to a point at the rear, the rear lot line shall be deemed to be a line parallel to the front line, not less than 10 feet long, lying wholly within the lot and farthest from the front line.

LOT LINE REVISION -- An adjustment or reallocation of property between two or more lots or parcels of land which does not create a new lot or parcel of land and which is not subject to Chapter A184, Subdivision Regulations, of the Code of the Town of West Hartford.

LOT LINE, SIDE -- Any lot line which is not a front lot line or a rear lot line, as defined herein.

LOT, REAR -- A lot on which the buildable area is located generally to the rear of other lots having access to the same street or streets as said lot and having access to the street via a private driveway serving no more than two lots, of at least 12 feet in width if serving one lot or 18 feet in

width if serving two lots. Such driveway may be laid upon property owned in fee simple by the owner of the rear lot or upon an easement or right-of-way provided for access and utility purposes, which property, easement or right-of-way shall be at least 18 feet where a twelve-foot driveway is required and 24 feet where an eighteen-foot driveway is required. The standards for minimum lot area per dwelling unit shall be 1 1/2 times that established for other lots in the same zone, and the standards for side yards shall be two times that established for other lots in the same zone. In addition to the findings required by § 177-42 of this chapter, the Town Plan and Zoning Commission shall, when reviewing an application for a special use permit for a rear lot, find that there is adequate drainage for the access driveway, as certified by the Director of the Department of Community Services.

LOT SPLIT -- A division of an existing lot, whether developed or not, into two lots, unless such division is subject to Chapter A184, Subdivision Regulations, of the Code of the Town of West Hartford or requires a special use permit.

LOT WIDTH -- The horizontal distance, measured at right angles and in the center of the depth of the lot. In determining the required width of the lot, any portion of the lot which is in excess of the minimum lot area need not be included. The required lot width shall not include any area of the driveway which is used to provide access to a rear lot from the street.

MAIN BUILDING -- See "building, main."

MAIN USE -- See "use, main."

MEDICAL MARIJUANA DISPENSARY FACILITY - A place of business where medical marijuana may be dispensed or sold at retail to qualifying patients and primary caregivers and for which the Connecticut Department of Consumer Protection has issued a dispensary facility license under Public Act 12-155 and Sections 21a-408 of the Regulations of Connecticut State Agencies.

MEDICAL MARIJUANA PRODUCTION FACILITY - A secure, indoor facility where the production of medical marijuana occurs and that is operated by a person to whom the Connecticut Department of Consumer Protection has issued a producer license under Public Act 12-155 and Sections 21a-408 of the Regulations of Connecticut State Agencies.

MONUMENT or STATUE -- A permanent monument or statue commemorating a notable person, group or event deemed by the Council to be of significance to the community, excluding, however, any burial or sarcophagus.

MOTOR VEHICLE -- Any vehicle which is propelled or drawn by any power other than muscular, suitable for the conveyance, drawing or other transportation of persons or property, whether operated on wheels, runners, cushion of air between it and the surface or by any other means, except those used exclusively upon tracks.

NONCONFORMING USE -- A use of land or a structure which does not conform to the regulations of the use district in which it is located and which was a lawful use at the time this chapter or any amendment thereto became effective.

NURSING HOME -- See "convalescent home."

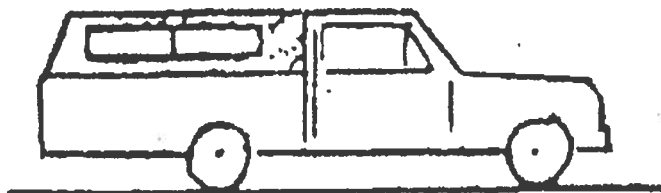
OPPOSITE WALL -- For the purpose of defining the term "court," walls shall be deemed "opposite" wherever the projection of one wall falls on another wall.

OWNER OF RECORD -- Wherever used in conjunction with a public hearing or public notice, the owner whose name is recorded in the street books of the Department of Assessment at the time when the mailing lists for said hearings and notices are prepared.

PICKUP TRUCK -- A four-wheeled motor vehicle with a chassis length comparable to a passenger motor vehicle, which has an open body with low sides. When the body of the pickup truck is enclosed by a removable cap, the height of which does not exceed the height of the cab, it is within this definition. (See illustrations below.)



Pickup Truck With Cap



PLAN OF DEVELOPMENT -- The plan of development referred to in Chapter XIII, Sections 4 and 5, of the Town Charter, as adopted and amended.

PLANT SALE -- The sale, by charitable and philanthropic organizations, of small plants, potted in a soil medium. "Plant sale" does not include the sale of Christmas trees, greens and decorations; and the sale of trees, shrubs and plants in containers over six inches in diameter; and the sale of sod.

PORCH -- An open, unenclosed extension from a structure, usually serving as part of the entrance; may be large enough for relaxation on outdoor furniture and most often has its own roof rather than a part of the main structure roof.

PORTICO -- An open colonnade space at the front of the building forming an entrance, with the roof supported on at least one side by columns.

RESTAURANTS WITH OR WITHOUT ALCOHOLIC DRINK AND OTHER ESTABLISHMENTS SERVING FOOD AND NONALCOHOLIC DRINK -- "Restaurant" means a space in a suitable and permanent building kept, used, maintained, advertised and held out to and known by the public as primarily a food-service establishment where hot meals are regularly served. If alcoholic drink is served in any restaurant, it shall be as an adjunct to the primary function of serving food and operate under a restaurant liquor permit as provided in C.G.S. § 30-22, as amended, and comply with all Liquor Control Commission regulations appertaining thereto. The sale of alcohol or spirits by the bottle to a patron or patrons shall be prohibited. Sales of wine or beer by the bottle to a patron or patrons shall be permitted pursuant to Town Ordinance or Chapter 545 of the Connecticut General Statutes. "Restaurant" also includes other establishments serving food and nonalcoholic drink in an enclosed structure, providing seats for its customers whether at a counter or at separate tables. Restaurants shall be open during regularly posted hours which are clearly marked and shall have no regular and recurring unusual barriers to entry such as cover charges or age restrictions. Except as provided in § 177-6C, Item 11 and Item 17, as amended by ordinance of June 25, 1991, outdoor service, drive-up, window-counter service and curbside service is prohibited. Any type of service of food and drink intended for consumption on the premises outside of the enclosed structure is prohibited, except as provided in § 177-6C, Item 16.

RETAIL FIREARM STORE -- A space in a suitable building, with necessary licenses or permits pursuant to any requirements of state or federal law, used, maintained, advertised and/or held out to the public to be a place from which firearms, including but not limited to machine guns, rifles, shotguns, pistols, revolvers or other similar devices which are permitted to be sold at retail by state and federal law and which are capable of discharging by any force bullets, cartridges, balls or other projectiles or explosive devices, are sold.

SCREENING FENCE or SCREENING WALL -- Devices for complete visual screening. They shall be at least six feet in height and 3/4 solid.

SIGN -- Any device for visual communication which is used for the purpose of bringing the subject thereof to the attention of the public, including the devices displayed within three feet behind windows and visible from outside of the building. Merchandise or facsimile merchandise shall not be considered a sign.

SIGN, GROUND -- Any sign affixed to the ground by its own support and/or foundation.

SIGN, MOVABLE -- Any sign used or intended to be used in different locations.

SIGN PERMIT -- Same as a building permit.

SPIRITS -- For purposes of this section, this term shall be deemed to have the same meaning as it has under Chapter 545 of the Connecticut General Statutes as that chapter may be amended or recodified from time to time.

STORY -- That portion of a building which is between the surface of a floor and the surface of the next floor above or, in its absence, the next ceiling above. A basement shall be counted as a story if the ceiling is more than five feet above the level from which the height of the building is measured or if it is used for business or residential purposes by other than a janitor or watchman.

STREET -- Any vehicular travelway, exclusive of driveways serving not more than two contiguous lots. An approved street is any street whose location has been approved by official action of the Plan and Zoning Commission. An accepted street is any street which has become public by virtue of official acceptance by the Town Council.

STREET LINE -- A line separating a parcel of land from a street.

STRUCTURE -- Anything constructed or erected, including a building, the use of which requires location on or under the ground or attachment to something having location on the ground.

SUBSTANTIAL IMPROVEMENT -- Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure either before the improvement or repair is started or, if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions or any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

TAG SALE (commonly referred to as "GARAGE SALE" or "YARD SALE") -- The sale of used household or personal items, by the resident of the dwelling unit. "Tag sale" does not include the sale of items purchased or obtained for the purpose of resale.

TOWN DEVELOPMENT PLAN -- Same as "plan of development."

TREES, FLOWERING -- Trees, such as dogwood, redbud or crabapple.

TREES, LARGE -- Deciduous shade trees, such as sugar maple, red oak or London plane, and conifers, such as white pine, Austrian pine or Canadian hemlock. Three-fourths of the required large trees shall be at least 2 1/2 to three inches in caliper at the time of planting and 1/4 shall be at least four to 4 1/2 inches in caliper at the time of planting.

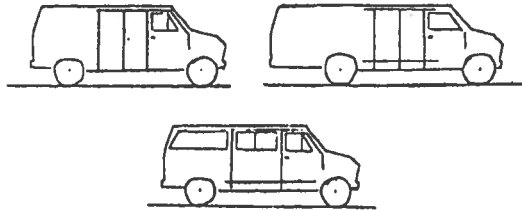
UNIT OF OCCUPANCY -- Any structure or part thereof that is intended to be or is used to house one family, business, industry or corporate entity for the purpose of carrying out the business appurtenant thereto.

USE, ACCESSORY -- A use customarily incidental and subordinate to a main use and located on the same lot with such main use.

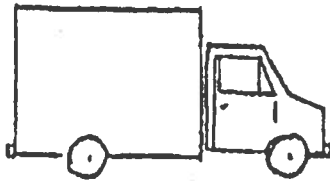
USE, MAIN -- The specific purpose for which land, water or a structure is designed, arranged or intended or for which it is or may be occupied or maintained.

VAN -- A box-shaped four-wheeled motor vehicle designed to carry up to 15 passengers or to carry light merchandise or freight. A motor vehicle designed to permit an average-sized adult to stand upright inside it is not a van. Thus, motor vehicles, such as those commonly called "walk-in vans" or "step-up vans," are not included within this definition. (See illustrations below.)

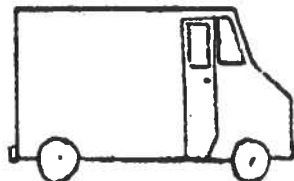
Vans



Step-Up or Walk-In



Vans



VEHICLE-INTENSIVE BUSINESS -- A business, the primary purpose of which is to provide services to the public involving vehicles or mechanical equipment off the business premises, such as transport, hauling, common freight carriers or construction, but which involves the parking of said vehicles on the business premises during nonbusiness hours. Examples of such businesses include but are not limited to bus or other private commercial business vehicle fleet yards, such as taxicab companies, parcel delivery services or freight hauling companies, construction companies, refuse haulers and furniture moving companies. "Vehicle-intensive business" shall not include agencies limited to the rental of passenger automobiles or passenger vans but shall include enterprises solely in the business of renting or leasing commercial vehicles, such as trucks or trailers and/or other mechanical equipment.

VERANDA -- An open, unenclosed porch or portico along the front and side of a building; usually covered by a roof for protection from weather.

VERANDA LINE -- A line on a lot or parcel of land establishing the minimum setback for porches or verandas from the street line.

VISUAL SCREENING, COMPLETE -- A type of screening which affords a year-round effect and through which the screened object is obscured.

VISUAL SCREENING, PARTIAL -- A type of screening through which the screened object is partially visible.

WAITING POSITION -- A space in a line of approach nine feet wide by 20 feet long.

WINE -- For purposes of this section, this term shall be deemed to have the same meaning as it has under Chapter 545 of the Connecticut General Statutes as that chapter may be amended or recodified from time to time.

YARD -- An open space on the same lot with a structure, which lies between said structure and the nearest lot line and which is unoccupied except as may be specifically authorized in this chapter. In measuring a yard, as hereafter provided, the "line of structure" shall be deemed to mean a line parallel to the nearest lot line, drawn from a point of a structure nearest to such lot line. Such measurement shall be taken at a right angle from the line of the structure, as defined herein, to the nearest lot line.

YARD, FRONT -- A yard extending across the full width and/or length of the lot and lying between the front lot line and the nearest line of a structure.

YARD, REAR -- A yard extending across the full width of the lot and lying between the rear lot line and the nearest line of the building.

YARD, SIDE -- A yard between the side line of a lot and the nearest line of the building and extending from the front yard to the rear yard or, in the absence of either such yards, to the front or rear lot line as the case may be.

ZONING PERMIT -- A permit issued upon application, certifying that a proposed land use, or any extension or alteration thereof, conforms to the requirements of this chapter.

Section Three: Section 177-6 of the West Hartford Code of Ordinances is hereby repealed and the following is substituted in lieu thereof:

- A. No structure shall be used, erected or expanded, and no land use shall be established or expanded, except in accordance with this chapter. The schedules contained in this article list permitted uses of land and buildings and the maximum height of buildings, the required yards, open space, area of lots and other requirements for the various districts in this chapter.
- B. Schedule of Permitted Main Uses.
- C. Schedule of Permitted Accessory Uses.
- D. Standards for the One-Family Residence Districts.
- E. Standards for Multifamily Residence Districts.
- F. Standards for Business Districts.

G. Standards for Industrial Districts.

Section Four: Section 177-37.4 of the West Hartford Code of Ordinances is hereby added as follows:

(New) 177-37.4. Food Truck Parks

Food truck parks can provide a unique setting for the service of food in areas that have historically not been serviced by a concentration of traditional restaurants. Food truck parks can serve as vibrant public spaces where a variety of activities take place, but where the primary function is the sale and consumption of food from a diverse array of vendors. While the operation of food truck parks should contribute to the liveliness and vibrancy of the community, they must not be allowed to create a nuisance, either by loud music, unruly customers, or disorderly premises. Where food truck parks will further these goals without unduly impacting upon adjoining businesses or residential neighborhoods, they may be permitted as a main use subject to the following requirements:

A. Space Definition and Location

- 1) The area of the food truck park must be clearly defined and separated from the patron parking area through the installation of a fence or other enclosure which maintains an open appearance and is a maximum of five (5) feet in height.
- 2) The parking area for the food trucks must be either a paved or gravel surface.
- 3) Food truck park operators are encouraged to provide for an aesthetically-pleasing environment which includes shade and seating elements in addition to pervious groundcover.
- 4) Food truck parks may have a pavilion or other permanent structure in order to provide shelter for patrons and operators provided said structure meets the setback requirements for the underlying zone. All temporary structures such as tents shall be prohibited.

B. Operations

- 1) All food truck parks must be handicap accessible.
- 2) All food trucks planned to be on site on any given day shall be parked and fully set up prior to the park opening to the public. At the close of business, all such vehicles shall be removed from the park. If a commissary is provided on-site and the food truck is approved to use the site's commissary, then the food truck will not have to be removed from the site each day.
- 3) The hours of operation for a food truck park shall be limited to 10:00 a.m. to 11:00 p.m. Food trucks may arrive at the park one hour prior to opening to the

public and must vacate the park no later than one hour after closing to the public unless the vehicle is permitted to stay as noted above.

- 4) There must be a designated manager of the site who is responsible for the orderly setup of food trucks, the cleanliness of the site, and the site's compliance with all rules and regulations during business hours. Contact information for the designated manager shall be made available to Town staff upon approval of the park by the Town Plan and Zoning Commission and as needed thereafter if personnel changes.
- 5) At least two (2) permanent restrooms within two hundred (200) feet of each food truck must be made accessible to Food Truck Park patrons while the Food Truck Park is open.
- 6) Patron parking must be provided at a rate of two (2) spaces per food truck and one (1) space for every three (3) seats in any seating area provided. The patron parking area must be a paved or gravel surface.
- 7) The food truck park must comply with all local noise regulations pursuant to West Hartford Code of Ordinances Chapter 123.
- 8) At least one electrical outlet shall be required at each designated food truck parking space.
- 9) Public address systems or other systems intended to convey verbal messages through the use of amplified sound shall be prohibited. If an applicant seeking approval of a food truck park proposes to provide any form of music for the benefit of patrons, it shall so state in its application and shall provide the Plan and Zoning Commission with specific details regarding the manner in which music is to be provided. The Plan and Zoning Commission may impose any restrictions upon the playing of music which it deems to be appropriate given the location of the food truck park or any other circumstances that the Commission deems to be relevant.
- 10) No heaters may be installed or used without the prior approval of the Plan and Zoning Commission. If an applicant seeking approval of a food truck park proposes to provide any source of heat for the benefit of patrons, it shall so state in its application and shall provide the Plan and Zoning Commission with a plan, approved by the Fire Marshal, for the placement and operation of said heaters as well as for the storage of fuel used by said heaters.
- 11) Lighting shall be limited to that level which is necessary to illuminate the food truck park for patrons and staff. Flashing/blinking lights shall be prohibited. In all cases, lighting must comply with section §177-25 of the West Hartford Code of Ordinances

- 12) Signs: One on-premise sign is permitted at the entrance(s) identifying the Food Truck Park subject to the sign regulations for the applicable zoning district. Each food truck may have attached signage.
- 13) Maintenance: The food truck park shall be kept clear of litter, food scraps or other debris at all times. Sweeping debris or spilled materials into the gutters of public streets shall be prohibited.
- 14) At least one (1) waste receptacle shall be provided for each mobile food vending vehicle and shall be emptied whenever full and at park closing. The food truck park shall also be equipped with a large commercial dumpster where bags from individual waste receptacles can be deposited into. The commercial dumpster shall be located outside of the designated patron area and shall be appropriately screened.
- 15) Tables, chairs and umbrellas shall be of durable commercial-grade materials, sufficiently weighted to avoid displacement by wind.
- 16) Umbrellas may be used to shade tables, provided that the drip edge thereof is located at least seven feet above the ground and further provided that they shall not be used to advertise any business, product or service.

C. Distance and Screening Requirements

- 1) Any food truck park shall be located at least 1500 feet from any other food truck park measured as a radius from any point around the property line.
- 2) Food truck parks shall be at least 200 feet from any residentially zoned property. If the food truck park is located between 200 and 500 feet from a residentially zoned property, Type C screening shall be required along the property line(s) closest to said property. Where a food truck park is adjacent to commercially zoned property that also has a permitted residential use, Type C screening shall be required along the property line(s) immediately adjacent to said property.
- 3) Food truck parks shall be located at least 500 feet away from any restaurant, measured along the street line unless said building is located on the same property as the food truck park and where the restaurant proprietors are complicit in the operation of the food truck park.

Proposed additions are underlined; proposed deletions are in brackets.

VAN WINKLE
(2/14/17)

Approved as to form and legality.

Corporation Counsel

Town of West Hartford
Schedule of Permitted Accessory Uses

| Permitted Accessory Uses | One-Family Residence Districts | | | | | | | | | | Multi-Family Residence Districts | | | | | | | Business Districts | | | | | | | Industrial Districts | | | |
|---|--------------------------------|------|------|------|------|-----|----|------|------|------|----------------------------------|-------|--------------|----|----|------------------|----|--------------------|----|-----|----|-----------|----|----|----------------------|----|----|--|
| | R-80 | R-40 | R-20 | R-13 | R-10 | R-6 | EP | RM-4 | RM-3 | RM-2 | RM-1 | RM-MS | RCO and RM/O | RO | RP | BOL ¹ | BO | RI | BN | BND | BS | BC & CBDH | BG | IP | IE | IR | IG | |
| 1. Keeping of not more than 3 nontransient roomers or boarders in any dwelling unit | P | P | P | P | P | P | | P | P | P | P | P | P | P | P | | P | P | P | P | | P | | | | | | |
| 1A. Keeping of not more than 3 nontransient roomers or boarders in any dwelling unit for which a family permit for a housekeeping unit composed of three (3) or fewer individuals not related by blood or marriage as specified in §177-2 of this chapter is issued | A | A | A | A | A | A | | A | A | A | A | A | A | A | A | | A | A | A | A | | A | | | | | | |
| 2. Private garage for motor vehicles | X | X | X | X | X | X | | X | X | X | X | X | X | X | X | | X | X | X | X | | X | | | | | | |
| 3. Off-street parking and loading facilities for | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (a) Motor vehicles | | | | | | | X | | | | | | | | | | | | | | | | | | | | | |
| (b) Motor vehicles bearing current Connecticut passenger registration | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | | X | X | X | X | | X | | | | | | |
| (c) Either 1 van or 1 pickup truck per dwelling unit | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | | X | X | X | X | | X | | | | | | |
| (d) Not more than 2 unregistered motor vehicles | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (e) Not more than 1 unregistered motor vehicle | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | | X | X | X | X | | X | | | | | | |
| 4. Parson house, parsonage, church schoolrooms | A | A | A | A | A | A | | A | A | A | A | A | A | A | A | | A | A | A | A | | A | | | | | | |

No restrictions on commercial vehicles

KEY:
A = Permitted use subject to issuance of a building and/or zoning permit and subject to § 177-42A.
B = Permitted use subject to issuance of a building and/or zoning permit and subject to § 177-42B.
C = Permitted use subject to approval of Town Council pursuant to § 177-45 and subject to § 177-42B.
P = Permitted use subject to issuance of a building and/or zoning permit.
X = Permitted accessory use subject to the same permits and review procedures as the main use to which it is an accessory.
Not marked = Not permitted use in the particular zoning district.

NOTES
¹For detailed use regulations in the BOL District, see § 177-7.

| Permitted Accessory Uses | One-Family Residence Districts | | | | | | | Multi-Family Residence Districts | | | | | | | | | | Business Districts | | | | | | | | Industrial Districts | | | | | | | | | |
|--|--------------------------------|------|------|------|------|-----|----|----------------------------------|------|------|------|------|-------|------------|----|----|------------------|--------------------|----|----|-----|----|------------|----|----|----------------------|----|----|---|---|---|---|---|---|--|
| | R-80 | R-40 | R-20 | R-13 | R-10 | R-6 | EP | RM-1 | RM-2 | RM-3 | RM-4 | RM-5 | RM-MS | RCO RMO | RO | RP | BOL ¹ | BO | RI | BN | BND | BS | BC & CBODI | BC | IP | IE | IR | IG | | | | | | | |
| 5. Signs as specified in §177-33 | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | |
| 6. Swimming pools, provided that they meet the requirements set forth by ordinance | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | |
| 7. Noncommercial greenhouse, boathouse, fallout shelter | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | |
| 8. As an incidental part of the conduct of a retail business, manufacturing and packaging of articles to be sold at retail on the premises, provided that not more than 50% of the floor space occupied by such retail business is devoted to such manufacturing and packing use | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 9. Any accessory building or use, except that an accessory use of not more than 3 days' duration for any 1 event for a charitable or philanthropic purpose or for a seasonal farmers' market on the premises of a commercial or industrial use, place of worship, school or college, library or museum, religious institution, park or recreational facility and private nonprofit membership club is permitted as a "P" use. Customary accessory uses for such charitable or philanthropic purposes shall include but are not limited to rummage sales, bazaars, fairs and plant sales. Tag sales of no more than 3 days' duration and no more than 2 times in a calendar year shall be permitted accessory use to a residence. | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | |
| 10. Amusement devices, as specified in §177-31 and licensed under §§3-11 through 3-16 of the West Hartford Code ² | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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B = Permitted use subject to issuance of a building and/or zoning permit and subject to § 177-42B

C = Permitted use subject to approval of Town Council pursuant to § 177-45 and subject to § 177-42B

P = Permitted use subject to issuance of a building and/or zoning permit.

X = Permitted accessory use subject to the same permits and review procedures as the main use to which it is an accessory

Not marked = Not a permitted use in the particular zoning district.

NOTES:

¹For detailed use regulations in the BOL District, see § 177-7

²Editor's Note - Secs. 3-11 through 3-16 of the 1972 Code were repealed 5/25/82.

| Permitted Accessory Uses | One-Family Residence Districts | | | | | | | | | | Multi-Family Residence Districts | | | | | | | | | | Business Districts | | | | | | Industrial Districts | | | | |
|--|--------------------------------|------|------|------|------|-----|----|------|------|------|----------------------------------|-------|--------------|----|----|------------------|----|----|----|-----|--------------------|-----------|----|----|----|----|----------------------|---|--|--|--|
| | R-80 | R-40 | R-20 | R-13 | R-10 | R-6 | EP | RM-4 | RM-3 | RM-2 | RM-1 | RM-MS | RCO and RM/O | RO | RP | BOL ¹ | BO | RJ | BN | BND | BS | BC & CBDH | BG | IP | IE | IR | IG | | | | |
| 11. Service of food and beverages by waiters or waitresses at customers' tables outside of the enclosed restaurant on the premises of an existing restaurant | A | A | A | A | A | A | | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | | | |
| 12. Family day-care home | P | P | P | P | P | P | | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | | | |
| 13. Retail firearms store | | | | | | | | | | | | | | | | | | | | | X | X | X | | | | | | | | |
| 14. Circular driveway, as specified in §177-32E(13) | X | X | X | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 15. Child day-care center operating before and after regular school hours only if accessory to an existing public, private or parochial school or college which is the main use on the site | P | P | P | P | P | P | | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | | | |
| 16. Drive-up window-counter service at restaurants | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 17. Provision of temporary seasonal outdoor dining on the premises of an existing restaurant which does not sell alcoholic beverages, provided that there are no more than 4 tables, with 4 chairs per table. Location of outdoor furniture shall not obstruct the pedestrian right-of-way or emergency access | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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NOTES

¹For detailed use regulations in the BOL District, see § 177-7

²See § 177-3D(6).

| Permitted Accessory Uses | One-Family Residence Districts | | | | | | | | | | Multi-Family Residence Districts | | | | | | Business Districts | | | | | | Industrial Districts | | | | | |
|---|--------------------------------|------|------|------|------|-----|----|------|------|------|----------------------------------|-------|-------------------|----|----|-----|--------------------|----|----|-----|----|--------------|----------------------|----|----|----|----|---|
| | R-80 | R-40 | R-20 | R-13 | R-10 | R-6 | EP | RM-4 | RM-3 | RM-2 | RM-1 | RM-MS | RCD M4 RMFO | RD | RP | BOL | BO | RI | BN | BND | BS | BC & CBDH | BG | IP | IE | IR | IG | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 18. Temporary seasonal outdoor sale of green grocer products, i.e., fresh fruits, vegetables, as well as hot or cold fresh or prepared foods and home garden plants and flowers, as an accessory use to an existing food store/food market, provided that the display area stand is not located in a required parking or driveway area. Location of any product display stand shall not obstruct the pedestrian right-of-way and shall not obstruct building or sight egress, emergency access or create site obstructions to vehicular traffic. | | | | | | | | | | | | | | | | | | | P | P | P | P | P | P | P | P | P | P |
| 19. Car wash facilities | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 20. Drive-up window dispensing only prescription medications at retail pharmacies provided that a surveillance system meeting the requirements of the Chief of Police is operating during the hours of business | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 21. Adult Day-Care Center | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A |
| 22. Adult Group Day-care Facility | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A |
| 23. Adult Day-Care Home | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A |
| 24. Kennel | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A |
| 25. Closed Loop Geothermal Systems and Solar Energy Systems permitted as accessory uses pursuant to §177-37.3 | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| 26. Fuel cells permitted as accessory uses pursuant to §177-37.3 | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A |
| 27. Food Truck, permitted as an accessory use within the parking area of an existing business provided that the location does not interfere with the safe circulation of vehicular and pedestrian traffic. No more than two (2) food trucks shall be permitted on any one property at the same time and shall not be permitted within five hundred (500) feet of any building which houses a restaurant. Sales from any food truck shall be permitted between the hours 7 am and 10 pm on any calendar day and shall be limited to not more than three (3) days per week. | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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NOTES:

¹For detailed use regulations in the BOL District, see § 177-7.

Schedule of Permitted Main Uses

| Permitted Main Uses | One-Family Residence Districts | | | | | | | Multi-Family Residence Districts | | | | | | | Business Districts | | | | | | | Industrial Districts | | | | | | |
|--|--------------------------------|------|------|------|------|-----|----|----------------------------------|------|--------|------|------|----|----------------|--------------------|------------------|----|----|----|------------------|----|----------------------|----|----|----|----|----|---|
| | R-80 | R-40 | R-20 | R-13 | R-10 | R-6 | EP | RM-4 | RM-3 | RM-3JR | RM-2 | RM-1 | RO | RM-MS and RM/O | RP | BOL ¹ | BO | RI | BN | BND ² | BS | BC & CBDH | BC | IP | IE | IR | IC | |
| 1 One-family house, 1 per lot | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | | P | P | P | P | | | | | | | | |
| 2 Places of worship | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A |
| 3 Public, parochial, or private school or college | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A |
| 4 Nursery school, child day-care center, group day-care home | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A |
| 5 Library, museum | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A |
| 6 Religious institution | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A |
| 7 Charitable institutions for the care of the aged, homeless and handicapped, convalescent homes operated by a charitable institution (except group-care facilities) | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A |
| 8 Public park, reservation, golf course, golf course restaurant or recreation facility | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A |
| 9 Private, nonprofit membership club | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A |
| 10 Water supply and sewage disposal system and facility | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A |
| 11 Utility transmission lines and substations. (See also §§ 177-7 and 177-17) | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | | P | P | P | P | | | | | | | | |

KEY

- A = Permitted use subject to issuance of a building and/or zoning permit and subject to § 177-42A
- B = Permitted use subject to issuance of a building and/or zoning permit and subject to § 177-42B
- C = Permitted use subject to approval of Town Council pursuant to § 177-42B and subject to § 177-42B
- P = Permitted use subject to issuance of a building and/or zoning permit
- Not marked = Not a permitted use in the particular zoning district.

NOTES

- ¹For detailed use regulations in the BOL District, see § 177-7
- ²Certain BND uses are subject to additional requirements of § 177-16.4 of this chapter.

| Permitted Main Uses | One-Family Residence Districts | | | | | | | | | | Multi-Family Residence Districts | | | | | | | Business Districts | | | | | | | Industrial Districts | | | | | |
|---|--------------------------------|------|------|------|------|-----|----|------|------|---------|----------------------------------|------|----|-------|------------------|----|------------------|--------------------|----|----|------------------|----|--------------|----|----------------------|----|----|----|--|--|
| | R-80 | R-40 | R-20 | R-13 | R-10 | R-6 | EP | RM-1 | RM-3 | RM-3 JR | RM-2 | RM-1 | RO | RM-MS | RCD w/ RMO | RP | BOL ¹ | BO | RI | BN | BND ¹ | ES | BC & CBDH | BC | IP | IE | IR | IG | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 20 Research laboratories | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 21 Bank, including drive-in facilities | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 22 Retail business dealing with the consumer on the premises, except retail firearms stores | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 23 Establishment performing personal services | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 24 Restaurants with or without alcoholic drink and other establishments serving food and nonalcoholic drink | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 25 Hotel, motel | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 26 Funeral home | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 27 Cemetery | A | A | A | A | A | A | A | A | A | A | A | A | A | A | | | | | | | | | | | | | | | | |
| 28 Crematorium | A | A | A | A | A | A | A | | | | | | | | | | | | | | | | | | | | | | | |
| 29 Outdoor recreation area operated for profit | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 30 Theater and other indoor recreation or amusement facility, excluding amusement arcades | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 31 Telephone exchange, electric substation and other public utility use | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 32 Radio and television studio | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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- A = Permitted use subject to issuance of a building and/or zoning permit and subject to § 177-42A
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- P = Permitted use subject to issuance of a building and/or zoning permit
- Not marked = Not a permitted use in the particular zoning district.

NOTES:

- ¹For detailed use regulations in the BOL District, see § 177-7
- ²Certain BND uses are subject to additional requirements of § 177-16.4 of this chapter
- ³See § 177-3D(6)

| Permitted Main Uses | One-Family Residence Districts | | | | | | | | | | Multi-Family Residence Districts | | | | | | | | | | Business Districts | | | | | | | | | | Industrial Districts | | | | |
|--|--------------------------------|------|------|------|------|-----|----|------|-------|------|----------------------------------|----|-------|--------------|----|------------------|----|----|----|------------------|--------------------|-----------|----|----|----|----|----|---|--|--|----------------------|--|--|--|--|
| | R-80 | R-40 | R-20 | R-10 | R-10 | R-4 | EP | RM-J | RM-JR | RM-2 | RM-1 | RO | RM-MS | RCO and RM/b | RP | BOL ¹ | BO | RI | BN | BND ¹ | BS | BC & CBDH | BC | IP | IE | IR | IG | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 33 Radio and television broadcasting | A | A | A | A | A | A | A | A | A | A | A | | A | A | A | A | A | A | A | A | A | A | | B | B | B | B | B | | | | | | | |
| 34 Motor vehicle sales, service and repair and gasoline service stations, excluding car wash facilities | | | | | | | | | | | | | | | | | | | | | | | | B | | | | B | | | | | | | |
| 35 Wholesale business and storage warehouse use | | | | | | | | | | | | | | | | | | | | | | | | | | | | B | | | | | | | |
| 36 Printing | | | | | | | | | | | | | | | | | | | | | | | | | | | | B | | | | | | | |
| 37 Any industrial or manufacturing use, including fabrication, converting, processing, altering, assembly or other handling of products, provided that such use does not emit dust, odor, gas, fumes, noise, glare or vibration beyond the boundaries of the district in which it is located | | | | | | | | | | | | | | | | | | | | | | | | | | | | B | | | | | | | |
| 38 Outdoor storage of material and equipment other than junkyards, provided that such use does not emit dust, odor, gas, fumes, noise, glare or vibration beyond the boundaries of the district in which it is located | | | | | | | | | | | | | | | | | | | | | | | | | | | | B | | | | | | | |
| 39 Contractor's yard | | | | | | | | | | | | | | | | | | | | | | | | | | | | B | | | | | | | |
| 40 Junkyard | | | | | | | | | | | | | | | | | | | | | | | | | | | | B | | | | | | | |
| 41 Railroad terminal and yard | | | | | | | | | | | | | | | | | | | | | | | | | | | | B | | | | | | | |

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- Not marked = Not a permitted use in the particular zoning district.

NOTES

- ¹For detailed use regulations in the BOL District, see § 177-7
- ²Certain BND uses are subject to additional requirements of § 177-16.4 of this chapter.

| Permitted Main Uses | One-Family Residence Districts | | | | | | | | | | Multi-Family Residence Districts | | | | | | | | | | Business Districts | | | | | | | | | | Industrial Districts | | | | |
|---|--------------------------------|------|------|------|------|-----|----|------|------|---------|----------------------------------|------|----|-------|--------------|----|------------------|----|----|----|--------------------|----|-----------|----|----|----|----|----|--|--|----------------------|--|--|--|--|
| | R-80 | R-40 | R-20 | R-13 | R-10 | R-6 | EP | RM-4 | RM-3 | RM-3 JR | RM-2 | RM-1 | RO | RM-MS | RCO and RM/O | RP | BOL ¹ | BO | RI | BN | BND ² | BS | BC & CBDH | BC | IP | IE | IR | IG | | | | | | | |
| 42. Veterinary Facility | A | A | A | A | A | A | | A | A | A | A | A | A | A | A | | A | A | A | A | A | A | B | B | B | B | B | B | | | | | | | |
| 43. Kennel | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 44. Group-care facility | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | | | | | | | | | | | | | | | | | | | | |
| 45. Monuments or statues on public land | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | | | | | | | |
| 46. Retail firearms stores | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 47. Vehicle-intensive business | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 48. Passenger automobile rental agency | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 49. One-family house, 1 per lot on rear lot | A | A | A | A | A | A | A | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 50. Certain professional offices, defined pursuant to §177-16.3 (first floor only) | | | | | | | | | | | | | | | A | | | | | | | | | | | | | | | | | | | | |
| 51. Adult-oriented establishments | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 52. Car Wash Facilities | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 53. Adult Day-Care Center | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 54. Adult Group Day-care Facility | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 55. Medical Marijuana Production Facility | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 56. Medical Marijuana Dispensary Facility | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 57. Alternative Energy Systems permitted as main uses pursuant to § 177-37.3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 58. Manufacturing of Alcoholic Liquor, including retail sales where permitted by Connecticut law ³ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 59. Food Truck Park as specified in § 177-37.4 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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NOTES

- ¹For detailed use regulations in the BOL District, see § 177-7.
- ²Certain BND uses are subject to additional requirements of § 177-16.4 of this chapter.
- ³For detailed use regulations see § 177-36D.