

ZONING ORDINANCES

CITY OF NEW BRITAIN, CONNECTICUT



**Including AMENDMENTS TO THE ZONING ORDINANCES
Dated through March 15, 2010**

Zoning Ordinances

City of New Britain, Connecticut

New Britain, Connecticut

Table of Contents

Section 10 TITLE AND SHORT TITLE. 4
Section 20 DECLARATION OF PURPOSE. 4
Section 30 DEFINITIONS. 6
Section 40 APPLICATION OF REGULATIONS. 22
Section 50 DISTRICTS AND BOUNDARIES. 24
Section 60 S-1 RESIDENTIAL DISTRICT (single family, 13,500 sq. ft. lots). 27
Section 70 S-2 RESIDENTIAL DISTRICT (single family, 8,000 sq. ft. lots). 30
Section 80 S-3 RESIDENTIAL DISTRICT (single family, 6,000 sq.ft. lots). 33
Section 90 T RESIDENTIAL DISTRICT (two or single family dwellings, 6,000 square foot lots). 36
SECTION 95. T-6 DISTRICT (single, two and multifamily up to six units) 39
Section 100 A-1 RESIDENTIAL DISTRICT (garden apartments). 41
Section 110 A-2 RESIDENTIAL DISTRICT (multifamily houses not over twenty-four (24) families). 45
Section 120 A-3 RESIDENTIAL DISTRICT (multifamily houses, high density). 49
Section 125 SRD DISTRICT (Special Residential Design District) 53
Section 130 OP DISTRICT (office and public buildings). 55
Section 135 RO DISTRICT (Residential and Office) 59
Section 140 B-1 DISTRICT (neighborhood business). 62
Section 145 B-1R DISTRICT (Neighborhood Business Revitalization) 65
Section 150 B-2 DISTRICT (shopping centers). 68
Section 160 B-3 DISTRICT (secondary business). 72
Section 170 cbd (central business DISTRICT) . 77
Section 180 TP DISTRICT (technology park) 76
Section 185 TPC DISTRICT (technology park/commercial) 78
Section 190 I-1 DISTRICT (industrial parks). 80
Section 200 I-2 DISTRICT (general industry). 83
Section 210 I-3 DISTRICT (outdoor storage and transportation industry) 101
Section 215 UI DISTRICT (Urban Industrial) 89
Section 220 PROHIBITED USES 91
Section 230 SUPPLEMENTAL USE AND DIMENSIONAL REGULATIONS. 96
Section 235 SPECIAL REGULATIONS FOR RESIDENTIAL DESIGN DISTRICT 116
Section 240 OFFSTREET PARKING AND TRUCK LOADING SPACE REQUIREMENTS AND REGULATIONS. 122
Section 250 SIGN REGULATIONS. 128

Zoning Ordinances

City of New Britain, Connecticut

Section 260 NONCONFORMING USES AND NONCONFORMING BUILDINGS OR STRUCTURES. 137
Section 270 THE ZONING BOARD OF APPEALS. 139
SECTION 280 ADMINISTRATION AND ENFORCEMENT156
Section 290 PUBLIC RECORDS. 204
section 300 procedure for amendment.....163
SECTION 310 VALIDITY.....164
SECTION 320 REPEALER.....164
SECTION 330 WHEN EFFECTIVE.....164

APPENDICES

SUBJECT
INDEX.....APPEN
DIX A
SCHEDULE OF DIMENSIONAL
REQUIREMENTS.....APPENDIX B
TABLE OF
AMENDMENTS.....APPENDI
X C

**CITY OF NEW BRITAIN, CONNECTICUT
ZONING ORDINANCE OF 1966
ORDINANCE NO. 6639, 1966**

AN ORDINANCE AMENDING IN ITS ENTIRETY THE "ZONING ORDINANCES CITY OF NEW BRITAIN", AS ADOPTED BY THE COMMON COUNCIL SEPTEMBER 26, 1925, AND AS HERETOFORE AMENDED

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN, pursuant to the provisions of the Charter of the City of New Britain and to applicable Acts of the State of Connecticut:

Section 10 TITLE AND SHORT TITLE.

10-10 Title.

The title of this ordinance is:

AN ORDINANCE ESTABLISHING BUILDING DISTRICTS AND RESTRICTIONS, AND FOR EACH OF SUCH DISTRICTS, REGULATING AND RESTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT AREA THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION AND THE NUMBER OF FAMILIES PER BUILDING AND THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, INDUSTRY, RESIDENCE OR OTHER PURPOSES, AND PROVIDING FINES AND PENALTIES FOR THE VIOLATION OF ITS PROVISIONS.

10-20 Short Title.

This ordinance shall be known and may be cited as "The City of New Britain Zoning Ordinance of 1966".

Section 20 DECLARATION OF PURPOSE.

Zoning Ordinances

City of New Britain, Connecticut

This ordinance is adopted for the purpose of promoting health, safety, morals or the general welfare of the community or the comfort, happiness and prosperity of the inhabitants thereof, and in furtherance of the following related and more specific objectives.

20-10 To guide and regulate the orderly growth, development, and redevelopment of the City of New Britain, in accordance with a comprehensive plan of long-term objectives, principles, and standards deemed beneficial to the interests and welfare of the people.

20-20 To protect the established character and the social and economic well-being of both private and public property and to encourage the growth of manufacturing industry.

20-30 To promote, in the public interest, the utilization of land for the purposes for which it is most appropriate.

20-40 To secure safety from fire, panic, and other dangers and to provide adequate light, air and convenience of access.

20-50 To prevent overcrowding of land or buildings, and to avoid undue concentration of population.

20-60 To lessen and, where possible, to prevent traffic congestion on public streets and highways.

20-70 To conserve the value of buildings and to enhance the value of land through-out the City.

Section 30 DEFINITIONS.

30-10 Certain words and terms are used in this zoning ordinance for the purposes hereof and are defined as follows:

30-10-10 Unless the context clearly indicates the contrary; words used in the present tense include the future; the singular number includes the plural, and the plural the singular.

30-10-20 The word "PERSON" includes a profit or non-profit corporation, company, partnership or individual.

30-10-30 The word "SHALL" is mandatory, and not directory; the word "MAY" is permissive.

30-10-40 The word "LOT" includes the word "PLOT" and the word "LAND".

30-10-50 The word "USE" and the word "USED" refer to any purpose for which a lot or land or part thereof is arranged, intended or designed to be used, occupied, maintained, made available or offered for use; and to any purpose for which a building or structure or part thereof is arranged, intended or designed to be used, occupied, maintained, made available or offered for use, or erected, reconstructed, altered, enlarged, moved or rebuilt with the intention or design of using the same.

30-10-60 Where a word or term is not defined in this Section, it shall have its ordinarily accepted meaning, or such meaning as the context may imply.

30-20 DEFINITION OF WORDS AND TERMS.

30-20-10 ACCESSORY USE, BUILDING OR STRUCTURE. A subordinate use, building or structure customarily incidental to, and located on the same lot occupied by the main use, building or structure. The term ACCESSORY BUILDING may include a private garage, garden shed, a private playhouse, and a private greenhouse.

30-20-15.10 ADULT BOOKSTORE OR VIDEO STORE. An establishment having 25% or more of its floor area used for the display of books, films, video cassettes, or magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or

relating to "Specified Sexual Activities" or Specified Anatomical Areas" as defined herein, and in conjunction therewith has facilities for the presentation of adult material or adult entertainment, as defined herein, and including adult-oriented films, movies or live entertainment, for observation by patrons therein. [Approved 3-13-98, Item #23533-6]

30-20-15.20 ADULT CABARET. An establishment such as but not limited to a nightclub, bar, restaurant, or similar establishment, whether or not alcoholic beverages are served, that regularly features live performances that are characterized by the exposure of "Specified Anatomical Areas" or by "Specified Sexual Activities", as defined herein, or films, motion pictures, video cassettes, slides or other photographic reproductions in which a substantial portion of the total presentation time is devoted to the showing of material that is characterized by any emphasis upon the depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas", as defined herein, for observation by patrons therein. [Approved 3-13-98, Item #23533-6]

30-20-15.30 ADULT ENTERTAINMENT. Adult Entertainment shall mean and include any exhibition of any adult-oriented motion pictures, live performance, display or dance of any type which has as a significant or substantial portion of such performance any actual or simulated performance of "specified sexual activities" or exhibition and viewing of "specified anatomical areas", removal of articles of clothing or appearing unclothed, pantomime, modeling, or any other personal services offered customers. It also includes any amusement machine that is regularly used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas", as defined herein, for observation by patrons therein. [Approved 3-13-98, Item #23533-6]

30-20-15.40 ADULT MATERIAL. Shall include but is not limited to accessories, books, films, video cassettes, or live entertainment, for observation by patrons therein, or magazines and other periodicals or any combination thereof which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" as defined herein. [Approved 3-13-98, Item #23533-6]

30-20-15.50 ADULT MINI-MOTION PICTURE THEATER. An enclosed building with a capacity for less than fifty (50) persons regularly used for presenting

material distinguished or characterized by an emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas", as defined herein, for observation by patrons therein. [Approved 3-13-98, Item #23533-6]

30-20-15.60 ADULT MOTION PICTURE THEATER. An enclosed building with a capacity for more than fifty (50) persons regularly used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas", as defined herein, for observation by patrons therein. [Approved 3-13-98, Item #23533-6]

30-20-15.70 ADULT ORIENTED ESTABLISHMENT. Shall include, without limitation, "adult bookstores or video stores", "adult motion picture theaters", "adult mini-motion picture theaters" and further means any premises to which the public, patrons or members are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms, studios, compartments, or stalls separate from the common areas of the premises for the purpose of viewing adult-oriented motion pictures, adult cabaret, or wherein an entertainer provides adult entertainment to a member of the public, a patron or a member, when such adult entertainment is held, conducted, operated or maintained for a profit; direct or indirect. An "adult oriented establishment" further includes, without limitation, any "adult entertainment studio" or any premises that are physically arranged and used as such, whether advertised or represented as an adult entertainment studio, rap studio, exotic dance studio, encounter studio, sensitivity studio, modeling studio or any other term or like import. [Approved 3-13-98, Item #23533-6]

30-20-15.80 SPECIFIED ANATOMICAL AREAS shall mean:

A. Less than completely and opaquely covered: a) human genitals, pubic region; b) Buttock(s), anus; c) female breast(s) below a point immediately above the top of the areola; and

B. Human male genitals in a discernibly turgid state, even if completely and opaquely covered. [Approved 3-13-98, Item #23533-6]

30-20-15.90 SPECIFIED SEXUAL ACTIVITIES shall mean simulated or actual:

Zoning Ordinances

City of New Britain, Connecticut

- A. Showing of human genitals in a state of sexual stimulation or arousal;
- B. Acts of masturbation, sexual intercourse, sodomy, bestiality, necrophilia, sado-masochistic abuse, fellatio or cunnilingus;
- C. Fondling or erotic touching of human genitals, pubic region, buttock(s), anus or female breast(s);
- D. Lap Dancing;
- E. Excretory functions as part of or in connection with any of the activities set forth in subsections (A) through (D).

As used in these regulations, the term "Specified Sexual Activities" is not intended to include any medical publications or films or bona fide educational publication or films, nor does it include any art or photography publications which devote at least twenty five percent (25%) of the lineage of each issue to articles and advertisements dealing with subjects of art or photography. Nor does this definition apply to any news periodical which reports or describes current events and which, from time to time, publishes photographs of nude or semi-nude persons in connection with the dissemination of the news. Nor does this definition apply to publications or films which describe and report different cultures and which from time to time publish or show photography or depiction of nude or semi-nude persons when describing cultures in which nudity or semi-nudity is indigenous to the population. [Approved 3-13-98, Item #23533-6]

30-20-20 ALTERATION. As applied to a building or structure a change or rearrangement in the structural parts or in the exit facilities; or an enlargement, whether by extending on a side or by increasing in height; or moving from one location or position to another; the term "alter" in its various modes and tenses and its participial form, refers to the making of an ALTERATION.

30-20-30 APARTMENT. A room or suite of rooms in a multifamily house occupied or designed to be occupied as the home or residence of one family.

30-20-40 BASEMENT. A story of a building partly but not more than one-half below the level of the GRADE.

30-20-45 BED AND BREAKFAST ACCOMMODATIONS. An establishment consisting of a single dwelling unit occupied by a resident manager and family and offering transient lodging to the general public with a maximum of 5 guest rooms, with the serving of meals limited to breakfast for guests. [Approved 7-16-01, Item #26484-2]

30-20-50 BOARD. The Zoning Board of Appeals of the City of New Britain, Connecticut, unless otherwise stipulated or indicated by reference.

30-20-60 BUILDING. A combination of materials to form a construction that is safe and stable, and adapted to permanent or continuous occupancy for public, institutional, residence, business or storage purposes; the term "building" shall be construed as if followed by the words "or part thereof".

30-20-70 BUILDING, AREA OF. The horizontal area measured around the outside of the foundation walls and of the floors of roofed porches and roofed terraces inclusive, and including the area of accessory buildings if any.

30-20-80 DELETED [Approved 1-13-03, Item #27215].

30-20-90 CELLAR. A story of a building more than one-half below the level of the GRADE.

30-20-100 COURT. An open, unoccupied space, other than a yard, on the same lot with a building. An offset to a court shall be deemed a separate inner court for the purpose of determining its least dimension, its area, and the least dimension and area of the court to which it is contiguous.

30-20-110 COURT, DEPTH OF. The maximum horizontal dimension at right angles to the width.

30-20-120 COURT, HEIGHT OF. The greatest vertical distance measured from the lowest level of such court up to the roof of the building.

30-20-130 COURT, INNER. Any court which is not an outer court.

30-20-140 COURT, OUTER. A court extending to a street, front yard, or rear yard.

30-20-150 COURT, WIDTH OF. The horizontal dimension parallel to the principal open side in the case of an OUTER COURT; and the least horizontal dimension in the case of an INNER COURT.

30-20-160 CUSTOM WORK, SHOP FOR. A business premises used for the making of clothing, millinery, shoes or other personal articles to individual order and measure, for sale at retail on the premises only, not including the manufacture of "ready-to-wear" or standardized products.

30-20-170 DAY CAMP. A building or structure, together with its lot and its accessory uses, buildings and structures, used as an organized recreational facility for five (5) or more enrolled children other than the children of the resident family, but not provided with customary commercial public recreation features such as Ferris wheels and roller coasters, and not furnishing sleeping quarters except for the resident family.

30-20-175 DENSITY. (dwelling units per acre) shall be calculated by dividing the gross project area by the allowable square feet of lot area per dwelling unit. [Approved 2-22-85, Item #16617-1]

30-20-180 DUMP. A lot or land or part thereof used primarily for disposal by abandonment, dumping, burial, burning or any other means and for whatever purpose, of garbage, offal, sewage, trash, refuse, junk, discarded machinery, vehicles or parts thereof, or waste material of any kind.

30-20-190 DWELLING. A building occupied exclusively for residence purposes and having not more than two families living independently of each other and doing their cooking upon the premises.

30-20-200 DWELLING UNIT. One or more rooms with provision for cooking, living, sanitary, and sleeping facilities arranged for the use of one family.

30-20-201 DWELLING, SINGLE FAMILY, DETACHED. A residential building containing not more than one (1) dwelling unit entirely surrounded by open space on the same lot, and with the land and building owned by the same person or entity, except that, in certain zoning districts as hereinafter specified, more than one single family detached dwelling may be allowed per lot, as part of a residential condominium or common interest ownership community, as provided for in state statutes. [Approved 11-22-93, Item #21265-2; Approved 2-23-06, Item #28900-2]

30-20-205 EASEMENTS. A right to use or limit the use of land in specific ways without acquiring fee simple title to land. More common types of easements are drainage, utility, conservation, slope, scenic, and sewer and water lines. Terms of easements may vary and shall be set forth by legal documents. [Approved 2-22-85, Item #16617-1]

30-20-210 FAMILY. The term family shall mean one or more persons, all related by blood, adoption, or marriage, occupying a single dwelling unit, provided that domestic servants employed only on the premises, may be housed on the premises and included as part of the family.

A group of not more than three (3) unrelated persons living and cooking as one house keeping unit may be considered a family.

Further provided that an unrelated group shall have a permit from the Building Inspector. Such permit shall have the names of the persons constituting the family and shall not be granted unless the dwelling unit has a certificate of occupancy and is in compliance with the Building and Zoning Ordinances.

The permit shall be renewable yearly or when there is a change in the unrelated group.

The term family shall not include a rooming house, club, fraternity, sorority or institutional and dormitory. [Approved 1-25-78, Item #12789-1; Approved 10-20-91, Item #19951-1]

30-20-220 FLOOR AREA OF A BUILDING. The sum of the gross horizontal areas of the several floors and mezzanine floors of a building and its accessory buildings on the same lot, excluding cellar and basement floor areas, but including the area of roofed porches and roofed terraces. All dimensions shall be measured between exterior faces of walls.

30-20-221 NET FLOOR AREA OF A BUILDING. The sum of the gross horizontal areas of the several floors and mezzanine floors of a building and its accessory buildings on the same lot excluding boiler and mechanical equipment rooms and storage rooms. All dimensions shall be measured between interior faces of the walls.

30-20-230 FLOOR AREA RATIO OF A BUILDING. The figure obtained by dividing the FLOOR AREA OF A BUILDING by its LOT AREA.

30-20-240 GARAGE, PRIVATE. An accessory garage maintained primarily for the convenience of the occupant or occupants of the main building, and in which no business is carried on and no service is rendered to the general public.

30-20-250 GARAGE, PUBLIC PARKING. A garage available to the general public on payment of rent or charges in money and/or other consideration, in which no gasoline station or repair service is maintained.

30-20-260 GARDEN APARTMENT. One or an integrated group of townhouses or multi-family houses providing dwelling units for at least 3 families per building. [Approved 2-22-85, Item #16617-1, Approved 4-29-88, Item #18249-1; Approved 10-26-88, Item #18505-1]

30-20-270 GASOLINE STATION. A building or lot or part thereof supplying and selling gasoline or other equivalent fuel for motor vehicles at retail direct from pumps and storage tanks. A GASOLINE STATION may include accessory facilities for rendering services such as lubrication, washing, and minor repairs with hand tools.

30-20-280 GRADE. The elevation from which the height of a building or structure is measured. Where no front yard is provided, the GRADE shall be the mean curb level in front of the building as defined in the Building Code of the City of New Britain. Where a front yard is provided, the GRADE shall be the average of the finished level of the ground at all corners of the building or structure.

30-20-290 HABITABLE ROOM. A room occupied by one or more persons for living, eating or sleeping; and includes kitchens serving apartments of individual households, but does not include bathrooms, water closet compartments, laundries, serving and storage pantries, corridors and spaces that are not used frequently or during extended periods.

30-20-295 HEALTH, FITNESS AND RECREATIONAL FACILITY. A freestanding building, on a site of not less than 86,000 square feet, offering, within the building, one or more of the following facilities for the development and maintenance of health, well-being and fitness: (a) swimming pool; (b) tennis, racquetball or squash courts; (c) gym; (d) exercise rooms and equipment; (e) classrooms; (f) physical therapy

facilities; (g) showers, lockers and dressing rooms. [Approved 2-21-86, Item #17122-2]

30-20-300 HEIGHT. As applied to a building, means the vertical distance from GRADE to highest finished roof surface in the case of flat roofs, or to a point at the average height of roofs having a pitch of more than one foot in four and one-half feet.

30-20-310 HOME OCCUPATION. A customary personal service occupation such as dressmaking, millinery, and home cooking; provided that such occupation shall be conducted solely by members of the resident family and in the main building only, that not more than the equivalent of one-half of the area of one floor shall be used for such purposes, that there shall be no display of advertising other than an announcement sign, and no display of products, that no stock-in-trade shall be kept, and that no mechanical or electrical equipment is used except customary household equipment. Beauty parlors, barber shops, and hairdressing and manicuring establishments shall not be deemed to be HOME OCCUPATIONS.

30-20-320 HOME PROFESSIONAL OFFICE. The office or studio of a resident doctor, dentist, lawyer, architect, artist, engineer, city planner, real estate broker or salesman, insurance broker or agent, or teacher as herein restricted; provided that not more than one person is employed who is not a member of the family, and that such office shall be in the main building and shall not occupy more than the equivalent of two-thirds of the area of one floor of said building. For the purposes of this paragraph, a "teacher" shall be restricted to a person giving individual instruction in academic or scientific subjects to a single pupil at a time. A HOME PROFESSIONAL OFFICE shall not include the office of any person professionally engaged in the purchase or sale of economic goods. Group dancing instruction, group band instrument or group voice instruction, tea rooms, tourist homes, beauty parlors, barber shops, hairdressing and manicuring establishments, convalescent homes, mortuary establishments, and stores, trades or businesses of any kind not herein excepted shall not be deemed to be HOME PROFESSIONAL OFFICES. The home professional office of a doctor shall not include a biological or other medical testing laboratory, except in connection with his practice.

30-20-330 HOSPITAL. A building with beds for patients, used for the diagnosis, treatment or other care of human ailments.

30-20-340 HOTEL. A building, or portion thereof, containing rooms occupied primarily by transients who are lodged with or without meals, and in which are provided such services as are incidental to the use thereof as a temporary residence.

30-20-341 HOTEL, APARTMENT. A building or portion thereof containing one (1) or more room apartment suites with provisions for living, sanitary and sleeping facilities, and with or without cooking facilities in each suite, said suites to be occupied primarily by transient and/or semi-transient persons.

30-20-350 HOUSE TRAILER. A movable single family dwelling equipped with a vehicular chassis but lacking one or more of the following mechanical systems and equipment: plumbing, heating, electrical, cooking and refrigeration. See MOBILE HOME.

30-20-360 INDUSTRY, NON-NUISANCE. Any industry which is not detrimental to the environment in which it is located by reason of the emission of smoke, noise, odor, dust, vibration or excessive light, beyond the limits of its lot, or by reason of generating excessive traffic with attendant hazards, and which does not include any outdoor processing of materials, or open accessory storage yard unless enclosed by a solid wall or fence not less than six (6) feet in height.

30-20-370 JUNK YARD, LICENSED. A lot, land, or structure, or part thereof licensed by the municipality, and used primarily for the collecting, storage and sale of waste paper, rags, scrap metal or other scrap or discarded material; or for the collecting, dismantling, storage or salvaging of machinery or vehicles not in running condition, and for the sale of parts thereof.

30-20-300 LOT. A portion or parcel of land exclusive of street areas considered as a unit devoted or intended to be devoted to a certain use, or occupied by a building or structure, or by a group of buildings or structures that are united by a common interest or use, and the customary accessories and open spaces belonging to the same.

30-20-390 LOT AREA. The total horizontal areas included within LOT LINES.

30-20-400 LOT CORNER. A lot at the junction of and fronting on two or more intersecting streets.

30-20-410 LOT COVERAGE. The percentage of the LOT AREA that is occupied by the AREA OF BUILDING.

30-20-420 LOT, INTERIOR. Any lot other than a corner lot.

30-20-430 LOT LINE. Any boundary of a lot. Any lot line not a rear lot line nor a front lot line shall be deemed a side lot line. Side lot lines for their entire length shall be at right angles or radial to street lines or nearly radial as possible to provide reasonable equitable lot area.

Each side lot line shall contain one bearing and/or dimension only. [Approved 2-19-86, Item #17123-1]

30-20-440 LOT LINE, FRONT. The street line at the front of a lot. On a corner lot, the owner may specify the front lot line on the plot plan.

30-20-450 LOT LINE, REAR. The lot line generally opposite to the front lot line.

30-20-460 LOT, THROUGH. A lot extending from one street to another.

30-20-470 LOT WIDTH. The dimension measured from side lot line to side lot line, along a line parallel to the street line at the required minimum front yard depth.

30-20-480 MAIN USE, BUILDING, OR STRUCTURE. The principle or most important use, building, or structure on a lot.

30-20-485 MASSAGE. The word massage means any method of pressure on, or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of the external soft parts of the body with the hands or with the aid of any mechanical or electrical apparatus or appliance with or without any such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, salts, or other similar preparations commonly used in this practice. [Approved 1-19-79, Item #13217-3]

30-20-486 MASSAGE ESTABLISHMENT. The term massage establishment means any establishment having a fixed business where any person, association, partnership, or corporation engages in or carries on, or permits

to be engaged in or carried on, any of the activities pertaining to massage as defined in the Ordinance authorizing the licensing of massage establishments and massagists. [Approved 1-19-79, Item #13217-3]

30-20-490 MEMBERSHIP CLUB. A building, structure, lot or land area used as a private club or social organization not conducted for profit or gain.

30-20-500 MOBILE HOME. A movable single family dwelling equipped with a vehicular chassis and provided with all of the following mechanical systems and equipment: plumbing, heating, electrical, cooking, and refrigeration. See HOUSE TRAILER.

30-20-510 MOTEL. A building, or group of buildings, whether detached or in connected units, used as individual sleeping or dwelling units with direct outside access and related office, and with or without restaurant facilities, designed primarily for transient automobile travelers, and provided with accessory off-street parking facilities. The term MOTEL includes buildings designed as tourist courts, motor lodges, auto courts, and other similar appellations, but shall not be construed to include house trailers or mobile homes.

30-20-520 MULTIFAMILY HOUSE. A building (or portion thereof) containing three or more dwelling units. [Approved 4-29-88, Item#18249-1; Approved 10-26-88, Item #18505-1]]

30-20-530 NONCONFORMING BUILDING OR STRUCTURE. A building or structure lawfully existing at the effective date of this ordinance or any amendment thereto affecting such building or structure, which does not conform to the Dimensional Regulations of this ordinance for the District in which it is situated, irrespective of the use to which such building or structure is put.

30-20-540 NONCONFORMING USE. Any use of a building, structure, or lot or part thereof, lawfully existing at the effective date of this ordinance or any amendment thereto affecting such use, which does not conform to the Use Regulations of this ordinance for the District in which it is situated.

30-20-550 NURSERY SCHOOL. A school for five (5) or more enrolled children of less than kindergarten age, other than the children of the resident family, and not furnishing sleeping quarters except for the resident family.

30-20-551 OPEN SPACE. A portion or portions of the lot area or permitted substitute which is set aside for the benefit of the residents of the property. This definition contemplates, but is not limited to, such amenities as: suitably prepared recreational areas or facilities; unimproved areas which, by preservation, provide the amenity of a significant natural feature worthy of preservation; improved park-like areas or other uses that are consistent with the type of development and the goal of contributing to the general welfare and enjoyment of the residents (See Open Space Regulations in Section 230-130).

30-20-560 PARKING AREA. A lot or part thereof used for the parking of operable registered motor vehicles, with or without the payment of rent or charges in money and/or other consideration.

30-20-570 PARKING SPACE. A stall or berth which is arranged and intended for parking of one motor vehicle in a garage or parking area.

30-20-575 PLANNED RETAIL SHOPPING COMPLEX. A grouping of retail businesses; restaurants; personal service establishments--such as beauty shops, barber shops, nail salons; shoe repair, dry cleaner shops, etc; bank branch offices and similar financial services; with such businesses sharing a single site with common parking. [Approved 1-17-07, Item #29357]

30-20-580 PLANNING, DIRECTOR OF. The planning director of the City Plan Commission of the City of New Britain, Connecticut.

30-20-581 PROFESSIONAL OFFICE. The office or studio of a doctor, dentist, lawyer, architect, engineer, auditor, real estate broker, insurance broker, teacher, or other similar uses where only services are provided.

A professional office shall not include the office of any person engaged in the purchase or sale of economic goods. [Approved 2-21-86, Item #17164-1]

30-20-590 PUBLIC OR SEMI-PUBLIC BUILDING. A building or structure used by the general public for civic, governmental, social or recreational purposes, without service yards or outdoor storage areas, and owned or operated by a governmental or non-profit organization or institution.

Zoning Ordinances

City of New Britain, Connecticut

30-20-590-1 PUBLIC UTILITY FACILITY. Electric substation, transmitting, switching, distribution or relay station, telephone exchange, water and sewage pumping stations; other similar or related uses.

30-20-600 REAR DWELLING. A dwelling located on the same lot and to the rear of the main building for which the lot is used.

30-20-610 REPAIR GARAGE. A building or lot or part thereof, devoted primarily to repairs, servicing, washing or reconditioning of motor vehicles.

30-20-620 RESEARCH LABORATORY. A building for experimentation in pure or applied research design, development, and production of prototype machines or devices or of new products, and uses accessory thereto: wherein products are not manufactured primarily for wholesale or retail sale, wherein commercial servicing or repair of commercial products is not performed, and where there is no display of any materials or products. A RESEARCH LABORATORY shall meet the standards of NON-NUISANCE INDUSTRY.

30-20-625 RESIDENTIAL CONDOMINIUM OR COMMON INTEREST OWNERSHIP COMMUNITY. An integrated group of townhouses, single family detached dwellings and/or multifamily houses, situated on a single lot, with land ownership rights as provided for in Connecticut General Statutes Sections 47-67, et seq., or Connecticut General Statutes Sections 47-200, et seq. [Approved 2-23-06, Item #28900 -2]

30-20-630 ROOMING HOUSE. A private dwelling in which at least three (3) but not more than five (5) rooms are offered for rent, payable in money and or other consideration, whether or not table board is furnished to roomers, and in which a transients are accommodated and no public restaurant is maintained.

30-20-640 SAND OR GRAVEL PIT. A lot or land, or part thereof, used for the purpose of extracting sand, gravel, soil or sod for sale, as a commercial operation and exclusive of the process of legitimate excavation of a lot preparatory to the construction of a building.

30-20-650 SIGN. Any kind of billboard, sign board, pennant, or other shape or device or display, used as an advertisement, announcement, or direction,

including any text, symbol, lights, marks, letters, or figures painted thereon or painted on or incorporated in the composition of an exterior surface of a building or structure.

30-20-660 SIGN, ADVERTISING. A temporary or permanent sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the property and only incidentally upon the property if at all.

30-20-665 SIGN, ANNOUNCEMENT or PROFESSION. Name plate or sign designating permitted accessory use, such as doctor's office, home occupation, or similar use.

30-20-670 SIGN, BUSINESS, or IDENTIFICATION. Sign directing attention to a business, commodity service or other activity conducted on the premises upon which the sign is located.

30-20-675 SIGN, DIRECTIONAL. A sign on the premises which is incidental to the use which identifies entrance, and exits, parking areas, traffic flow, and hazards.

30-20-676 SIGN, REAL ESTATE. Sign advertising exclusively the sale, lease, rental or development of the premises upon which it stands or directing attention to the opening and location of a new subdivision or neighborhood.

30-20-680 SIGN, TEMPORARY. A sign used for a limited period of time, which directs attention to a special activity or entertainment, or one which indicates the location of a real estate subdivision.

30-20-690 SPECIAL EXCEPTION USE. A use in one or more Districts specifically set forth and listed in the Zoning Ordinances, as amended, as special exception uses, which the Zoning Board of Appeals may grant, pursuant to the provisions of Section 270-40.

30-20-695. STORY. That portion of a building included between the surface of any floor and the floor or ceiling above it. If the finished floor level directly above a basement is more than 6 feet above grade, such basement shall be considered a story. [Approved 10-26-88, Item #18505-1]

30-20-700 STREET. Any public thoroughfare (street, avenue, boulevard, park or space which has been dedicated or deeded to the public for public use.

30-20-710 STREET LINE. The dividing line between a lot and a street.

30-20-720 STRUCTURE. A combination of materials to form a construction that is safe and stable; including among others, stadiums, gospel and circus tents, reviewing stands, platforms, stagings, observation towers, radio towers, water tanks and towers, trestles, piers, wharves, sheds, coal bins, fences, and display signs; the term STRUCTURE shall be construed as if followed by the words "or part thereof".

30-20-730 SWIMMING POOL. A receptacle for water, whether of permanent construction or portable, or an artificial pool of water, having a depth at any point of more than 24 inches, designed or intended for bathing or swimming by human beings and including all appurtenant equipment.

30-20-740 SWIMMING POOL, PRIVATE. A swimming pool accessory to a dwelling, multifamily house, hotel, motel, day camp or nursery school, and not operated as a separate business.

30-20-745 TOWNHOUSE. A dwelling attached to at least two other dwelling units and separated from them by one or two party walls extending from the ground to the roof. [Approved 10-26-88, Item #18505-1]

30-20-750 VARIANCE. A modification of the regulations of this ordinance granted on grounds of practical difficulties or unnecessary hardship, not self-imposed pursuant to the provisions of Section 270-50.

30-20-755 VEHICLE, COMMERCIAL. A vehicle used for business or industrial purposes. In determining such uses, the following factors shall be considered: registration as a commercial vehicle, having signage that indicates a non-residential uses, markings, racks or other apparent accessories indicating the vehicle is intended for use other than personal and/or recreational transportation. [Approved 1/24/95, Item #21923-1]

30-20-760 YARD, FRONT. An open unoccupied space on the same lot with a building situated between the nearest roofed portion of the building and the front lot line of the lot and extending from side lot line to side lot line.

30-20-770 YARD, REAR. A space on the same lot with a building situated between the nearest roofed portion of the building and the rear lot line of the lot, and extending from side lot line to side lot line.

30-20-780 YARD, SIDE. An open unoccupied space on the same lot with a building situated between the nearest roofed portion of the building or of any accessory building and the side lot line of the lot, and extending through from the front yard or from the front lot line where no front yard exists, to the rear yard or to the rear lot line where no rear yard exists.

30-20-790 YARD, TRANSITIONAL. An open unoccupied space with no structures, planted in such a manner as to effectively screen uses on the property and on adjoining properties so that they cannot be observed by a person standing on the ground level in the adjacent zones during any season of the year. A transitional yard can, where applicable, be concurrent with a required side or rear yard.

Section 40 APPLICATION OF REGULATIONS.

40-10 Use Regulations.

40-10-10 Except as hereinafter provided, no building or structure or part thereof and no lot or land or part thereof shall hereafter be used, except for a purpose specifically permitted by the Use Regulations herein prescribed for the District in which such building or structure, lot or land is located on the Zoning Map.

40-10-20 Any lawful use that does not conform to the Use Regulations of this Ordinance shall be deemed a nonconforming use. (See Section 260.)

40-10-30 A Special Exception Use authorized by the Zoning Board of Appeals shall be deemed a conforming use.

40-10-40 A use authorized by a variance from the Use Regulations of this Ordinance granted by the Zoning Board of Appeals shall be deemed a nonconforming use.

40-10-50 Municipal property shall not be subject to the Use Regulations prescribed in the Zoning Ordinances. [Approved 3-25-85, Item #16613-2]

Zoning Ordinances

City of New Britain, Connecticut

No action shall be taken by any Municipal Agency regarding Use of Land until and unless the general location, character and extent thereof has been submitted to the City Plan Commission for a report. The Commission shall, within a reasonable time, report its actions to the Common Council which shall have power to overrule such action by a vote of not less than two-thirds (2/3) of the entire membership of Common Council.

40-20 Dimensional Regulations.

40-20-10 Except as hereinafter provided, no building or structure or part thereof shall hereafter be erected, structurally altered, enlarged, rebuilt, or moved, except in conformity with the Lot Dimension, Yard, Court, Coverage, Height, Density, and Floor Area Ratio Regulations herein prescribed for the District in which such building or structure is located on the Zoning Map.

40-20-20 Any lawful existing building or structure that does not conform to such regulations, hereinafter referred to as the Dimensional Regulations of this Ordinance, shall be deemed a nonconforming building or structure, irrespective of the use to which it is put. (See Section 260.)

40-20-30 A building or structure or part thereof authorized as a variance from the Dimensional Regulations of this Ordinance, granted by the Zoning Board of Appeals, shall be deemed a nonconforming building or structure or part thereof.

40-30 Any lawfully established existing use of a building or structure, lot or land, or part thereof, which use constitutes a conforming use under the provisions of this ordinance, may be continued.

Section 50 DISTRICTS AND BOUNDARIES.

50-10 Classes of Districts.

[Approved 2-22-85, Item #16617-1;
Approved 2-21-86, Item #17164-1; Approved 6-21-00, Item
#24933-2]

For the purposes of this Ordinance, the City of New Britain is hereby divided into twenty (20) classes of Districts as follows:

50-10-10 Residence Districts.

S-1 District (single family on 13,500 sq.ft. lot area).

S-2 District (single family on 8,000 sq.ft. lot area).

S-3 District (single family on 6,000 sq.ft. lot area).

T District (two or single family on 6,000 sq.ft. lot area).

T6 District (single, two and multifamily up to 6 dwelling units) [Approved 6-21-00; Item #24933-2]

A-1 District (garden apartments).

A-2 District (multi-family houses not over 24 families).

A-3 District (multi-family houses, high density).

SRD District (Special Residential District) [Approved 2-22-85, Item #16617-1]

RO District (Residence & Office) [Approved 2-21-86, Item #17164-1]

50-10-20 Business Districts.

OP District (office and public buildings).

B-1 District (neighborhood business).

B-1R District (neighborhood business revitalization). [Approved 2-23-06, Item #28899-2]

B-2 District (shopping centers).

B-3 District (secondary business).

CBD District (central business).

50-10-30 Industrial Districts.

TP District (technology park) [Approved 9-24-84, Item #16395-1]

I-1 District (industrial parks).

Zoning Ordinances

City of New Britain, Connecticut

I-2 District (general industry).

I-3 District (outdoor storage and transportation industry).

UI District (urban industrial). [Approved 2/17/98, Item #23706-1]

50-20 Boundaries of Districts on Zoning Map.

50-20-10 The boundaries of each of the Districts listed in Section 50-10 are hereby established as shown upon the Zoning Map of the City of New Britain, dated December 12, 1966 which accompanies this Ordinance, and which, with all notations, references, and other matter shown thereon, is hereby declared to be part of this Ordinance.

50-20-20 The District boundary lines, unless shown otherwise, are intended generally to follow street center lines, railroad rights-of-way boundary lines or their center lines, other similar rights-of-way lines, or lot lines or boundaries of subdivisions, or City boundary lines, all as shown on the Zoning Map. Where a District boundary line does not follow such a line, but is shown parallel to such a line on the Zoning Map, the distance between the parallel lines shall be as dimensioned on the Zoning Map. Such dimensions shall be construed to read from the outside edge of all rights-of-way rather than from their centerlines.

50-20-30 Where the street layout actually on the ground varies from the street layout as shown on the Zoning Map, the designation shown on the mapped streets shall be applied in such a way as to carry out the judgment of the director of licenses permits and inspections as to the purpose and intent of the Zoning Map for the particular area in question. [Approved 1-13-03, Item #27215].

50-20-40 When the location of a District boundary line cannot be otherwise determined, the determination thereof shall be made by the director of licenses, permits and inspection by scaling the distance on the Zoning Map from a line of known location to such District boundary line. [Approved 1-13-03, Item #27215]

50-20-50 In the case of uncertainty as to the true location of a District boundary line in a particular instance, an appeal may be taken to the Zoning Board of Appeals, as provided in Section 270-30.

50-20-60 When a District boundary line divides a lot in a single ownership at the effective date of this Ordinance or any subsequent amendment

Zoning Ordinances

City of New Britain, Connecticut

thereto, the Zoning Board of Appeals may permit extension into one District of a lawful conforming use existing in the other District, as hereinafter provided in Section 270-50-40.10.

50-20-70 The District boundary descriptions contained in the Zoning Ordinances adopted September 16, 1925, and shown on the Building Zone Map that formed a part thereof, both as amended, revised and re-enacted from time to time, are hereby superseded in their entirety by the provisions of this Section 50 and by the Zoning Map of the City of New Britain dated December 12, 1966, which forms a part of this Ordinance.

Section 60 S-1 RESIDENTIAL DISTRICT (single family, 13,500 sq. ft. lots).

60-10 Permitted Uses.

Within any S-1 Residential District, a building, structure or lot shall only be used for one of the following permitted uses, except as provided in Section 60-20 Special Exception Uses, Section 60-30 Accessory Uses, and Section 260 Nonconforming Uses and Nonconforming Buildings or Structures. For all listed permitted uses other than a single family detached dwelling, the site plan shall be submitted and reviewed pursuant to Section 280-60.

60-10-10 SINGLE FAMILY DETACHED DWELLING.

60-10-20 [DELETED 3-17-03, Item #27215-5]

60-10-30 Park, playground or recreational area operated by the municipality.

60-10-40 [DELETED 3-17-03, Item #27215-5]

60-10-50 [DELETED 3-17-03, Item #27215- 5]

60-10-60 Bus Passenger Waiting Shelter. [Approved 10-22-81, Item #14771-2]

60-20 Special Exception Uses.

Within any S-1 Residential District, the following special exception uses shall be permitted, subject to approval by the Zoning Board of Appeals pursuant to Section 270-40. Special Exception Uses. For all listed special exception uses, the site plan shall be submitted and reviewed, pursuant to Section 280-60.

60-20-10 [DELETED 10-22-81, Item #14771-2]

60-20-20 Cemetery.

60-20-30 College.

60-20-40 Country Club.

Zoning Ordinances
City of New Britain, Connecticut

60-20-50 Golf course.

60-20-60 Hospital.

60-20-70 Political club.

60-20-80 Public utility facility.

60-20-90 Gas utility facility.

60-20-100 Church or similar place of worship, Sunday school, parish house, convent, monastery. [Approved 3-17-03, Item #27215-5]

60-20-110 Public or semi-public building for civic, political or recreational purposes. [Approved 3-17-03, Item #27215-5]

60-20-120 School, public, elementary or high, or a private school having a curriculum equivalent. [Approved 3-17-03, Item #27215-5]

60-30 Accessory Uses.

Within any S-1 District, the following accessory uses shall be permitted, subject to the applicable provisions of Section 230:

60-30-10 Customary accessory uses, buildings, or structures.

60-30-20 Home occupation.

60-30-30 Home professional office.

60-30-40 Private garage, private parking areas, pursuant to Section 240.

60-30-50 Private swimming pool.

60-30-60 Signs, pursuant to Section 250.

60-40 Dimensional Regulations.

Within any S-1 District, no building or structure shall be erected, nor any lot used, unless in conformity with the following schedule, except as modified

Zoning Ordinances

City of New Britain, Connecticut

by the provisions of Section 230, Supplemental Use and Dimensional Regulations, where applicable:

60-40-10	Lot Area – Minimum (sq. ft.).....	13,500
60-40-20	Lot Area – Minimum per dwelling unit (sq. ft.).....	13,500
60-40-30	Floor Area Ratio – Maximum.....	0.500
60-40-40	Lot Coverage – % of total lot area occupied by main accessory buildings...	20
60-40-50	Lot Width – Minimum (ft.).....	90
60-40-60	Height – Maximum (ft.).....	35
60-40-70	YARDS – MINIMUM (FT.)	
60-40-70.01	Front.....	50
60-40-70.02	Side.....	15
60-40-70.03	Side – total for both on interior lot.....	30
60-40-70.04	Side – abutting a side street on a corner lot.....	30
60-40-70.05	Rear.....	30
60-40-80	ACCESSORY BUILDINGS	
60-40-80.01	Coverage of required rear yard – Maximum.....	25%
60-40-80.02	Height in required rear yard – Maximum (ft.).....	15
60-40-80.03	Setback from any lot line – Minimum (ft.).....	8

Section 70 S-2 RESIDENTIAL DISTRICT (single family, 8,000 sq. ft. lots).

70-10 Permitted Uses.

Within any S-2 Residential District, a building, structure or lot shall only be used for one of the following permitted uses, except as provided in Section 70-20 Special Exception Uses, Section 70-30 Accessory Uses, and Section 260 Nonconforming Uses and Nonconforming Buildings or Structures. For all listed permitted uses other than a single family detached dwelling, the site plan shall be submitted and reviewed pursuant to Section 280-60.

70-10-10 SINGLE FAMILY DETACHED DWELLING.

70-10-20 [DELETED 3-17-03, Item #27215-5]

70-10-30 Park, playground or recreational area operated by the municipality.

70-10-40 [DELETED 3-17-03, Item #27215-5]

70-10-50 [DELETED 3-17-03, Item #27215-5]

70-10-60 Bus Passenger Waiting Shelter. [Approved 10-22-81, Item #14771-2]

70-20 Special Exception uses.

Within any S-2 Residential District, the following special exception uses shall be permitted, subject to approval by the Zoning Board of Appeals pursuant to Section 270-40, Special Exception Uses. For all listed special exception uses, the site plan shall be submitted and reviewed, pursuant to Section 280-60.

70-20-10 [DELETED 10-22-81, Item #14771-2]

70-20-20 Cemetery.

70-20-30 College.

Zoning Ordinances
City of New Britain, Connecticut

70-20-40 Country club.

70-20-50 Day camp.

70-20-60 Golf course.

70-20-70 Hospital.

70-20-80 Nursery school.

70-20-90 Public utility facility.

70-20-100 Gas utility facility.

70-20-110 Church or similar place of worship, Sunday school, parish house, convent, monastery. [Approved 3-17-03, Item #27215-5]

70-20-120 Public or semi-public building for civic, political or recreational purposes. [Approved 3-17-03, Item #27215-5]

70-20-130 School, public or elementary or high, or a private school having a curriculum equivalent. [Approved 3-17-03, Item #27215]

70-30 Accessory Uses.

Within any S-2 District, the following accessory uses shall be permitted, subject to the applicable provisions of Section 230:

70-30-10 Customary accessory uses, buildings, or structures.

70-30-20 Home occupation.

70-30-30 Home professional office.

70-30-40 Private garage, private parking area, pursuant to Section 240.

70-30-50 Private swimming pool.

70-30-60 DELETED. [Approved May 10, 2002, Item #26873-2]

70-30-70 Signs, pursuant to Section 250.

Zoning Ordinances

City of New Britain, Connecticut

70-40 Dimensional Regulations.

Within any S-2 District, no building or structure shall be erected, nor any lot used, unless in conformity with the following schedule, except as modified by the provisions of Section 230, Supplemental Use and Dimensional Regulations, where applicable.

70-40-10	Lot Area – Minimum (sq. ft.).....	8,000
70-40-20	Lot Area – Minimum per dwelling unit (sq. ft.).....	8,000
70-40-30	Floor Area Ratio – Maximum.....	0.625
70-40-40	Lot Coverage – % of total lot area occupied by main accessory buildings...	25
70-40-50	Lot Width – Minimum (ft.).....	75
70-40-60	Height – Maximum (ft.).....	35
70-40-70	YARDS – MINIMUM (FT.)	
70-40-70.01	Front.....	35
70-40-70.02	Side.....	7
70-40-70.03	Side – total for both on interior lot.....	17
70-40-70.04	Side – abutting a side street on a corner lot.....	15
70-40-70.05	Rear.....	25
70-40-80	ACCESSORY BUILDINGS	
70-40-80.01	Coverage of required rear yard – Maximum.....	25%
70-40-80.02	Height in required rear yard – Maximum (ft.).....	15
70-40-80.03	Setback from any lot line – Minimum (ft.).....	3

Section 80 S-3 RESIDENTIAL DISTRICT (single family, 6,000 sq.ft. lots).

80-10 Permitted Uses.

Within any S-3 Residential District, a building, structure or lot shall only be used for one of the following permitted uses, except as provided in Section 80-20 Special Exception Uses, Section 80-30. Accessory Uses, and Section 260 Nonconforming Uses and Nonconforming Buildings or Structures. For all listed permitted uses other than a single family detached dwelling, the site plan shall be submitted and reviewed pursuant to Section 280-60.

80-10-10 SINGLE FAMILY DETACHED DWELLING.

80-10-20 [DELETED 3-17-03, Item #27215-5]

80-10-30 Park, playground or recreational area operated by the municipality.

80-10-40 [DELETED 3-17-03, Item #27215-5]

80-10-50 [DELETED 3-17-03, Item #27215-5]

80-10-60 Bus Passenger Waiting Shelter. [Approved 10-22-81, Item #14771-2]

80-20 Special Exception uses.

Within any S-3 Residential District, the following special exception uses shall be permitted, subject to approval by the Zoning Board of Appeals pursuant to Section 270-40. Special Exception Uses. For all listed special exception uses, the site plan shall be submitted and reviewed, pursuant to Section 280-60.

80-20-10 [DELETED 10-22-81, Item #14771-2]

80-20-20 Cemetery.

80-20-30 College.

80-20-40 Country club.

Zoning Ordinances
City of New Britain, Connecticut

80-20-50 Day camp.

80-20-60 Golf course.

80-20-70 Hospital.

80-20-80 Nursery school.

80-20-90 Public utility facility.

80-20-100 Gas utility facility.

80-20-110 Church or similar place of worship, Sunday school, parish house, convent, monastery. [Approved 3-17-03, Item #27215-5]

80-20-120 Public or semi-public building for civic, political or recreational purposes. [Approved 3-17-03, Item #27215-5]

80-20-130 School, public elementary or high, or a private school having a curriculum equivalent. [Approved 3-17-03, Item #27215-5]

80-30 Accessory Uses.

Within any S-3 District, the following accessory uses shall be permitted, subject to the applicable provisions of Section 230:

80-30-10 Customary accessory uses, buildings, or structures.

80-30-20 Home occupation.

80-30-30 Home professional office.

80-30-40 Private garage, private parking area, pursuant to Section 240.

80-30-50 DELETED. [Approved May 10, 2002, Item #26873-2]

80-30-60 Signs, pursuant to Section 250.

80-30-70 Private Swimming Pool.

Zoning Ordinances

City of New Britain, Connecticut

80-40 Dimensional Regulations.

Within any S-3 District, no building or structure shall be erected, nor any lot used, unless in conformity with the following schedule, except as modified by the provisions of Section 230, Supplemental Use and Dimensional Regulations, where applicable:

80-40-10	Lot Area – Minimum (sq. ft.).....	6,000
80-40-20	Lot Area – Minimum per dwelling unit (sq. ft.).....	6,000
80-40-30	Floor Area Ratio – Maximum.....	0.750
80-40-40	Lot Coverage – % of total lot area occupied by main accessory buildings...	30
80-40-50	Lot Width – Minimum (ft.).....	60
80-40-60	Height – Maximum (ft.).....	30
80-40-70	YARDS – MINIMUM (FT.)	
80-40-70.01	Front.....	25
80-40-70.02	Side.....	7
80-40-70.03	Side – total for both on interior lot.....	17
80-40-70.04	Side – abutting a side street on a corner lot.....	12
80-40-70.05	Rear.....	25
80-40-80	ACCESSORY BUILDINGS	
80-40-80.01	Coverage of required rear yard – Maximum.....	35%
80-40-80.02	Height in required rear yard – Maximum (ft.).....	15
80-40-80.03	Setback from any lot line – Minimum (ft.).....	3

Section 90 T RESIDENTIAL DISTRICT (two or single family dwellings, 6,000 square foot lots).

90-10 Permitted Uses.

Within any T District, a building, structure, or lot shall only be used for one of the following permitted uses, except as provided in Section 90-20 Special Exception Uses, Section 90-30 Accessory Uses, and Section 260 Nonconforming Uses and Nonconforming Buildings or Structures. For all listed uses other than a single family or two family detached dwelling, the site plan shall be submitted and reviewed, pursuant to Section 280-60.

90-10-10 Two family detached dwelling.

90-10-20 Single family detached dwelling.

90-10-30 [DELETED 3-17-03, Item #27215-5]

90-10-40 Conversion from single family detached dwelling to two family detached dwelling.

90-10-50 Park, playground or recreational area.

90-10-60 [DELETED 3-17-03, Item #27215-5]

90-10-70 [DELETED 3-17-03, Item #27215-5]

90-10-80 [DELETED 3-17-03, Item #27215-5]

90-10-90 Bus Passenger Waiting Shelter. [Approved 10-22-81, Item #14771-2]

90-20 Special Exception Uses.

Within any T Residential District, the following special exception uses shall be permitted, subject to approval by the Zoning Board of Appeals pursuant to Section 270-40 Special Exception Uses. For all listed special exception uses, the site plan shall be submitted and reviewed, pursuant to Section 280-60.

Zoning Ordinances

City of New Britain, Connecticut

90-20-10 [Approved 10-22-81, Item #14771-2, Approved 5-3-82, Item #15290] [DELETED 8-29-06, Item #29132-2]

90-20-20 College.

90-20-30 Day camp.

90-20-40 Hospital.

90-20-50 Nursery school.

90-20-60 Nursing home, convalescent home, rest home.

90-20-70 Public utility facility.

90-20-80 Gas utility facility.

90-20-90 Church or similar place of worship, Sunday school, parish house, convent, monastery. [Approved 3-17-03, Item #27215-5]

90-20-100 Public or semi-public building for civic, political or recreational purposes. [Approved 3-17-03, Item #27215-5]

90-20-110 School, public or elementary or high, or a private school having a curriculum equivalent [Approved 3-17-03, Item #27215-5]

90-20-120 Funeral homes. [Approved 3-17-03, Item #27215-5]

90-30 Accessory Uses.

Within any T District, the following accessory uses shall be permitted, subject to the applicable provisions of Section 230.

90-30-10 Customary accessory uses, buildings, or structures.

90-30-20 Home occupation.

90-30-30 Home professional office.

90-30-40 Private garage, private parking area, pursuant to Section 240.

Zoning Ordinances
City of New Britain, Connecticut

90-30-50 [DELETED 5-10-02, Item #26873-2]

90-30-60 Signs, pursuant to Section 250.

90-30-70 Private Swimming Pool.

90-40 Dimensional Regulations.

Within any T District, no building or structure shall be erected, nor any lot used, unless in conformity with the following schedule, except as modified by the provisions of Section 230, Supplemental Use and Dimensional Regulations, where applicable:

90-40-10	Lot Area – Minimum (sq. ft.).....	6,000
90-40-20	Lot Area – Minimum per dwelling unit (sq. ft.).....	3,000
90-40-30	Floor Area Ratio – Maximum.....	0.750
90-40-40	Lot Coverage – % of total lot area occupied by main accessory buildings...	30
90-40-50	Lot Width – Minimum (ft.).....	50
90-40-60	Height – Maximum (ft.).....	40
90-40-70	YARDS – MINIMUM (FT.)	
90-40-70.01	Front.....	25
90-40-70.02	Side.....	7
90-40-70.03	Side – total for both on interior lot.....	17
90-40-70.04	Side – abutting a side street on a corner lot.....	12
90-40-70.05	Rear.....	25
90-40-80	ACCESSORY BUILDINGS	
90-40-80.01	Coverage of required rear yard – Maximum.....	35%
90-40-80.02	Height in required rear yard – Maximum (ft.).....	15
90-40-80.03	Setback from any lot line – Minimum (ft.).....	3

Zoning Ordinances

City of New Britain, Connecticut

SECTION 95. T-6 DISTRICT (single, two and multifamily up to six units)

[Approved 6-21-00, #24933-2]

Purpose: To create a district which promotes the establishment and preservation of good quality, stable residential neighborhoods consisting primarily of two and three family houses and small apartment buildings, developed at moderate density.

95-10. Permitted Uses.

Within any T-6 zoning district, a building, structure or lot may be used, by right, for any one of the following principal uses, subject to the provisions of Section 230, Supplemental Use and Dimensional Requirements, and Section 260, Nonconforming Uses and Nonconforming Buildings and Structures. For all listed uses other than a single or two family detached dwelling, the site plan shall be submitted and reviewed, pursuant to Section 280-60.

95-10-10 Single family detached dwelling.

95-10-20 Two family detached dwelling.

95-10-30 Conversion of an existing multifamily house, which is nonconforming due to an excessive number of dwelling units and/or inadequate off-street parking or open space, into a multifamily house containing fewer dwelling units, but which is still nonconforming to the provisions of these ordinances.

95-20 Special Exception Uses.

Within any T-6 zoning district, a building, structure or lot may be used for any one of the following special exception uses, subject to the approval of the Zoning Board of Appeals, pursuant to Section 270-40, Special Exception Uses, and subject to the provisions of Section 230, Supplemental Use and Dimensional Requirements.

95-20-10 Multifamily house, new construction, containing not more than six (6) dwelling units.

95-20-20 Private elementary or secondary school.

95-20-30 Place of worship, convent, monastery.

95-20-40 Child or adult daycare center.

95-20-50 Nursing home, convalescent home or rest home.

95-20-60 Congregate or assisted living housing.

95-20-70 Funeral home.

95-20-80 Membership club.

Zoning Ordinances

City of New Britain, Connecticut

95-30 Accessory Uses.

Within any T-6 district, the following accessory uses shall be permitted, subject to the applicable provisions of Section 230, Supplemental Use and Dimensional Requirements.

- 95-30-10** Customary accessory uses, buildings or structures.
- 95-30-20** Home occupation.
- 95-30-30** Home office.
- 95-30-40** Private garage, private parking area, pursuant to Section 240.
- 95-30-50** Signs, pursuant to Section 250.
- 95-30-60** Private swimming pool.

95-40 Dimensional Regulations.

Within any T-6 district, no building or structure shall be erected, nor any lot used, unless in conformity with the following schedule, except as modified by the provisions of Section 230, Supplemental Use and Dimensional Regulations, where applicable:

95-40-10	Lot Area – Minimum (sq. ft.).....	6,000
95-40-20	Lot Area – Minimum per dwelling unit (sq. ft.).....	3,000
95-40-21	Open Space – minimum per dwelling unit – sq. ft.....	200
95-40-30	Floor Area Ratio – Maximum.....	0.750
95-40-40	Lot Coverage – % of total lot area occupied by main accessory buildings...	30
95-40-50	Lot Width – Minimum (ft.).....	50
95-40-60	Height – Maximum (ft.).....	40
95-40-70	YARDS – MINIMUM (FT.)	
95-40-70.01	Front.....	25
95-40-70.02	Side.....	7
95-40-70.03	Side – total for both on interior lot.....	17
95-40-70.04	Side – abutting a side street on a corner lot.....	12
95-40-70.05	Rear.....	25
95-40-80	ACCESSORY BUILDINGS	
95-40-80.01	Coverage of required rear yard – Maximum.....	35%
95-40-80.02	Height in required rear yard – Maximum (ft.).....	15
95-40-80.03	Setback from any lot line – Minimum (ft.).....	3

Section 100 A-1 RESIDENTIAL DISTRICT (garden apartments).

100-10 Permitted Uses.

Within any A-1 District, a building, structure, or lot shall only be used for one of the following permitted uses, except as provided in Section 100-20 Special Exception Uses, Section 100-30 Accessory Uses, and Section 260 Non-conforming Uses and Non-conforming Buildings or Structures. For all listed uses other than dwellings designed for less than six (6) families and their accessory buildings and structures, the site plan shall be submitted and reviewed, pursuant to Section 280-60.

100-10-10 Garden Apartments

100-10-15 Residential Condominium or Common Interest Ownership Community. [Approved 2-23-06, Item #28900-2]

100-10-20 Single Family detached dwelling.

100-10-30 Two family detached dwelling.

100-10-40 [DELETED 3-17-03, Item #27215-5]

100-10-50 Conversion from single family detached dwelling to two family detached dwelling.

100-10-60 Park, playground or recreational area operated by the municipality.

100-10-70 [DELETED 3-17-03, Item #27215-5]

100-10-80 [DELETED 3-17-03, Item #27215-5]

100-10-90 Bus Passenger Waiting Shelter. [Approved 10-22-81, Item #14771-1]

100-20 Special Exception Uses.

Within any A-1 Residential District, the following special exception uses shall be permitted, subject to approval by the Zoning Board of Appeals pursuant

Zoning Ordinances

City of New Britain, Connecticut

to Section 270-40, Special Exception Uses. For all listed special exception uses, the site plan shall be submitted and reviewed, pursuant to Section 280-60.

100-20-10 [DELETED 10-22-81, Item #14771-1]

100-20-20 College.

100-20-30 Day camp.

100-20-40 Hospital.

100-20-50 Nursery school.

100-20-60 Nursing home, convalescent home, rest home.

100-20-70 Public utility facility.

100-20-80 Gas utility facility.

100-20-90 Health, Fitness and Recreational Facility [Approved 2-21-86, Item #17122-2]

100-20-100 Church or similar place of worship, Sunday school, parish house, convent, monastery. [Approved 3-17-03, Item #27215-5]

100-20-110 Public or semi-public building for civic, political or recreational purposes. [Approved 3-17-03, Item #27215-5]

100-20-120 School, public elementary or high, or a private school having a curriculum equivalent. [Approved 3-17-03, Item #27215]

100-30 Accessory Uses.

Within any A-1 District, the following accessory uses shall be permitted subject to the applicable provisions of Section 230:

100-30-10 Customary accessory uses, buildings, or structures.

100-30-20 Home occupation.

Zoning Ordinances

City of New Britain, Connecticut

100-30-30 Home professional office.

100-30-40 Private garage, private parking area, pursuant to Section 240.

100-30-50 Private swimming pool.

100-30-60 DELETED. [Approved May 10, 2002, Item #26873-2]

100-30-70 Signs, pursuant to Section 250.

100-40 Dimensional Regulations.

Within any A-1 District, no building or structure shall be erected, nor any lot used, unless in conformity with the following schedule, except as modified by the provisions of Section 230, Supplemental Use and Dimensional Regulations, where applicable:

100-40-10	Lot Area – Minimum (sq. ft.).....	40,000
100-40-20	Lot Area – Minimum per dwelling unit (sq. ft.).....	3,000
100-40-21	Open Space – minimum per dwelling unit – sq. ft.....	400
100-40-30	Floor Area Ratio – Maximum.....	0.50
100-40-40	Lot Coverage – % of total lot area occupied by main accessory buildings...	25
100-40-50	Lot Width – Minimum (ft.).....	200
100-40-60	Height – Maximum (ft.).....	30
100-40-70	YARDS – MINIMUM (FT.)	
100-40-70.01	Front.....	30
100-40-70.02	Side.....	30
100-40-70.03	Side – total for both on interior lot.....	60
100-40-70.04	Side – abutting a side street on a corner lot.....	30
100-40-70.05	Rear.....	30
100-40-80	ACCESSORY BUILDINGS	
100-40-80.01	Coverage of required rear yard – Maximum.....	Not permitted in any required yard
100-40-80.02	Height in required rear yard – Maximum (ft.).....	None
100-40-80.03	Setback from any lot line – Minimum (ft.).....	Same as

Zoning Ordinances
City of New Britain, Connecticut

		required yard
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Section 110 A-2 RESIDENTIAL DISTRICT (multifamily houses not over twenty-four (24) families).

110-10 Permitted Uses.

Within any A-2 District, a building, structure, or lot shall only be used for one of the following permitted uses, except as provided in Section 110-20 Special Exception Uses, Section 110-30 Accessory Uses, and Section 260 Non-conforming Uses and Nonconforming Buildings or Structures. For all listed uses other than dwellings designed for less than six (6) families and their accessory buildings and structures, the site plan shall be submitted and reviewed, pursuant to Section 280-60.

110-10-10 Multi-family houses, not over twenty-four (24) families.

110-10-20 Garden Apartments, not more than eight (8) units per building.
[Approved 10-26-88, Item #18505-1]

110-10-30 Single family detached dwelling.

110-10-40 Two family detached dwelling.

110-10-50 [DELETED 3-17-03, Item #27215-5]

110-10-60 Conversion of residence building for multifamily use for not more than twenty-four (24) families.

110-10-70 Park, playground or recreational area operated by the municipality.

110-10-80 [DELETED 3-17-03, Item #27215-5]

110-10-90 [DELETED 3-17-03, Item #27215-5]

110-10-100 Bus Passenger Waiting Shelter. [Approved 10-22-81, Item #14771-1]

110-20 Special Exception Uses.

Zoning Ordinances

City of New Britain, Connecticut

Within any A-2 Residential District, the following special exception uses shall be permitted, subject to approval by the Zoning Board of Appeals pursuant to Section 270-40 Special Exception Uses. For all listed special exception uses, the site plan shall be submitted and reviewed, pursuant to Section 280-60.

110-20-01 Multi-family house with over 24 families and over 40 feet in height.

110-20-10 [DELETED 4-29-88, Item #18249-1]

110-20-20 College.

110-20-30 Day camp.

110-20-40 Funeral home.

110-20-50 Hospital.

110-20-60 Nursery school.

110-20-70 Nursing home, convalescent home, rest home.

110-20-80 Public utility facility.

110-20-90 Gas utility facility.

110-20-100 Church or similar place of worship, Sunday school, parish house, convent, monastery. [Approved 3-17-03, Item #27215-5]

110-20-110 Public or semi-public building for civic, political or recreational purposes. [Approved 3-17-03, Item #27215-5]

110-20-120 School, public elementary or high, or a private school having a curriculum equivalent. [Approved 3-17-03, Item #27215-5]

110-30 Accessory Uses.

Within any A-2 District, the following accessory uses shall be permitted, subject to the applicable provisions of Section 230:

Zoning Ordinances

City of New Britain, Connecticut

110-30-10 Customary accessory uses, buildings, or structures.

110-30-20 Home occupation.

110-30-30 Home professional office.

110-30-40 Private garage, private parking area, pursuant to Section 240.

110-30-50 Private swimming pool.

110-30-60 DELETED. [Approved May 10, 2002, Item #26873-2]

110-30-70 Signs, pursuant to Section 250.

110-40 Dimensional Regulations.

Within any A-2 District, no building or structure shall be erected, nor any lot used, unless in conformity with the following schedule, except as modified by the provisions of Section 230, Supplemental Use and Dimensional Regulations, where applicable:

110-40-10	Lot Area – Minimum (sq. ft.).....	7,500
110-40-20	Lot Area – Minimum per dwelling unit (sq. ft.)..... [Approved 10-26-88, Item #18505-1]	2,000
110-40-21	Open Space – minimum per dwelling unit – sq. ft.....	300
110-40-30	Floor Area Ratio – Maximum.....	1.00
110-40-40	Lot Coverage – % of total lot area occupied by main accessory buildings...	30
110-40-50	Lot Width – Minimum (ft.).....	75
110-40-60	Height – Maximum (ft.).....	60
110-40-70	YARDS – MINIMUM (FT.)	
110-40-70.01	Front.....	25
110-40-70.02	Side..... Except that any structure over 2 stories in height shall require 10 additional feet of side yard for each story or portion thereof over 2 stories. [Approved 10-26-88, Item #18505-1]	10' each
110-40-70.03	[Deleted 10-26-88, Item #18505-1]	N/A
110-40-70.04	Side – abutting a side street on a corner lot..... Except that any structure over 3 stories shall require 10	20

Zoning Ordinances

City of New Britain, Connecticut

	additional feet of side yard for each story or portion thereof over 3 stories. [Approved 10-26-88, Item #18505-1]	
110-40-70.05	Rear.....	25
110-40-80	ACCESSORY BUILDINGS	
110-40-80.01	Coverage of required rear yard – Maximum - %	35
110-40-80.02	Height in required rear yard – Maximum (ft.).....	15
110-40-80.03	Setback from any lot line – Minimum (ft.).....	3

Section 120 A-3 RESIDENTIAL DISTRICT (multifamily houses, high density).

120-10 Permitted Uses.

Within any A-3 District, a building, structure, or lot shall only be used for one of the following permitted uses, except as provided in Section 120-20 Special Exception Uses, Section 120-30 Accessory Uses, and Section 260 Nonconforming Uses and Nonconforming Buildings or Structures. For all listed uses other than dwellings designed for less than six (6) families and their accessory buildings and structures, the site plan shall be submitted and reviewed, pursuant to Section 280-60.

120-10-10 MULTIFAMILY HOUSES.

120-10-20 Garden Apartments, not more than eight (8) units per building. [Approved 10-26-88, Item #18505-1]

120-10-30 Single family detached dwelling.

120-10-40 Two family detached dwelling.

120-10-50 [DELETED 3-17-03, Item #27215-5]

120-10-60 Conversion of residence building for multifamily use for not more than twenty-four (24) families.

120-10-70 Park, playground or recreational area operated by the municipality.

120-10-80 [DELETED 3-17-03, Item #27215-5]

120-10-90 [DELETED 3-17-03, Item #27215-5]

120-10-100 Residence membership club (non-profit).

120-10-110 [DELETED 3-17-03, Item #27215-5]

120-10-120 Bus Passenger Waiting Shelter. [Approved 10-22-81, Item #14771-1]

120-20 Special Exception Uses.

Within any A-3 Residential District, the following special exception uses shall be permitted, subject to approval by the Zoning Board of Appeals pursuant to Section 270-40, Special Exception Uses. For all listed special exception uses, the site plan shall be submitted and reviewed, pursuant to Section 280-60.

120-20-10 [DELETED 10-26-88, Item #18505-1]

120-20-20 College.

120-20-30 Day camp.

120-20-40 Funeral home.

120-20-50 Hospital.

120-20-60 Nursery school.

120-20-70 Nursing home, convalescent home, rest home.

120-20-80 Public utility facility.

120-20-90 Gas utility facility.

120-20-100 Church or similar place of worship, Sunday school, parish house, convent, monastery. [Approved 3-17-03, Item #27215-5]

120-20-110 Professional Office Building [Approved 3-17-03, Item #27215-5]

120-20-120 Public or semi-public building for civic, political or recreational purposes. [Approved 3-17-03, Item #27215-5]

120-20-130 School, public elementary or high, or a private school having a curriculum equivalent to that ordinarily given in such a public school. [Approved 3-17-03, Item #27215-5]

Zoning Ordinances

City of New Britain, Connecticut

120-30 Accessory Uses.

Within any A-3 District, the following accessory uses shall be permitted, subject to the applicable provisions of Section 230.

120-30-10 Customary accessory uses, buildings, or structures.

120-30-20 Home occupation.

120-30-30 Home professional office.

120-30-40 Private garage, private parking area, pursuant to Section 240.

120-30-50 Private swimming pool.

120-30-60 DELETED. [Approved May 10, 2002, Item #26873-2]

120-30-70 Signs, pursuant to Section 250.

120-40 Dimensional Regulations.

Within any A-3 District, no building or structure shall be erected, nor any lot used, unless in conformity with the following schedule, except as modified by the provisions of Section 230, Supplemental Use and Dimensional Regulations, where applicable:

120-40-10	Lot Area – Minimum (sq. ft.).....	10,000
120-40-20	Lot Area – Minimum per dwelling unit (sq. ft.)..... [Approved 10-26-06, Item #18505-1]	1,750
120-40-21	Open Space – minimum per dwelling unit – sq. ft.....	200
120-40-30	Floor Area Ratio – Maximum.....	1.60
120-40-40	Lot Coverage – % of total lot area occupied by main accessory buildings...	35
120-40-50	Lot Width – Minimum (ft.).....	75
120-40-60	Height – Maximum (ft.).....	90
120-40-70	YARDS – MINIMUM (FT.)	
120-40-70.01	Front.....	25
120-40-70.02	Side..... Except that any structure over 2 stories in height shall	10' each

Zoning Ordinances

City of New Britain, Connecticut

	require 10 additional feet of side yard for each story or portion thereof over 2 stories. [Approved 10-26-88, Item #18505-1]	
120-40-70.03	[Deleted 10-26-88, Item #18505-1]	N/A
120-40-70.04	Side – abutting a side street on a corner lot..... Except that any structure over 3 stories shall require 10 additional feet of side yard for each story or portion thereof over 3 stories. [Approved 10-26-88, Item #18505-1]	10
120-40-70.05	Rear.....	25
120-40-80	ACCESSORY BUILDINGS	
120-40-80.01	Coverage of required rear yard – Maximum - %	0
120-40-80.02	Height in required rear yard – Maximum (ft.).....	0
120-40-80.03	Setback from any lot line – Minimum (ft.).....	Same as required yard

Zoning Ordinances
City of New Britain, Connecticut

Section 125 SRD DISTRICT (Special Residential Design District)

Zoning Ordinances

City of New Britain, Connecticut

125-40 Dimensional Regulations.

Within any SRD District, no building or structure shall be erected, nor any lot used, unless in conformity with the following schedule, except as modified by provisions of Section 230, Supplemental Use and Dimensional Regulations.

125-40-10	Lot Area – Minimum (sq. ft.).....	200,000
125-40-20	Lot Area – Minimum per dwelling unit (sq. ft.).....	10,000
125-40-21	Open Space – minimum of total development area.....	25%
125-40-30	Floor Area Ratio – Maximum.....	.500
125-40-40	Lot Coverage – % of total lot area occupied by main accessory buildings...	20
125-40-50	Lot Width – Minimum (ft.).....	90
125-40-60	Height – Maximum (ft.) [Except when Section 230-10-25.10 is applicable].....	90
125-40-70	YARDS – MINIMUM (FT.)	
125-40-70.01	Front.....	50
125-40-70.02	Side.....	50
125-40-70.03	Side – total for both on interior lot.....	100
125-40-70.04	Side – abutting a side street on a corner lot.....	50
125-40-70.05	Rear.....	50
125-40-80	ACCESSORY BUILDINGS	
125-40-80.01	Coverage of required rear yard – Maximum - %	20
125-40-80.02	Height in required rear yard – Maximum (ft.).....	15
125-40-80.03	Setback from any lot line – Minimum (ft.).....	25

Section 130 OP DISTRICT (office and public buildings).

130-10 Permitted Uses.

Within any OP District, a building, structure, or lot shall be used to for one or more of the following permitted uses, except as provided in Section 130-20 Special Exception Uses, Section 130-30 Accessory Uses, and Section 260 Nonconforming Uses and Nonconforming Buildings or Structures. For all listed uses other than dwellings designed for less than six (6) families and their accessory buildings and structures the site plan shall be submitted and reviewed pursuant to Section 280-60.

Residence Uses.

130-10-10 Garden Apartments, not more than eight (8) units per building. [Approved 10-26-88, Item #18505-1]

130-10-20 Conversion of residence building for multifamily use for not more than six (6) families.

Community Facility Uses.

130-10-30 Church or similar place of worship, Sunday school, parish house convent, monastery.

130-10-40 College, vocational school.

130-10-50 Hospital.

130-10-60 Medical clinic.

130-10-70 Park, playground or recreational area operated by the municipality.

130-10-80 Public or semi-public building for civic, political, social, or recreational purposes.

130-10-90 School, public elementary or high, or a private school having a curriculum equivalent to that ordinarily given in such a public school.

Zoning Ordinances
City of New Britain, Connecticut

130-10-91 Bus Passenger Waiting Shelter. [Approved 10-22-81, Item #14771-1]

130-10-100 Funeral home.

130-10-110 Office or office building: business, professional, utility, semi-public, or government.

130-10-120 Bed and Breakfast Accommodations, operated by a resident manager and not exceeding a maximum of five (5) guest rooms, with accessory rear yard parking screened and landscaped so as to maintain a residential character. [Approved 7-16-01, Item #26484-2]

130-20 Special Exception Uses.

Within any OP District, the following special exception uses shall be permitted subject to approval by the Zoning Board of Appeals pursuant to Section 270-40, Special Exception Uses. For all listed special exception uses, the site plan shall be submitted and reviewed, pursuant to Section 280-60:

Residence Uses.

130-20-10 Multifamily houses.

130-20-15 DELETED [Approved 10-26-88, Item #18505-1]]

Community Facilities.

130-20-20 [DELETED 10-22-81, Item #14771-1]

130-20-30 Cemetery.

130-20-40 Club--membership, non-profit.

130-20-50 Club--residence membership, non-profit.

130-20-60 Day camp.

130-20-70 Nursery school.

Zoning Ordinances
City of New Britain, Connecticut

130-20-80 Nursing home, convalescent home, rest home.

130-20-90 Parking garage--public, or off-street parking area--public.

130-20-100 Public utility facility.

130-20-101 Gas utility facility.

Business Uses.

130-20-110 Alcoholic liquor permit in connection with a club--membership, non-profit, or a club--residence membership, non-profit.

130-20-111 Motel.

130-20-120 Arena, assembly hall.

130-20-130 Greenhouse.

130-20-140 Radio or television station and/or studio.

130-20-150 Restaurant.

130-30 Accessory Uses.

Within any OP District, the following accessory uses shall be permitted, subject to the applicable provisions of Section 230:

130-30-10 Caretaker's dwelling unit.

130-30-20 Customary accessory uses, buildings or structures, exclusive of retail services and of industrial uses otherwise prohibited.

130-30-30 Home occupation.

130-30-40 Home professional office.

130-30-50 Private parking garage or offstreet parking area, pursuant to Section 240.

Zoning Ordinances
City of New Britain, Connecticut

130-30-60 Signs, pursuant to Section 250.

130-30-70 Swimming pool--private.

130-40 Dimensional Regulations.

Within any OP District, no building or structure shall be erected, nor any lot used, unless in conformity with the following schedule, except as modified by the provisions of Section 230, Supplemental Use and Dimensional Regulations, where applicable:

130-40-10	Lot Area – Minimum (sq. ft.).....	5,000
130-40-20	Lot Area – Minimum per dwelling unit (sq. ft.).....	3,000
130-40-21	Open Space – minimum per dwelling unit – sq. ft.	200
130-40-30	Floor Area Ratio – Maximum.....	300
130-40-40	Lot Coverage – % of total lot area occupied by main accessory buildings....	35
130-40-50	Lot Width – Minimum (ft.).....	50
130-40-60	Height – Maximum (ft.).....	90
130-40-70	YARDS – MINIMUM (FT.)	
130-40-70.01	Front.....	20
130-40-70.02	Side..... Except that any structure over 2 stories shall require 10 additional feet of side yard for each story or portion thereof over 2 stories [Approved 10-26-88, Item #18505-1]	10' each
130-40-70.03	[Deleted 10-26-88, Item #18505-1]	N/A
130-40-70.04	Side – minimum abutting a side street on a corner lot..... Except that any structure over 2 stories shall require 10 additional feet of side yard for each story or portion thereof over 2 stories [Approved 10-26-88, Item #18505-1]	10'
130-40-70.05	Rear.....	25
130-40-80	ACCESSORY BUILDINGS	
130-40-80.01	Coverage of required rear yard – Maximum - %	35
130-40-80.02	Height in required rear yard – Maximum (ft.).....	15
130-40-80.03	Setback from any lot line – Minimum (ft.).....	3

Section 135 RO DISTRICT (Residential and Office)

[Approved 2-21-86, Item #17164-1]

135-10 Permitted Uses.

Within any RO District, a building, structure, or lot shall only be used for one or more of the following permitted uses, except as provided in Section 135-20 Special Exception Uses, Section 135-30 Accessory Uses, and Section 260 Nonconforming Uses and Nonconforming Buildings or Structures. For all listed uses other than dwellings designed for less than six (6) families and their accessory building and structures, the site plan shall be submitted and reviewed pursuant to Section 280-60.

Residence Uses.

135-10-10 Single family detached dwelling.

135-10-20 Two family detached dwelling.

Business Uses.

135-10-30 Professional office building.

135-10-40 Bed and Breakfast Accommodations, operated by a resident manager and not exceeding a maximum of five (5) guest rooms, with accessory rear yard parking and landscaped so as to maintain a residential character. [Approved 7-16-01, Item #26484-2]

135-20 Special Exception Uses.

Within any RO District, the following special exception uses shall be permitted, subject to approval by the Zoning Board of Appeals pursuant to Section 270-40, Special Exception Uses. For all listed special exception uses, the site plan shall be submitted and reviewed pursuant to Section 280-60:

Residence Uses.

135-20-10 Conversion of single family or two family for not more than three (3) family.

Zoning Ordinances
City of New Britain, Connecticut

135-30 Accessory Uses.

Within any RO District, the following accessory uses shall be permitted, subject to the applicable provisions of Section 230:

135-30-10 Caretakers dwelling unit.

135-30-20 Customary accessory uses, buildings or structures exclusive of retail services and of industrial uses otherwise prohibited.

135-30-30 Home occupation.

135-30-40 Home professional office.

135-30-50 Offstreet parking area, pursuant to Section 240.

135-30-60 Signs, pursuant to Section 250.

135-30-70 Swimming pool-private.

135-40 Dimensional Regulations.

Within any RO District, no building or structure shall be erected, nor any lot used unless in conformity with the following schedule, except as modified by the provisions of Section 230, Supplemental Use and Dimensional Regulations, where applicable:

135-40-10	Lot Area – Minimum (sq. ft.).....	7,000
135-40-20	Lot Area – Minimum per dwelling unit (sq. ft.).....	3,500
135-40-21	Open Space – minimum per dwelling unit – sq. ft.	200
135-40-30	Floor Area Ratio – Maximum.....	.750
135-40-40	Lot Coverage – % of total lot area occupied by main accessory buildings...	30
135-40-50	Lot Width – Minimum (ft.).....	60
135-40-60	Height – Maximum (ft.).....	40
135-40-70	YARDS – MINIMUM (FT.)	
135-40-70.01	Front.....	25
135-40-70.02	Side.....	5
135-40-70.03	Side – total for both on interior lot.....	15

Zoning Ordinances

City of New Britain, Connecticut

135-40-70.04	Side – abutting a side street on a corner lot.....	12
135-40-70.05	Rear.....	25
135-40-80	ACCESSORY BUILDINGS	
135-40-80.01	Coverage of required rear yard – Maximum - %	35
135-40-80.02	Height in required rear yard – Maximum (ft.).....	20
135-40-80.03	Setback from any lot line – Minimum (ft.).....	3

Section 140 B-1 DISTRICT (neighborhood business).

140-10 Permitted Uses.

Within any B-1 District, a building, structure, or lot shall only be used for one or more of the following permitted uses, except as provided in Section 140-20 Special Exception Uses, Section 140-30 Accessory Uses, and Section 260 Nonconforming Uses and Nonconforming Buildings or Structures. For all listed uses, the site plan shall be submitted and reviewed pursuant to Section 280-60. The maximum floor area per establishment, except for a public or semi-public building or structure, shall not exceed 5,000 sq.ft. in this B-1 District.

Community Facility Uses.

140-10-10 Church or similar place of worship, Sunday school, parish house, convent, monastery.

140-10-20 Park, playground or recreational area operated by the municipality.

140-10-30 Public or semi-public building for civic, political, social, or recreational

140-10-31 Public utility facility.

140-10-32 Bus Passenger Waiting Shelter. [Approved 10-22-81, Item #14771-1]

Business Uses.

140-10-40 Bank, savings and loan association.

140-10-50 Office or office building: business, professional, utility, semi-public, or government.

140-10-60 Personal service shop: barber shop, beauty parlor, pet shop, dry cleaner or laundry of not more than 4,000 sq. ft. including self-service establishment, and other similar services to the consumer.

140-10-70 Restaurant.

140-10-80 Retail store not otherwise classified.

140-10-90 Shop for custom work, or for making articles to be sold only at retail on the premises.

140-20 Special Exception Uses.

Within any B-1 District, the following special exception uses shall be permitted, subject to approval by the Zoning Board of Appeals pursuant to Section 270-40. Special Exception Uses. For all listed special exception uses, the site plan shall be submitted and reviewed, pursuant to Section 280-60.

Community Facilities.

140-20-10 [DELETED 10-22-81, Item #14771-1]

140-20-20 Club--membership, non-profit.

140-20-30 Nursery school.

140-20-40 Gas utility facility.

Business Uses.

140-20-50 Alcoholic liquor permit location in connection with a permitted use or a special exception use.

140-20-60 Gasoline station.

140-20-70 Massage Establishment. [Approved 1-19-79, Item #13217-3]

140-30 Accessory Uses.

Within any B-1 District, the following accessory uses shall be permitted, subject to the applicable provisions of Section 230:

140-30-10 Customary accessory uses, buildings or structures, exclusive of retail services and of industrial uses otherwise prohibited.

Zoning Ordinances

City of New Britain, Connecticut

140-30-20 Private parking garage or offstreet parking area, pursuant to Section 240.

140-30-30 Signs, pursuant to Section 250.

140-30-40 Swimming pool.

140-40 Dimensional Regulations.

Within any B-1 District, no building or structure shall be erected, nor any lot used, unless in conformity with the following schedule, except as modified by the provisions of Section 230, Supplemental Use and Dimensional Regulations, where applicable:

140-40-10	Lot Area – Minimum (sq. ft.).....	5,000
140-40-20	Lot Area – Minimum per dwelling unit (sq. ft.).....	Not permitted
140-40-30	Floor Area Ratio – Maximum.....	.70
140-40-40	Lot Coverage – % of total lot area occupied by main accessory buildings...	35
140-40-50	Lot Width – Minimum (ft.).....	50
140-40-60	Height – Maximum (ft.).....	30
140-40-70	YARDS – MINIMUM (FT.)	
140-40-70.01	Front.....	40
140-40-70.02	Side.....	10
140-40-70.03	Side – total for both on interior lot.....	20
140-40-70.04	Side – abutting a side street on a corner lot.....	40
140-40-70.05	Rear.....	20
140-40-80	ACCESSORY BUILDINGS	
140-40-80.01	Coverage of required rear yard – Maximum - %	20
140-40-80.02	Height in required rear yard – Maximum (ft.).....	15
140-40-80.03	Setback from any lot line – Minimum (ft.).....	5

Zoning Ordinances

City of New Britain, Connecticut

Section 145 B-1R DISTRICT (Neighborhood Business Revitalization)

[Approved 2-23-06, Item #28899-2]

145-10 Permitted Uses.

Within any B-1R District, a building, structure, or lot shall only be used for one of the following permitted uses, except as provided in Section 145-20 Special Exception Uses; Section 145-30 Accessory Uses; and Section 260 Nonconforming Uses and Nonconforming Buildings or Structures. For all listed uses other than a single family or two family detached dwelling, the site plan shall be submitted and reviewed, pursuant to Section 280-60.

145-10-10 Two family detached dwelling.

145-10-20 Single family detached dwelling.

145-10-30 Conversion from single family detached dwelling to two family detached dwelling.

145-10-40 Conversion of an existing multi-family house, which is nonconforming due to an excessive number of dwelling units and/or inadequate off-street parking or open space, into a multifamily house containing fewer dwelling units, but which is still nonconforming to the provisions of these ordinances.

145-10-50 Public park, playground or recreational area.

145-10-60 Bus Passenger Waiting Shelter.

145-20 Special Exception Uses.

Within any B-1R District, the following special exception uses shall be permitted, subject to approval by the Zoning Board of Appeals pursuant to Section 270-4d n -

Zoning Ordinances

City of New Britain, Connecticut

145-20-50 Bank, credit union, savings and loan association, etc., not exceeding 3,000 square feet in gross floor area, and excluding any with drive-through facilities.

145-20-60 Office or office building, not exceeding 3,000 square feet in gross floor area, for business use by public, semi-public, or government entities or by individuals or firms providing professional services such as: accountants; financial advisors; lawyers; architects; engineers; surveyors; real estate or insurance brokers or agents; and other similar business professions.

145-20-70 Medical, dental and optician's offices and health care clinics, not exceeding 3,000 square feet in gross floor area, and excluding any facility intended for overnight patient care.

140-20-80 Grocery store, convenience store, delicatessens, bakery, or similar food store, not exceeding 2,000 square feet in gross floor area, and including the service of food, only within a building at a counter or at tables as an accessory use.

145-20-90 Retail store, not exceeding 2,000 square feet in gross floor area, which sells one or more types of merchandise for personal or household use, such as: books; stationery; clothing; dry goods; baked goods; flowers; jewelry; newspapers; magazines; audio records, cassettes and/or cd's or dvd's; and other such consumer goods.

145-20-100 Restaurant or café, including both sit-down and take-out establishments, not exceeding 3,000 square feet in gross floor area, and including catering service or outdoor dining as an accessory use, but excluding restaurants with drive-through service or food service to parking lots.

145-20-110 Personal service shop, not exceeding 2,000 square feet in gross are, including such businesses as barber shops, beauty parlors, nail salons, tailors, shoe repair, and other similar shops providing services to the consumer.

145-20-120 Pharmacy or drug store, not exceeding 3,000 square feet in gross floor area.

145-20-130 Retail dry cleaners or retail laundry establishments, not exceeding 2,000 square feet in gross floor area, including self service or coin-operated laundries or Laundromats, provided that all such establishments must be continuously attended by an employee during all periods when the business is open to the public.

Residential Uses.

145-20-140 Mixed use, apartments over first-story, or first and second story, non residential uses, or in a separate building, subject to the specific restrictions of Section 270-40-235.

145-30 Accessory Uses.

Within any B-1R District, the following accessory uses shall be permitted, subject to the applicable provisions of Section 230.

Zoning Ordinances
City of New Britain, Connecticut

- 145-30-10** Customary accessory uses, buildings and structures.
- 145-30-20** Home occupation.
- 145-30-30** Home professional office.
- 145-30-40** Private garage, private parking area, pursuant to Section 240.
- 145-30-50** Roomers, not exceeding two (2) per dwelling unit, and further subject to the restrictions of the Housing Code.
- 145-30-60** Signs, pursuant to Section 250.
- 145-30-70** Private swimming pool.

145-40 Dimensional Regulations.

~~Within any B-1R District, no building~~ or structure shall be erected, nor any lot used, unless in conformity with the following schedule, except as modified by the provisions of Section 230, Supplemental Use and Dimensional Regulations, where applicable:

145-40-10	Lot Area – Minimum (sq. ft.).....	6,000
145-40-20	Lot Area – Minimum per dwelling unit (sq. ft.).....	3,000
145-40-30	Floor Area Ratio – Maximum.....	0.750
145-40-40	Lot Coverage – % of total lot area occupied by main accessory buildings...	30
145-40-50	Lot Width – Minimum (ft.).....	50
145-40-60	Height – Maximum (ft.).....	40
145-40-70	YARDS – MINIMUM (FT.)	
145-40-70.01	Front.....	10
145-40-70.02	Side.....	7
145-40	Side – total for both on interior lot.....	17

Section 150 B-2 DISTRICT (shopping centers).

150-10 Permitted Uses.

Within any B-2 District, a building, structure, or lot shall only be used for one or more of the following permitted uses, except as provided in Section 150-20 Special Exception uses, Section 150-30 Accessory Uses, and Section 260 Nonconforming Uses and Nonconforming Buildings or Structures. For all listed uses, the site plan shall be submitted and reviewed pursuant to Section 280-60. [Approved 5-21-81, Item #14700-1]

Community Facility Uses.

150-10-10 Church or similar place of worship, Sunday School, parish house, convent, monastery.

150-10-20 Park, playground or recreational area operated by the municipality.

150-10-30 Public or semi-public building for civic, political, social, or recreational purposes.

150-10-31 Public utility facility.

150-10-32 Bus Passenger Waiting Shelter. [Approved 10-22-81, Item #14771-1]

Business Uses.

150-10-40 Animal hospital

150-10-50 Bank, savings and loan association.

150-10-60 Bowling alley.

150-10-70 Office or office building: business, professional, utility, semi-public, or government.

150-10-80 Personal service shop: barber shop, beauty parlor, pet shop, dry cleaner or laundry of not more than 4,000 sq. ft. including self-service establishment, and other similar services to the consumer.

150-10-90 Radio or television station and/or studio.

150-10-100 Restaurant.

150-10-110 Retail store not otherwise classified.

150-10-120 Shop for custom work, or for making articles to be sold only at retail on the premises.

150-10-130 Theater, motion picture theater.

150-20 Special Exception Uses.

Within any B-2 District, the following special exception uses shall be permitted, subject to approval by the Zoning Board of Appeals pursuant to Section 270-40. Special Exception Uses. For all listed special exception uses, the site plan shall be submitted and reviewed, pursuant to Section 280-60.

Community Facilities.

150-20-10 [DELETED 10-22-81, Item #14771-1]

150-20-20 Club--membership, non-profit.

150-20-30 Parking garage--public, or offstreet parking area--public.

150-20-40 Passenger transportation terminal.

150-20-50 Gas utility facility.

Business Uses.

150-20-60 Alcoholic liquor permit location in connection with a permitted use or a special exception use.

150-20-70 Commercial public recreation use not otherwise classified.

150-20-80 Gasoline station.

Zoning Ordinances
City of New Britain, Connecticut

150-20-90 Motel.

150-20-100 Massage Establishment. [Approved 1-19-79, Item #13217-3]

150-

Zoning Ordinances
City of New Britain, Connecticut

150-40-70.02	Side.....	25
150-40-70.03	Side – total for both on interior lot.....	50
150-40-70.04	Side – abutting a side street on a corner lot.....	70
150-40-70.05	Rear.....	50
150-40-80	ACCESSORY BUILDINGS	
150-40-80.01	Coverage of required rear yard – Maximum - %	0
150-40-80.02	Height in required rear yard – Maximum (ft.).....	0
150-40-80.03	Setback from any lot line – Minimum (ft.).....	Same as required yard

Section 160 B-3 DISTRICT (secondary business).

160-10 Permitted Uses.

Within any B-3 District, a building, structure, or lot shall only be used for one or more of the following permitted uses, except as provided in Section 160-20 Special Exception Uses, and Section 160-30 Accessory Uses, and Section 260 Nonconforming Uses and Nonconforming Buildings or Structures. For all listed uses, the site plan shall be submitted and reviewed pursuant to Section 280-60. The maximum floor area per establishment, except for a public or semi-public building or structure, shall not exceed 20,000 sq.ft. in this B-3 District.

Residence Uses.

160-10-10 Apartments over first story non-residential use.

Community Facility Uses.

160-10-20 Church or similar place of worship, Sunday school, parish house, convent, monastery.

160-10-30 College, vocational school.

160-10-40 Park, playground or recreational area operated by the municipality.

160-10-50 Public or semi-public building for civic, political, social or recreational purposes.

160-10-60 School, public elementary or high, or a private school having a curriculum equivalent to that ordinarily given in such a public school.

160-10-61 Public utility facility.

160-10-62 Bus Passenger Waiting Shelter. [Approved 10-22-81, Item #14771-1]

Business Uses.

Zoning Ordinances
City of New Britain, Connecticut

160-10-70 Animal hospital.

160-10-80 Apartment hotel.

160-10-90 Bank, savings and loan association.

160-10-100 Bowling alley.

160-10-110 Funeral home.

160-10-120 Office or office building: business, professional, utility, semi-public, or government.

160-10-130 Personal service shop: barber shop, beauty parlor, pet shop, dry cleaner or laundry of not more than 4,000 sq. ft. including self-service establishment, and other similar services to the consumer.

160-10-140 Radio or television station and/or studio.

160-10-150 Restaurant.

160-10-160 Retail store not otherwise classified.

160-10-170 Shop for custom work, or for making articles to be sold only at retail on the premises.

160-10-180 Theater, motion picture theater.

160-10-190 Wholesale salesroom or store.

Industrial Uses.

160-10-200 Research laboratory.

160-20 Special Exception Uses.

Within any B-3 District, the following special exception uses shall be permitted, subject to approval by the Zoning Board of Appeals pursuant to Section 270-40, Special Exception Uses. For all listed special exception uses, the site plan shall be submitted and reviewed, pursuant to Section 280-60.

Community Facilities.

160-20-10 [DELETED 10-22-81, Item #14771-1]

160-20-20 Club--membership, non-profit.

160-20-30 Club--residence membership, non-profit.

160-20-40 Nursery school.

160-20-50 Nursing home, convalescent home, rest home.

160-20-60 Parking garage--public, or offstreet parking area--public.

160-20-70 Passenger transportation terminal.

160-20-80 Gas utility facility.

Business Uses.

160-20-90 Alcoholic liquor permit location in connection with a permitted use, or a special exception use.

160-20-100 Arena, assembly hall.

160-20-110 Commercial public recreation use not otherwise classified.

160-20-120 Gasoline station.

160-20-121 Motor Vehicle and accessories salesroom and/or vehicle rental agency, subject to the general and specific conditions and safeguards of Section 270-40-40.35. [Approved 3-18-08, Item #29948-2]

160-20-122 Motor Vehicles salesroom and/or rental lot as accessory to an auto sales agency, subject to the general and specific conditions and safeguards of Section 270-40-40.35. [Approved 3-18-08, Item #29948-2]

160-20-123 [DELETED 3-18-08, Item #29948-2].

160-20-124 General repair garage for the minor repair and servicing of motor vehicles, excluding auto body repair, frame straightening and similar

Zoning Ordinances

City of New Britain, Connecticut

operations, subject to the general and specific conditions and safeguards of Section 270-40-40.35. [Approved 3-18-08, Item #29948-2]

160-20-130 Greenhouse.

160-20-140 Establishments for the production and assembly of soft goods merchandise including, but not limited to millinery, clothing, wearing apparel and other related products.

160-20-150 Massage Establishment. [Approved 1-19-79, Item #13217-3]

160-30 Accessory Uses.

Within any B-3 District, the following accessory uses shall be permitted, subject to the applicable provisions of Section 230:

160-30-10 Customary accessory uses, buildings or structures, exclusive of retail services and of industrial uses otherwise prohibited.

160-30-20 Home occupation.

160-30-30 Home professional office.

160-30-40 Parking garage or offstreet parking area, pursuant to Section 240.

160-30-50 Signs, pursuant to Section 250.

Zoning Ordinances

City of New Britain, Connecticut

160-40 Dimensional Regulations.

Within any B-3 District, no building or structure shall be erected, nor any lot used, unless in conformity with the following schedule, except as modified by the provisions of Section 230, Supplemental Use and Dimensional Regulations, where applicable:

160-40-10	Lot Area – Minimum (sq. ft.).....	5,000
160-40-20	Lot Area – Minimum per dwelling unit (sq. ft.).....	1,250
160-40-30	Floor Area Ratio – Maximum.....	1.50
160-40-40	Lot Coverage –% of total lot area occupied by main and accessory buildings.....	50
160-40-50	Lot Width – Minimum (ft.).....	50
160-40-60	Height – Maximum (ft.).....	40
160-40-70	YARDS – MINIMUM (FT.)	
160-40-70.01	Front.....	None required
160-40-70.02	Side.....	None required, but 10' if provided
160-40-70.03	Side – total for both on interior lot.....	None required
160-40-70.04	Side – abutting a side street on a corner lot.....	Non required
160-40-70.05	Rear.....	None required
160-40-80	ACCESSORY BUILDINGS	
160-40-80.01	Coverage of required rear yard – Maximum - %	0
160-40-80.02	Height in required rear yard – Maximum (ft.).....	0
160-40-80.03	Setback from any lot line – Minimum (ft.).....	Same as required yard

Section 170 CENTRAL BUSINESS DISTRICT (central business).

[Approved 6-16-08; Item #30065-3]

170-10 Permitted Uses.

Within any Central Business District, a building, structure, or lot shall only be used for one or more of the following permitted uses, except as provided in Section 170-20 Special Exception Uses, Section 170-30 Accessory Uses, and Section 260 Nonconforming Uses and Nonconforming Buildings or Structures. For all listed uses, the site plan shall be submitted and reviewed pursuant to Section 280-60.

Community Facility Uses.

170-10-10 Church or similar place of worship, Sunday school, parish house, convent, monastery.

170-10-20 College, vocational school.

170-10-30 Park, playground or recreational area operated by the municipality.

170-10-40 Public or semi-public building for civic, political, social, or recreational purposes.

170-10-50 School, public elementary or high, or a private school having a curriculum equivalent to that ordinarily given in such a public school.

170-10-51 Public utility facility.

170-10-52 Bus Passenger Waiting Shelter. [Approved 10-22-81, Item #14771-1]

Business Uses.

170-10-60 [DELETED 11-21-86, Item #17459-1]

170-10-70 [DELETED 11-21-86, Item #17459-1]

170-10-80 Bank, savings and loan association.

Zoning Ordinances
City of New Britain, Connecticut

170-10-90 [DELETED 6-16-08, Item #30065-3].

170-10-100 [DELETED 11-21-86, Item #17459-1]

170-10-110 Hotel.

170-10-111 Motel.

170-10-120 Office or office building: Business, professional, utility, semi-public, government, or medical clinic. [Approved 6-16-08, Item #30065-3]

170-10-130 Personal service shop: barber shop, beauty parlor, pet shop, dry cleaner or laundry of not more than 4,000 sq.ft. including self-service establishment, and other similar services to the consumer.

170-10-140 Radio or television station and/or studio.

170-10-150 Restaurant inclusive of outdoor dining areas. [Approved 6-16-08, Item #30065-3]

170-10-160 Retail store not otherwise classified.

170-10-170 Shop for custom work, or for making articles to be sold only at retail on the premises.

170-10-180 Theater, motion picture theater.

170-10-190 Wholesale salesroom or store.

Industrial Uses.

170-10-200 Office machinery repair.

170-10-210 Research laboratory.

Residential Uses. [Approved 6-16-08, Item #30065-3]

170-10-220 Multi-family Structures. The frontage of any structure on the following streets shall not permit residential units at the street level: Main Street-Franklin Square to Beaver Street; Chestnut Street-Columbus

Zoning Ordinances

City of New Britain, Connecticut

Boulevard to Arch Street; West Main Street-Main Street to High Street; Columbus Boulevard-Washington Street to Bank Street; Bank Street-Main Street to Columbus Boulevard; and Arch Street-Main Street to West Pearl Street. [Approved 6-16-08, Item #30065-3]

170-10-230 Apartments over non-residential stories. [Approved 6-16-08, Item #30065-3]

Other Uses. [Approved 6-16-08, Item #30065-3]

170-10-240 Parking garage or off-street parking area, pursuant to Section 240. [Approved 6-16-08, Item #30065-3]

170-20 Special Exception Uses.

Within any Central Business District, the following special exception uses shall be permitted, subject to approval by the Zoning Board of Appeals pursuant to Section 270-40, Special Exception Uses. For all listed special exception uses, the site plan shall be submitted and reviewed, pursuant to Section 280-60.

Community Facilities.

170-20-10 [DELETED 10-22-81, Item #14771-1]

170-20-20 Club--membership, non-profit.

170-20-30 Club--residence membership, non-profit.

170-20-40 [DELETED 6-16-08, Item #30065-3]

170-20-50 Passenger transportation terminal.

170-20-60 Gas utility facility.

Business Uses.

170-20-70 Alcoholic liquor permit location in connection with a permitted use or a special exception use.

170-20-80 Arena, assembly hall.

170-20-90 Commercial public recreation use not otherwise classified.

170-20-100 [DELETED 6-16-08, Item #30065-3]

170-20-101 [DELETED 3-18-08, Item #29948-2]

170-20-102 [DELETED 3-18-08, Item #29948-2]

170-20-103 [DELETED 6-16-08, Item #30065-3]

Residential Uses. [Approved 3-17-77, Item #12386-1; DELETED 6-16-08, Item #30065-3]

170-20-130 [Approved 6-20-88, Item #18284-1; [DELETED 6-16-08, Item #30065-3]

170-20-140 [DELETED 6-16-08, Item #30065-3]

Zoning Ordinances

City of New Britain, Connecticut

170-30 Accessory Uses.

Within any Central Business District, the following accessory uses shall be permitted subject to the applicable provisions of Section 230:

170-30-10 [DELETED 6-16-08, Item #30065-3]

170-30-20 Customary accessory uses, buildings or structures, exclusive of retail services and of industrial uses otherwise prohibited.

170-30-30 [DELETED 6-16-08, Item #30065-3]

170-30-40 Signs, pursuant to Section 250.

170-40 Dimensional Regulations.

Within any Central Business District, no building or structure shall be erected, nor any lot used, unless in conformity with the following schedule, except as modified by the provisions of Section 230. Supplemental Use and Dimensional Regulations, where applicable:

170-40-10	Lot Area – Minimum (sq. ft.).....	None required
170-40-20	Lot Area – Minimum per dwelling unit (sq. ft.)..... [Approved 3-17-77, Item #12386-1; Approved 6-16-08, Item #30065-3]	None Required
170-40-30	Floor Area Ratio – Maximum..... [Approved 6-16-08, Item #30065-3]	6.5*
170-40-40	Lot Coverage –% of total lot area occupied by main and accessory buildings.....	100
170-40-50	Lot Width – Minimum (ft.).....	None
170-40-60	Height – Maximum (ft.)..... [Approved 5-21-81, Item #14684-1]	None
170-40-70	YARDS – MINIMUM (FT.)	
170-40-70.01	Front.....	None required
170-40-70.02	Side.....	None required, but 10' if provided
170-40-70.03	Side – total for both on interior lot.....	None

Zoning Ordinances
City of New Britain, Connecticut

		required
170-40-70.04	Side – abutting a side street on a corner lot.....	Non required
170-40-70.05	Rear.....	None required
170-40-80	ACCESSORY BUILDINGS	
170-40-80.01	Coverage of required rear yard – Maximum - %	None
170-40-80.02	Height in required rear yard – Maximum ft.).....	None
170-40-80.03	Setback from any lot line – Minimum (ft.).....	None
	<i>* Bonus increase to 7.5 in return for reduction of coverage from 100% to 80%. [Approved 6-16-08, Item #30065-3]</i>	

170-50 Supplemental Regulations. [Approved 6-16-08, Item #30065-3]

170-50-10 Parking Garages.

A private garage may be constructed as a structural part of a main building provided that when so constructed, the garage walls shall be regarded as the walls of the main building in applying the front, rear and side yard regulations of this ordinance. [Approved 6-16-08, Item #30065-3]

170-50-20 Access.

An access driveway may be located within a required yard, if such yard is provided. [Approved 6-16-08, Item #30065-3]

170-50-30 Location of Off-Street Parking Areas.

An off-street parking area may be placed only in side and rear yards where they are provided. [Approved 6-16-08, Item #30065-3]

170-50-40 Outdoor dining space is permissible, as an accessory use to a permitted or special exception restaurant use subject to the following provisions: [Approved 2-23-06-, Item #28901.2; Approved 6-16-08, Item #30065-3]

170-50-40.10 Outdoor dining space shall not be located in any required rear, side or transitional yard that abuts a residential zoning district. Outside dining space may be allowed as ground level patio, or a deck or terrace, provided such deck or terrace conforms to applicable zoning, building and fire code restrictions. [Approved 2-23-06, Item #28901-2; Approved 6-16-08, Item #30065-3]

170-50-40.20 All tables and seating in an outdoor dining space shall be movable and not fixed in place. No tables or seating shall be arranged or situated so as to interfere with

Zoning Ordinances

City of New Britain, Connecticut

required access or egress to or from the building. Outside dining space shall be unenclosed and open to the sides, except for conforming fencing or required guard rails. If outside dining space is to be covered by any type of permanent or semi-permanent roofing, awning, overhang or similar covering, said covering shall conform to applicable building, zoning and fire codes. [Approved 2-23-06, Item #28901-2; Approved 6-16-08, Item #30065-3]

170-50-40.30 No outdoor area shall be allowed which encroaches onto the City sidewalk right-of-way, unless specifically permitted by the Bureau of Public Works. [Approved 2-23-06, Item #28901-2; Approved 6-16-08, Item #30065-3]

170-50-40.40 In order to ensure compliance with zoning and other applicable ordinances and standards, if the creation of outdoor dining space involves any permanent construction or substantial structural modification, the Director of Licenses, Permits & Inspections shall require that a plot plan prepared in accordance with Section 280-60 be submitted for review and approval, in order to ensure compliance with zoning and other applicable ordinances and standards; and that all applicable permits and approvals be obtained. [Approved 2-23-06, Item #28901-2; Approved 6-16-08, Item #30065-3]

170-50-50 Frontage on a Public Street.

When multiple buildings are located on a lot, not all buildings are required to have frontage on a public street. Where appropriate, access easements shall be provided for all buildings. [Approved 6-16-08, Item #30065-3]

170-50-60 Courts.

170-50-60.10 The least horizontal dimension of an inner court at its lowest level shall not be less than fifteen (15) feet. [Approved 6-16-08, Item #30065-3]

170-50-70 In the layout of a development of residential condominium or common interest ownership community, or other multifamily houses on a lot or tract of land, a horizontal distance of not less than:

- i. 30 ft. for the first 14 levels of the building (up to 40 ft. high).
- ii. 60 ft. for the next 4 stories (up to 8 floors).
- iii. 90 ft for the next 4 stories (up to 12 floors).
- iv. 120 ft. above 12 floors.

shall be maintained between all main buildings. Approved 10-26-88, Item #18505-1; Approved 2-23-06, Item #28900-2; Approved 6-16-08, Item #30065-3]

170-50-80 Minimum Residential Floor Area.

Every dwelling or building devoted in whole or in part to a residential use, which is hereinafter erected, shall provide a minimum floor area per family on furnished floors with clear ceiling height not less than 7-feet 6-inches, in conformity with the following schedule and with the other provision of this Section 230-90. The minima stipulated herein shall be deemed to be exclusive of unenclosed porches, breezeways, garages, cellar room or areas.

Zoning Ordinances

City of New Britain, Connecticut

[Approved 6-17-83, Item #1575-1; Approved 11-21-86, Item #17459-1; Approved 6-16-08, Item #30065-3]

Number of Rooms Per Dwelling Unit	Multifamily Buildings (sq. ft.)	1-family Attached (sq. ft.)	1-family Detached (sq. ft.)
Less than 2 Rooms	350	400	720
2 Rooms but less than 3 Rooms	450	400	720
3 Rooms but less than 4 Rooms	550	600	720
4 Rooms but less than 5 Rooms	700	800	720
5 Rooms but less than 6 Rooms	850	950	850
6 Rooms but less than 7 Rooms	1,000	1,100	1,200
7 Rooms or more	1,150	1,250	1,400

170-50-90 Parking.

Residential Condominium or Common Interest Ownership Community [Approved 2-23-06, Item #28900-2; Approved 6-16-08, Item #30065-3]	1.5 per dwelling unit
Multifamily houses, townhouses & garden apartments [Approved 10-26-88, Item #18505-1; Approved 6-16-08, Item #30065-3]	1.5 per dwelling unit
Housing for the Elderly [Approved 6-16-08, Item #30065-3]	Parking area sufficient to meet the anticipated requirements, with a minimum of 1 space per each 3 dwelling units
Condominiums [Approved 2-22-85, Item #16617-1; Approved 6-16-08, Item #30065-3]	1.5 per dwelling unit

Uses	Requirements: No. of Spaces
Auditorium, church, convention hall, stadium, theater, studio or other place of public assembly, not otherwise classified	1 per 4 permanent seats or the floor area equivalent {one seat=18 linear inches of pew/bench} [Approved 8-23-06, Item #29132-2]
Bank, savings & loan association	See "Office"
Bowling Alley	6 per alley
Hotel, motel	1 per guest bedroom plus 1 per each two employees on the premises at any one period of time
Nursing home	1 per each 2 beds plus 1 per each 2 employees on the premises at any one time
Offices, office building	1 per 350 sq. ft. of net floor area [Approved 6-16-08, Item #30065-3]
Public or semi-public art gallery, library or museum	See "Auditorium", etc.
Restaurant, club	1 per 4 permanent seats or the floor area equivalent
Retail store, personal service store, shopping center, under	1 space per 350 sq. ft. of gross floor area [Approved 6-16-08, Item #30065-3]

Zoning Ordinances

City of New Britain, Connecticut

<p>75,000 sq. ft. [Approved 6-11-99, Item #24426-2]</p>	
<p>Retail store, personal service store, shopping center, over 75,000 sq. ft. [Approved 6-11-99, Item #24426-2]</p>	<p>1 space per 350 sq. ft. of gross floor area, up to 75,000 sq. ft., plus 1 space per each 350 sq. ft. of gross floor area in excess of 75,000 sq. ft. [Approved 6-16-08, Item #30065-3]</p>
<p>School</p>	<p>1 per employee</p>

170-50-90.10 The off-street parking space requirements stipulated in this section shall be automatically waived for the non-residential use portions of properties located within a Municipal Parking District. At least 1.5 space per dwelling unit must be provided on the same parcel or in a parking structure or lot reserved for the dwelling unit. Said District shall be established by the City Plan Commission, with the approval of the Common Council and the bounds thereof may be amended by action of those bodies from time to time. [Approved 11-21-86, Item #17459-1; Approved 6-16-08, Item #30065-3]

170-100 Design Guidelines.

In order to achieve a high level of architectural and urban design, and to create strong linkages both visually and physically within the framework of a comprehensive plan, the following guidelines are established. These guidelines shall be applied to all applications for development within the district under both the site plan requirements (Section 280-60) and to special exception uses under Section 270-40. [Approved 6-16-08, Item #30065-3]

170-100-10 Design of Buildings.

The general architectural design of all buildings shall be so that they compliment the appearance and character of historically significant buildings and public spaces in the Downtown area. [Approved 6-16-08, Item #30065-3]

170-100-20 Pedestrian Linkages.

All site plans shall provide for connections with public pedestrian through-ways within an integrated design by use of appropriate materials, lighting and landscaping. Particular attention shall be given to providing ease of access to public open spaced, parking structures and surface parking lots and transit facilities. [Approved 6-16-08, Item #30065-3]

170-100-30 Street Level Appropriate Uses.

In order to create a vibrant urban environment, mixed-use developments shall be encouraged. Within such developments, the street level shall be retail and service uses,

Zoning Ordinances

City of New Britain, Connecticut

with front doors and fenestration facing the street and providing visibility to and from the street. [Approved 6-16-08, Item #30065-3]

170-100-40 Exterior Facades.

Both the new construction and rehabilitation of structures shall use materials and architectural treatments which are complementary to the overall character and design vocabulary of the historic downtown fabric. Materials such as EIFS, metal or vinyl siding, or shingles are discouraged. [Approved 6-16-08, Item #30065-3]

Zoning Ordinances

City of New Britain, Connecticut

170-100-50 Development Parcel Layout and Enclosure.

For any new development within the area, the layout should through the location and design of pedestrian and vehicular access ways create pedestrian friendly attractive environments. [Approved 6-16-08, Item #30065-3]

170-100-60 Street Facing Building Wall.

The minimum height of building facing the street shall be three stories in order to create downtown environment of an appropriate urban scale. [Approved 6-16-08, Item #30065]

170-100-70 Location of Parking Areas

For any new development within the area, no surface parking shall be in an area defined as the front yard. (Approved 6-16-08, Item #30065]

Section 180 TP DISTRICT (technology park)
[Approved 9-21-84, Item #16395-1]

180-10 Permitted Uses.

Within a TP District, a building, structure, or lot shall only be used for one or more of the following permitted uses, except as provided in Section 180-20 Special Exception Uses, Section 180-30 Accessory Uses, and Section 260 Nonconforming Uses and Nonconforming Buildings or Structures. For all listed uses, the site plan shall be submitted and reviewed pursuant to Section 280-60. Combination of the following uses in a single building or in several buildings on the same lot are permitted.

Business Uses

180-10-10 Office or office buildings; business, professional, utility, semi-public or government.

180-10-20 Light Manufacturing, assembly or processing of components or goods.

180-10-30 Communications systems, processing, or storage of data, and computer installations in buildings.

180-10-40 Research and development buildings.

180-20 Special Exception Uses

Within any TP District, the following special exception uses shall be permitted, subject to approval by the Zoning Board of Appeals pursuant to Section 270-40, Special Exception Uses. For all listed special exception uses, the site plan shall be submitted and review, pursuant to Section 280-60.

Community Facilities Uses

180-20-10 Public or semi-public building for civic, political, social or recreational purposes.

180-20-20 Public utility facility.

Business Uses

180-20-30 Banks and business services.

180-20-40 Retail or personal services designed to be complementary to the Technology Park District.

180-30 Accessory Uses

Within any TP District, the following accessory uses shall be permitted, subject to the applicable provisions of Section 230:

180-30-10 Caretaker's dwelling unit.

180-30-20 Customary accessory uses, buildings or structures, exclusive of retail services and of industrial uses otherwise prohibited.

180-30-30 Signs, pursuant to Section 250.

180-40 Dimensional Regulations

Within any TP District, no building or structure shall be erected nor any lot used, unless in conformity with the following schedule, except as modified by the provisions of Section 230, Supplemental Use and Dimensional Regulations, where applicable:

180-40-10	Lot Area – Minimum (sq. ft.).....	80,000
180-40-20	Lot Area – Minimum per dwelling unit (sq. ft.).....	Not Permitted
180-40-30	Floor Area Ratio – Maximum.....	.60
180-40-40	Lot Coverage –% of total lot area occupied by main and accessory buildings.....	30
180-40-50	Lot Width – Minimum (ft.).....	200
180-40-60	Height – Maximum (ft.).....	60
180-40-70	YARDS – MINIMUM (FT.)	
180-40-70.01	Front.....	50
180-40-70.02	Side.....	20
180-40-70.03	Side – total for both on interior lot.....	40
180-40-70.04	Side – abutting a side street on a corner lot.....	40
180-40-70.05	Rear.....	25
180-40-80	ACCESSORY BUILDINGS	

Zoning Ordinances

City of New Britain, Connecticut

180-40-80.01	Coverage of required rear yard – Maximum - %	10
180-40-80.02	Height in required rear yard – Maximum (ft.).....	25
180-40-80.03	Setback from any lot line – Minimum (ft.).....	Same as required yard

Section 185 TPC DISTRICT (technology park/commercial)

[Approved 1-17-07, Item #29357]

185-10 Permitted Uses.

Within a TPC District, a building, structure, or lot shall only be used for one or more of the following permitted uses, except as provided in Section 180-20 Special Exception Uses, Section 180-30 Accessory Uses, and Section 260 Nonconforming Uses and Nonconforming Buildings or Structures. For all listed uses, the site plan shall be submitted and reviewed pursuant to Section 280-60. Combinations of the following uses in a single building or in several buildings on the same lot are permitted.

Business Uses

185-10-10 Office or office buildings; business, professional, utility, semi-public or government.

185-10-20 Light Manufacturing, assembly or processing of components or goods.

185-10-30 Communications systems, processing, or storage of data, and computer installations in buildings.

185-20-40 Banks and business services

185-10-50 Research and development buildings.

185-10-60 Planned Retail Shopping Complex consisting of one or more buildings for retail stores, personal service, bank branch offices and restaurants and similar compatible uses, subject to the specifications of in Section 230-160.

185-20 Special Exception Uses

Within any TPC District, the following special exception uses shall be permitted, subject to approval by the Zoning Board of Appeals pursuant to Section 270-40, Special Exception Uses. For all listed special exception uses, the site plan shall be submitted and review, pursuant to Section 280-60.

Community Facilities Uses

185-20-10 Public or semi-public building for civic, political, social or recreational purposes.

185-20-20 Public utility facility.

185-30 Accessory Uses

Within any TP District, the following accessory uses shall be permitted, subject to the applicable provisions of Section 230:

185-30-10 Customary accessory uses, buildings or structures, exclusive of retail services and of industrial uses otherwise prohibited.

185-30-20 Signs, pursuant to Section 250.

185-30-30 Drive-through facilities related to a principle use, provided that no loudspeaker system shall be located within 100 feet of a residential zoning district, and provided any such loudspeaker system shall not be heard on any neighboring residential property. All drive-through facilities shall have adequate stacking and maneuvering space so as to avoid interfering with safe traffic flow both on adjoining City streets and within subject site.

180-40 Dimensional Regulations

Within any TP District, no building or structure shall be erected nor any lot used, unless in conformity with the following schedule, except as modified by the provisions of Section 230, Supplemental Use and Dimensional Regulations, where applicable:

185-40-10	Lot Area – minimum (sq. ft.).....	80,000
185-40-20	Lot Area – Minimum per dwelling unit (sq. ft.).....	Not Permitted
185-40-30	Floor Area Ratio – Maximum.....	.60

Zoning Ordinances

City of New Britain, Connecticut

185-40-40	Lot Coverage – % of total lot area occupied by main & accessory buildings	30
185-40-50	Lot Width – Minimum (ft.).....	200
185-40-60	Height – Maximum (ft.).....	60
185-40-70	YARDS – MINIMUM (FT.)	
185-40-70.01	Front.....	50
185-40-70.02	Side.....	20
185-40-70.03	Side – total for both on interior lot.....	40
185-40-70.04	Side – abutting a side street on a corner lot.....	40
185-40-70.05	Rear.....	25
185-40-80	ACCESSORY BUILDINGS	
185-40-80.01	Coverage of required rear yard – Maximum – (%).....	10
185-40-80.02	Height in any required rear yard – Maximum – (ft.).....	25
185-40-80.03	Setback from any lot line – Minimum – (ft.).....	Same as req. yard

Section 190 I-1 DISTRICT (industrial parks).

190-10 Permitted Uses.

Within any I-1 District, a building, structure, or lot shall only be used for one or more of the following permitted uses, except as provided in Section 190-20 Special Exception Uses, Section 190-30 Accessory Uses, and Section 260 Nonconforming Uses and Nonconforming Buildings or Structures. For all listed uses, the site plan shall be submitted and reviewed pursuant to Section 280-60.

Community Facility Uses.

190-10-10 Park, playground or recreational area operated by the municipality.

190-10-20 Public or semi-public building for civic, political, social or recreational purposes.

190-10-30 School, public elementary or high, or a private school having a curriculum equivalent to that ordinarily given in such a public school.

190-10-31 Public utility facility.

190-10-32 Bus Passenger Waiting Shelter. [Approved 10-22-81, Item #14771-1]

Business Uses.

190-10-40 Bank, savings and loan association.

190-10-41 Motor Vehicle and accessories salesroom, and/or vehicle rental agency.

190-10-42 Motor Vehicle salesroom and/or rental lot as accessory to an auto sales agency.

190-10-43 Repair garage for motor vehicles, including repair operations with body shop, only in conjunction with an accredited high school or technical training school.

Zoning Ordinances
City of New Britain, Connecticut

[Approved 3-18-08, Item #29948-2]

190-10-50 Dry cleaning plant of more than 4,000 sq.ft.

190-10-60 Laundry plant of more than 4,000 sq. ft.

190-10-70 Office or office buildings: business, professional, utility, semi-public or government.

190-10-80 Wholesale salesroom or store.

Industrial Uses.

190-10-90 Industry--non-nuisance.

190-10-100 Office machinery repair.

190-10-110 Research laboratory.

190-10-120 Warehouse.

190-20 Special Exception Uses.

Within any I-1 District, the following special exception uses shall be permitted, subject to approval by the Zoning Board of Appeals pursuant to Section 270-40, Special Exception Uses. For all listed special exception uses, the site plan shall be submitted and reviewed, pursuant to Section 280-60.

Community Facilities.

190-20-10 [DELETED 10-22-81, Item #14771-1]

190-20-20 Club--membership, non-profit.

190-20-30 Parking garage--public, or offstreet parking area--public.

190-20-40 Passenger transportation terminal.

190-20-50 Gas utility facility.

Business Uses.

190-20-60 Arena, Assembly hall.

190-20-70 Gasoline station.

190-20-80 Motel.

190-20-90 Adult Oriented Establishment. [Approved 3-13-98, Item #23533-6]

190-30 Accessory Uses.

Within any I-1 District, the following accessory uses shall be permitted, subject to the applicable provisions of Section 230:

190-30-10 Caretaker's dwelling unit.

190-30-20 Customary accessory uses, buildings or structures, exclusive of industrial uses otherwise prohibited. [Approved 4-14-03, Item #27406-2]

190-30-25 The display and sales of only those goods which are made, processed or assembled on premises, and provided that such sales shall be clearly secondary and accessory to the principal use; that such sales shall take place entirely within the confines of the principal building; that such sales shall occupy no more than 2,500 square feet or 10% of the buildings gross floor area, whichever is less; that no goods shall be displayed outside the building; and , that at least one customer parking space is provided for each 250 square feet of floor area devoted to such use. [Approved 4-14-03, Item #27406-2]

190-30-30 Private parking garage or offstreet parking area, pursuant to Section 240.

190-30-40 Signs, pursuant to Section 250.

190-40 Dimensional Regulations.

Within any I-1 District, no building or structure shall be erected, nor any lot used, unless in conformity with the following schedule, except as modified by the provisions of Section 230, Supplemental Use and Dimensional Regulations, where applicable:

Zoning Ordinances

City of New Britain, Connecticut

190-40-10	Lot Area – Minimum (sq. ft.).....	80,000
190-40-20	Lot Area – Minimum per dwelling unit (sq. ft.).....	Not Permitted
190-40-30	Floor Area Ratio – Maximum.....	.60
190-40-40	Lot Coverage –% of total lot area occupied by main and accessory buildings..... [Approved 9-23-77, Item #12588-1]	40
190-40-50	Lot Width – Minimum (ft.).....	200
190-40-60	Height – Maximum (ft.).....	40
190-40-70	YARDS – MINIMUM (FT.)	
190-40-70.01	Front.....	40
190-40-70.02	Side.....	25
190-40-70.03	Side – total for both on interior lot.....	50
190-40-70.04	Side – abutting a side street on a corner lot.....	40
190-40-70.05	Rear.....	25
190-40-80	ACCESSORY BUILDINGS	
190-40-80.01	Coverage of required rear yard – Maximum - %	0
190-40-80.02	Height in required rear yard – Maximum ft.).....	0
190-40-80.03	Setback from any lot line – Minimum (ft.).....	Same as required yard

Section 200 I-2 DISTRICT (general industry).

200-10 Permitted Uses.

Within any I-2 District, a building, structure, or lot shall only be used for one or more of the following permitted uses, except as provided in Section 200-20 Special Exception Uses, Section 200-30 Accessory Uses, and Section 260 Nonconforming Uses and Nonconforming Buildings or Structures. For all listed uses, the site plan shall be submitted and reviewed pursuant to Section 280-60.

Residential Uses.

200-10-1 [DELETED 3-18-08, Item #29947-2]

Community Facility Uses.

200-10-10 Park, playground or recreational area operated by the municipality.

200-10-20 Public or semi-public building for civic, political, social, or recreational purposes.

200-10-30 School, public elementary or high, or a private school having a curriculum equivalent to that ordinarily given in such a public school.

200-10-31 Public utility facility.

200-10-32 Bus Passenger Waiting Shelter. [Approved 10-22-81, Item #14771-1]

Business Uses.

200-10-40 Bank, savings and loan association.

200-10-41 Motor Vehicle and accessories salesroom, and/or vehicle rental agency.

200-10-42 Motor vehicle sales or rental lot.

Zoning Ordinances
City of New Britain, Connecticut

200-10-43 Repair garage for motor vehicles, body shop.

200-10-50 Building material sales or storage.

200-10-60 Dry cleaning plant of more than 4,000 sq.ft.

200-10-70 Laundry plant of more than 4,000 sq.ft.

200-10-80 Office or office building: business, professional, utility, semi-public, or government.

200-10-80.10 Restaurant. [Approved 2-22-83, Item #15666]

200-10-90 Wholesale salesroom or store.

Industrial Uses.

200-10-100 Freight station or terminal.

200-10-110 Industry--which is not specifically prohibited.

200-10-130 Heavy machinery repair shop and/or yard.

200-10-140 Office machinery repair.

200-10-150 Printing and publishing.

200-10-160 Repair garage for motor vehicles, body shop.

200-10-170 Research laboratory.

200-10-180 Warehouse.

200-10-190 Truck or bus storage garage or yard.

200-20 Special Exception Uses.

Within any I-2 District, the following special exception uses shall be permitted, subject to approval by the Zoning Board of Appeals pursuant to Section 270-40. Special Exception Uses. For all listed special exception uses, the site plan shall be submitted and reviewed, pursuant to Section 280-60.

Community Facilities.

200-20-10 [DELETED 10-22-81, Item #14771-1]

200-20-20 Club--membership, non-profit.

200-20-30 Parking garage--public, or offstreet parking area--public.

200-20-40 Passenger transportation terminal.

200-20-50 Gas utility facility.

Business Uses.

200-20-60 Arena, assembly hall.

200-20-70 Gasoline Station.

200-20-80 Adult Oriented Establishment. [Approved 3-13-98, Item #23533-6]

200-20-90 Alcoholic liquor permit location in connection with a permitted use or a special exception use. [Approved 3-18-08, Item #29947-2]

200-30 Accessory Uses.

Within any I-2 District, the following accessory uses shall be permitted, subject to the applicable provisions of Section 230:

200-30-10 [Deleted 3-18-08, Item #29947-2]

200-30-20 Customary accessory uses, buildings or structures, exclusive of industrial uses otherwise prohibited except factory retail stores for employees. [Approved 4-14-03]

200-30-25 The display and sales of only those goods which are made, processed or assembled on premises, and provided that such sales shall be clearly secondary and accessory to the principal use; that such sales shall take place entirely within the confines of the principal building; that such sales shall occupy no more than 2,500 square feet or 10% of the buildings gross floor area, whichever is less; that no goods shall be displayed outside

Zoning Ordinances

City of New Britain, Connecticut

the building; and, that at least one customer parking space is provided for each 250 square feet of floor area devoted to such use. [Approved 4-14-03, Item #27406-2]

200-30-30 Private parking garage or offstreet parking area, pursuant to Section 240.

200-30-40 Signs, pursuant to Section 250.

200-40 Dimensional Regulations.

Within any I-2 District, no building or structure shall be erected, nor any lot used, unless in conformity with the following schedule, except as modified by the provisions of Section 230, Supplemental Use and Dimensional Regulations, where applicable:

200-40-10	Lot Area – Minimum (sq. ft.).....	10,000
200-40-20	Lot Area – Minimum per dwelling unit (sq. ft.).....	6,000
200-40-30	Floor Area Ratio – Maximum.....	None required
200-40-40	Lot Coverage –% of total lot area occupied by main and accessory buildings.....	100
200-40-50	Lot Width – Minimum (ft.).....	0
200-40-60	Height – Maximum (ft.).....	120
200-40-70	YARDS – MINIMUM (FT.)	
200-40-70.01	Front.....	0
200-40-70.02	Side.....	0
200-40-70.03	Side – total for both on interior lot.....	0
200-40-70.04	Side – abutting a side street on a corner lot.....	0
200-40-70.05	Rear.....	0

Section 210 I-3 DISTRICT (outdoor storage and transportation industry)

210-10 Permitted Uses.

Within any I-3 District, a building, structure, or lot shall only be used for one or more of the following permitted uses, except as provided in Section 210-20 Special Exception Uses, Section 210-30 Accessory Uses, and Section 260

Nonconforming Uses and Nonconforming Buildings or Structures. For all listed uses, the site plan shall be submitted and reviewed pursuant to Section 280-60.

Community Facility Uses.

210-10-10 Park, playground or recreational area operated by the municipality.

210-10-20 Public or semi-public building for civic, political, social, or recreational purposes.

210-10-30 School, public elementary or high, or a private school having a curriculum equivalent to that ordinarily given in such a public school.

210-10-31 Public utility facility.

210-10-32 Bus Passenger Waiting Shelter. [Approved 10-22-81, Item #14771-1]

Business Uses.

210-10-40 Bank, savings and loan association.

210-10-50 Boat and marine equipment salesroom or rental agency.

210-10-60 Building material sales or storage.

210-10-70 Dry cleaning plant of more than 4,000 sq.ft.

210-10-80 Laundry plant of more than 4,000 sq.ft.

210-10-90 Office or office building: business, professional, utility, semi-public, or government.

210-10-100 Wholesale salesroom or store.

Industrial Uses.

210-10-110 Construction equipment and accessories salesroom, and/or service facilities, garage and yard.

Zoning Ordinances
City of New Britain, Connecticut

- 210-10-120** Contractor's storage equipment yard.
- 210-10-130** Freight station or terminal.
- 210-10-140** Fuel storage depot.
- 210-10-150** Industry--general and service.
- 210-10-160** Industry--non-nuisance.
- 210-10-170** Heavy machinery repair shop and/or yard.
- 210-10-180** Licensed junk yard, including motor vehicle junk yard or business.
- 210-10-190** Office machinery repair.
- 210-10-200** Printing and publishing.
- 210-10-210** Railroad service yard.
- 210-10-220** Repair garage for motor vehicles, body shop.
- 210-10-230** Research laboratory.
- 210-10-240** Truck or bus storage garage or yard.
- 210-10-250** Warehouse.

210-20 Special Exception Uses.

Within any I-3 District, the following special exception uses shall be permitted, subject to approval by the Zoning Board of Appeals pursuant to Section 270-40. Special Exception Uses. For all listed special exception uses, the site plan shall be submitted and reviewed, pursuant to Section 280-60.

Community Facilities.

- 210-20-10** [DELETED 10-22-81, Item #14771-1]

Zoning Ordinances

City of New Britain, Connecticut

210-20-20 Club--membership, non-profit.

210-20-30 Parking garage--public, or offstreet parking area--public.

210-20-40 Passenger transportation terminal.

210-20-50 Gas utility facility.

Industrial Uses.

210-20-60 Forge shop using power hammers provided that such hammers are at least 100 feet from any lot line.

210-30 Accessory Uses.

Within any I-3 District, the following accessory uses shall be permitted, subject to the applicable provisions of Section 230:

210-30-10 Caretaker's dwelling unit.

210-30-20 Customary accessory uses, buildings or structures, exclusive of retail services and of industrial uses otherwise prohibited.

210-30-30 Private parking garage or offstreet parking area, pursuant to Section 240.

210-30-40 Signs, pursuant to Section 250.

210-40 Dimensional Regulations.

Within any I-3 District, no building or structure shall be erected, nor any lot used, unless in conformity with the following schedule, except as modified by the provisions of Section 230, Supplemental Use and Dimensional Regulations, where applicable:

210-40-10	Lot Area – Minimum (sq. ft.).....	20,000
210-40-20	Lot Area – Minimum per dwelling unit (sq. ft.).....	Not permitted
210-40-30	Floor Area Ratio – Maximum.....	.60
210-40-40	Lot Coverage –% of total lot area occupied by main and accessory buildings.....	30
210-40-50	Lot Width – Minimum (ft.).....	100

Zoning Ordinances

City of New Britain, Connecticut

210-40-60	Height – Maximum (ft.).....	40
210-40-70	YARDS – MINIMUM (FT.)	
210-40-70.01	Front.....	40
210-40-70.02	Side.....	25
210-40-70.03	Side – total for both on interior lot.....	50
210-40-70.04	Side – abutting a side street on a corner lot.....	40
210-40-70.05	Rear.....	25
210-40-80	ACCESSORY BUILDINGS	
210-40-80.01	Coverage of required rear yard – Maximum - %	0
210-40-80.02	Height in required rear yard – Maximum (ft.).....	0
210-40-80.03	Setback from any lot line – Minimum (ft.).....	Same as required yard

Section 215 UI DISTRICT (Urban Industrial)

[Approved 2-17-98, Item #23706-1]

Purpose: To allow and encourage the re-use and redevelopment of abandoned industrial properties and to create a modern , high-quality urban industrial park setting, suitable for attracting and facilitating the growth of new industry and business.

215-10 Permitted Uses.

Within any UI zoning district a lot may be used, by right, subject to the provisions of Section 230 Supplemental Use and Dimensional Regulations, for any one or more of the following principal uses.

Business Uses

215-10-10 Business or professional offices, excluding medical and dental offices, but including business services such as advertising, computer and data processing, public relations, management or personnel supply.

215-10-20 Research, design and development facilities.

215-10-30 Printing, lithography, photocopying or similar arts and publishing services.

Industrial Uses.

215-10-40 Manufacturing, assembly or processing of components or goods.

215-20 Special Exception Uses.

Within any UI zoning district, the following special exception uses may be permitted, subject to approval by the Zoning Board of Appeals pursuant to Section 270-40, Special Exception Uses, and subject to the provisions of Section 230, Supplemental Use and Dimensional Regulations.

215-20-10 Wholesaling or distribution facilities.

215-20-20 Vocational or technical schools.

Zoning Ordinances

City of New Britain, Connecticut

215-20-30 Public utilities buildings or facilities.

215-20-40 Offstreet parking facilities, including parking garages, for public use or for profit.

215-20-50 Principal buildings over 40 feet in height, including parking structures.

215-30 Accessory Uses.

Within any UI zoning district, the following accessory uses shall be permitted, subject to the provisions of Section 230, Supplemental Use and Dimensional Regulations.

215-30-10 Off-street parking and loading areas.

215-30-20 Warehousing and storage of goods or materials, incidental and secondary to a principal use which is permitted by right or by special exception, provided that all such warehousing and storage operations are fully enclosed within a permanent building or structure.

215-30-30 Cafeteria facilities for employees.

215-30-40 Other such customary accessory uses common and incidental to any principal use permitted by right or special exception above, exclusive of retail services and of industrial uses otherwise prohibited.

215-40 Dimensional Regulations

Within any UI zoning district, no building or structure shall be erected, nor any lot used, unless in conformity with the following schedule, except as modified by the provisions of Section 230, Supplemental use and Dimensional Regulations, where applicable:

215-40-10	Lot Area – Minimum (sq. ft.).....	40,000
215-40-20	Lot Area – Minimum per dwelling unit (sq. ft.).....	Not permitted
215-40-30	Floor Area Ratio – Maximum.....	.60
215-40-40	Lot Coverage –% of total lot area occupied by main and accessory buildings.....	40
215-40-50	Lot Width – Minimum (ft.).....	50
215-40-60	Height – Maximum (ft.).....	50

Zoning Ordinances

City of New Britain, Connecticut

215-40-70	YARDS – MINIMUM (FT.)	
215-40-70.01	Front.....	30
215-40-70.02	Side.....	25
215-40-70.03	Side – total for both on interior lot.....	50
215-40-70.04	Side – abutting a side street on a corner lot.....	30
215-40-70.05	Rear.....	25
215-40-70.06	Rear – for a through lot abutting a public street.....	30
215-40-80	ACCESSORY BUILDINGS	
215-40-80.01	Coverage of required rear yard – Maximum - %	N/A
215-40-80.02	Height in required rear yard – Maximum (ft.).....	N/A
215-40-80.03	Setback from any lot line – Minimum (ft.).....	Same as required yard

Section 220 PROHIBITED USES

220-10 In all Districts, no building, structure or lot shall be used in whole or in part for any of the following uses:

220-10-10 Abattoir, except a plant owned and operated by the municipality.

220-10-20 Acetylene gas manufacture or storage, other than as an accessory use.

220-10-30 Acid manufacture.

220-10-40 Aluminum powder manufacture.

220-10-50 Ammonia manufacture, other than as an accessory use.

220-10-60 Animal black or animal charcoal manufacture.

220-10-70 Arsenal.

220-10-90 Blacking manufacture, other than as an accessory use.

220-10-100 Blast furnace.

220-10-110 Bleaching powder manufacture.

220-10-120 Bone distillation or processing; bone black manufacture.

220-10-130 Brick yard.

220-10-140 Bronze powder manufacture.

220-10-150 Burlap manufacture.

220-10-160 Carbon products manufacturing other than as an accessory use.

220-10-170 Carborundum manufacture.

Zoning Ordinances
City of New Britain, Connecticut

- 220-10-180** Celluloid manufacture other than as an accessory use.
- 220-10-190** Cellulose products manufacture other than as an accessory use.
- 220-10-200** Cement manufacture.
- 220-10-210** Chemical wood pulp manufacture.
- 220-10-220** Chlorine manufacture.
- 220-10-230** Coal distillation or the manufacture of coal products.
- 220-10-240** Coke oven.
- 220-10-250** Converter furnace.
- 220-10-260** Cotton picker.
- 220-10-270** Creosote manufacture or application other than as an accessory use.
- 220-10-280** Dextrine manufacture.
- 220-10-290** Disinfectant manufacture.
- 220-10-300** Dry kiln other than as an accessory use.
- 220-10-310** Dump, excepting where it is used exclusively by manufacturing industry or if owned and operated by the municipality.
- 220-10-320** Dye or dyestuff manufacture.
- 220-10-330** Drive-in, open front or curb service type eating establishment.
- 220-10-340** Emery cloth manufacture.
- 220-10-350** Enamel manufacture, other than as an accessory use.
- 220-10-360** Explosives manufacture.

Zoning Ordinances
City of New Britain, Connecticut

220-10-370 Fat rendering or refining.

220-10-380 Fertilizer manufacture or compounding.

220-10-390 Fireworks manufacture.

220-10-400 Fungicide manufacture or compounding.

220-10-410 Garbage or refuse destructor, incinerator or reduction works, other than as an accessory use unless owned and operated by the municipality.

220-10-420 Gasoline storage--subject to State of Connecticut statutes.

220-10-430 Glucose manufacture.

220-10-440 Glue manufacture.

220-10-450 Grease rendering.

220-10-460 Gypsum manufacture.

220-10-470 Hide processing.

220-10-480 Incinerator for reduction of dead animals, except a plant owned and operated by the municipality.

220-10-490 Insecticide or rodent poison manufacture.

220-10-500 Ivory black manufacture or storage in quantities exceeding 20 pounds.

220-10-510 Lampblack manufacture.

220-10-520 Lard rendering or refining.

220-10-530 Lime kiln or lime products manufacture.

220-10-540 Linoleum manufacture.

Zoning Ordinances
City of New Britain, Connecticut

- 220-10-550** Linseed oil crushing and refining and the manufacture of products therefrom.
- 220-10-560** Match manufacture.
- 220-10-570** Naphtha storage subject to State of Connecticut statutes.
- 220-10-580** Offal processing.
- 220-10-590** Oil cloth manufacture.
- 220-10-600** Oil refining.
- 220-10-610** Ore reduction or smelting other than as an accessory use.
- 220-10-620** Organic chemical manufacture.
- 220-10-630** Oxygen manufacture.
- 220-10-640** Paper manufacture.
- 220-10-650** Patent leather manufacture.
- 220-10-660** Petroleum refining.
- 220-10-670** Plaster of Paris manufacture.
- 220-10-680** Poison gas manufacture.
- 220-10-690** Potash preparation or refining.
- 220-10-700** Pyroxylin manufacture, processing, or use of intermediates.
- 220-10-710** Radium preparation.
- 220-10-720** Rear dwelling, as defined in Section 30-20-600.
- 220-10-730** Roofing manufacture involving asphaltic or tar products.
- 220-10-740** Rosin manufacturing.

Zoning Ordinances
City of New Britain, Connecticut

- 220-10-750** Rubber manufacture or reclaiming.
- 220-10-760** Saw mill, except entirely within an enclosed building.
- 220-10-770** Sewage disposal plant, excepting where it is used by manufacturing industry or if owned and operated by the municipality.
- 220-10-780** Shellac manufacture.
- 220-10-790** Shoe polish or shoe blacking manufacture.
- 220-10-800** Size manufacture.
- 220-10-810** Skin curing, dressing, or tanning.
- 220-10-820** Snuff manufacture.
- 220-10-830** Soap and soap powder manufacture.
- 220-10-840** Starch manufacture.
- 220-10-850** Stockyard, except as an accessory to a municipal abattoir.
- 220-10-860** Stove polish manufacture.
- 220-10-870** Sugar manufacture or refining.
- 220-10-880** Tallow rendering or refining.
- 220-10-890** Tar distillation.
- 220-10-900** Tar roofing or tar waterproofing manufacture.
- 220-10-910** Turpentine refining.
- 220-10-920** White lead manufacture.
- 220-10-930** Wood distillation.
- 220-10-940** Wood pulling and scouring.

Zoning Ordinances
City of New Britain, Connecticut

220-10-950 Yeast manufacture.

220-10-960 Zinc white preparation.

Section 230 SUPPLEMENTAL USE AND DIMENSIONAL REGULATIONS.

230-10 Placement of Accessory Buildings and Uses, Including Garages, Offstreet Parking and Truck Loading Spaces.

230-10-10 In all Districts. [Approved 3-18-08, Item #29947-2]

230-10-10.10 Accessory buildings, including garages, if detached from a main building or if connected only by a breezeway-type structure, shall be placed at least 10 feet from the main building, except as provided in Section 230-60 for group building developments.

230-10-10.20 A private garage may be constructed as a structural part of a main building, provided that when so constructed, the garage walls shall be regarded as the walls of the main building in applying the front, rear, and side yard regulations of this ordinance.

230-10-10.30 Accessory buildings, including private garages, shall not be placed within a required front yard, nor within a required side yard.

230-10-10.40 An access driveway may be located within a required yard.

230-10-10.50 Required accessory offstreet parking area or truck loading space shall not be encroached upon by buildings, open storage, or any other use.

230-10-10.60 The storage of manure or odor or dust producing substances as accessory use shall not be permitted within 50 feet of any side or rear lot line or within 100 feet of any front lot line.

230-10-20 In Residential Districts.

230-10-20.10 Accessory off-street parking areas shall not be placed within a required front yard, nor within a required side yard in A-1, A-2, and A-3 districts.

230-10-20.20 In any A-1, A-2, A-3 or OP District the paved area for parking or driveways shall not be located closer than 5 feet from the base of any residential building or property line except for points of access.

Zoning Ordinances

City of New Britain, Connecticut

230-10-20.30 In any multi-family, garden apartment or townhouse development or any residential condominium or common interest ownership community in which individual garages are provided in the same building, beneath or alongside dwelling units, each garage space shall have a full 18-foot parking space provided in front of the garage, exclusive of the required 24-ft. backing space and driveway aisle. [Approved 10-26-88, Item #18505-1; Approved 2-23-06, Item #28900-2]

230-10-25 Special Residential Design District. [Approved 2-22-85, Item #16617-1]

230-10-25.10 Building Height - No building shall exceed 35' except that the City Plan Commission may allow buildings to have a greater height when there is a LETTER OF APPROVAL from the Fire Marshal on overall firefighting accessibility and other related safety factors.

230-10-30 In Nonresidential Districts.

230-10-30.10 In the B-1, B-2, TP, TPC, I-2 and I-3 Districts, accessory offstreet parking areas may be placed within required front, side or rear yards. [Approved 1-17-07; Item #29357]

230-10-30.20 In the I-1 District, an accessory offstreet parking area shall not be placed within a required front yard, but it may be placed within a rear yard. 103.

Outside dining space may be allowed as a ground level patio, or a deck or terrace, provided such deck or terrace conforms to applicable zoning, building and fire code restrictions. [Approved 2-23-06, Item #28901-2]

230-10-40.20 All tables and seating in an outdoor dining space shall be movable and not fixed in place. No tables or seating shall be arranged or situated so as to interfere with required access or egress to or from the building. Outside dining space shall be unenclosed and open to the sides, except for conforming fencing or required guard rails. If outside dining space is to be covered by any type of permanent or semi-permanent roofing, awning, overhang or similar covering, said covering shall conform to applicable building, zoning and fire codes. [Approved 2-23-06, Item #28901-2]

230-10-40.30 No outdoor dining area shall be allowed which encroaches onto the City sidewalk right-of-way, unless specifically permitted by the Bureau of Public Works. [Approved 2-23-06, Item #28901-2]

230-10-40.40 In order to ensure compliance with zoning and other applicable ordinances and standards, if the creation of outdoor dining space involves any permanent construction or substantial structural modification, the Director of Licenses, Permits & Inspections shall require that a plot plan prepared in accordance with Section 280-60 be submitted for review and approval, in order to ensure compliance with zoning and other applicable ordinances and standards; and that all applicable permits and approvals be obtained. [Approved 2-23-06, Item #28901-2]

230-20 Lot Area, Lot Width, and Lot Coverage.

230-20-10 In any Residence District, notwithstanding the Lot Area, Lot Width, and Lot Coverage provisions of Sections 60 to 120 inclusive, a single family dwelling will be permitted on any lot separately owned and not adjacent to any lot in the same ownership at the effective date of this ordinance; provided that the combined width of the side yards be not less than 25 per cent of the lot width, and that the narrower side yard be not less than five (5) feet in width.

230-20-20 In any Business or Industrial District, notwithstanding the Lot Area, Lot Width, and Lot Coverage provisions of Section 130 to 210

inclusive, a use listed as a permitted use in a particular District will be permitted in the said District on any lot separately owned and not adjacent to any lot in the same ownership at the effective date of this ordinance; provided that, if side yards be required in said District, their combined width be not less than 25 per cent of the lot width, and that the narrower side yard be not less than five (5) feet in width.

230-20-30 Any lot to be improved by any kind of building or structure shall have a frontage on a public street. [Approved 6-26-86, Item # 17123-1]

230-20-40 In all Districts except the A-2, B-3, and CBD, the lot frontage at the street line shall not be less than 50 feet. [Approved 2-19-86, Item #17123-1; Approved 3-18-08, Item #29947-2]

230-20-50 [DELETED 3-18-08, Item #29947-2]

230-20-60 In all Districts in which public utility facilities are a permitted use, the Lot Area, Lot Width, and Lot Coverage requirements shall not be applicable: but, the site plan submitted in accordance with Section 280-60 hereof, shall meet, in addition to the requirements for improvements established by the City of New Britain the regulations and specifications of the Public Utilities Commission.

230-30 Height.

230-30-10 Nothing herein contained shall restrict the height of a church spire, cupola, dome, mast, belfry, clock tower, radio or public utility facility, tower, flagpole chimney flue, stack, vent, process structures, water tank, elevator or stair bulkhead, stage tower, scenery loft or similar structure.

230-30-20 No building or structure erected pursuant to Section 230-30-10 to a height in excess of the height limit for the District in which it is situated shall:

230-30-20.10 Have a lot coverage in excess of 20 per cent of the lot area.

230-30-20.20 Be used for residence or tenancy purposes.

230-40 Yards.

Zoning Ordinances

City of New Britain, Connecticut

230-40-10 The space in a required front yard shall be open and unobstructed except for:

230-40-10.10 An unroofed balcony, porch, or terrace, projecting not more than eight (8) feet.

230-40-10.20 Steps giving access to a porch or first floor entry door.

230-40-10.30 Other projections specifically authorized in Sections 230-40-30 and 230-40-40.

230-40-30 Every part of a required yard shall be open to the sky unobstructed except for retaining walls and for accessory buildings in a rear yard, and except for the ordinary projection of sills and belt courses, and for ornamental features projecting not to exceed six (6) inches. Cornices and eaves shall not project more than 18 inches. A balcony, porch, terrace, or steps giving access to a first floor entry door shall not project into a required side yard.

230-40-40 Open or lattice enclosed fireproof fire escapes or stairways, required by law, projecting into a yard not more than eight (8) feet, and the ordinary projections of chimneys and pilasters shall be permitted by the director of licenses, permits and inspections when placed so as not to obstruct light and ventilation. [Approved 1-13-03, Item #27215]

230-40-50 Where a lot extends through from street to street, the applicable front yard regulations shall apply on both street frontages.

230-40-60 In all Residence Districts, where 25 per cent of the block frontage within 200 feet of a proposed building is already improved with buildings, or 25 per cent of the opposite block frontage across the street, the front yard at the front of such proposed building shall be required to exceed the minimum dimension stipulated in this ordinance for the District in which it is situated, in cases where the average alignment of the two nearest buildings within such 2000 feet on the same side of the street if 25 per cent improved, or otherwise on the opposite side of the street, exceeds such minimum dimension. Such front yard shall extend to such average alignment, provided however, that in no case shall such front yard be required to exceed by more than 10 feet the minimum required front yard prescribed for the District in which such proposed building is situated. The

provisions of this Section 230-40-60 shall not apply to the required side yard on the street side of a building on a corner lot.

230-50 Courts

230-50-10 In all Districts the least horizontal dimension of an INNER COURT at its lowest level shall be not less than the larger of the following two dimensions:

[Approved 3-18-08, Item #29947-2]

230-50-10.10 One-third of the maximum height above such lowest level of the building wall erected on the same lot and bounding such court.

230-50-10.20 Fifteen (15) feet.

230-50-20 In all Districts the least width of an OUTER COURT at its lowest level shall be not less than the largest of the following three dimensions:

[Approved 3-18-08, Item #29947-2]

230-50-20.10 One-third of the maximum height above such lowest level of the building walls erected on the same lot and bounding such court.

230-50-20.20 Two-thirds of the horizontal depth of such court.

230-50-20.30 Fifteen (15) feet.

230-50-30 In all Districts the horizontal depth of an OUTER COURT shall not exceed one and one-half times its least width.

[Approved 3-18-08, Item #29947-2]

230-60 Spacing between Buildings.

230-60-10 In the layout of a development of garden apartments, townhouses, residential condominium or common interest ownership community or other multifamily houses on a lot or tract of land, a horizontal distance of not less than 20 feet or the height of the higher building, whichever is the greater, shall be maintained between all main buildings and between main buildings and major detached accessory buildings or groups of accessory buildings, such as a garage compound having a ground coverage

equal to that of a principal building except that where buildings contain two facing walls which do not contain dwelling unit windows, the minimum distance between such walls may be reduced to 15 feet. [Approved 10-26-88, Item #18505-1; Approved 2-23-06, Item 28900-2]

230-60-20 The above requirement of Section 230-60-10 need not exceed 30-feet when the top of one building is less than eight (8) feet above the level of the first floor of the other building. [Approved 10-26-88, Item #18505-1]

230-60-30 Minor accessory buildings shall meet the requirements of Section 230-10.

230-60-40 Notwithstanding the requirements of Section 230-60-10 and 230-60-20 above, in situations in which a development of garden apartments, townhouses, residential condominium or common interest ownership community, or other multi-family houses involves a layout in which two or more buildings are arranged along opposite sides of an access driveway, and in which one or more buildings contains garage units, sufficient spacing must be provided between the buildings to accommodate the parking and access requirements of Section 230-10-20.30. [Approved 10-26-88, Item #18505-1; Approved 2-23-06, Item #28900-2]

230-70 Corner Clearance.

On a corner lot in any Residence District, within the triangular area determined as provided in this Section, no wall or fence or other structure shall be erected to a height in excess of two (2) feet; and no vehicle, object or any other obstruction of a height in excess of two (2) feet shall be parked or placed; and no hedge, shrub or other growth shall be maintained at a height in excess of two (2) feet above curb level, except that trees whose branches are trimmed away to a height of at least 10 feet above the curb level shall be permitted. Such triangular area shall be determined by two points, one on each intersecting street line, each of which points is 15 feet from the intersection of such street lines.

230-80 Floor Area Ratio.

230-80-10 Bonus for Reduction of Maximum Permitted Lot Coverage. In any CBD District, the maximum permitted floor area ratio of 6.50 stipulated in Section 170-40-30, may be increased to 7.50 for any building that is

Zoning Ordinances

City of New Britain, Connecticut

provided with open space at ground level and extending the full height of the building along the street frontages of its lot, aggregating 20 per cent or more of the lot area.

230-90 Minimum Residential Floor Area.

230-90-10 Statement of Purpose.

The requirements contained in this Section are designed to promote and protect the public health; to prevent overcrowded living conditions; to guard against the development of substandard neighborhoods; to conserve established property values; and to contribute to the general welfare.

230-90-20 Minimum Schedule.

Every dwelling or building devoted in whole or in part to a residential use, which is hereinafter erected, shall provide a minimum floor area per family on furnished floors with clear ceiling height not less than 7-feet 6-inches, in conformity with the following schedule and with the other provision of this Section 230-90. The minima stipulated herein shall be deemed to be exclusive of unenclosed porches, breezeways, garages, cellar room or areas. [Approved 6-17-83, Item #15751-1; Approved 11-21-86, Item #17459-1]

Number of Rooms Per Dwelling Unit	Multifamily Buildings (sq. ft.)	1-family Attached (sq. ft.)	1-family Detached (sq. ft.)
Less than 2 Rooms	350	400	720
2 Rooms but less than 3 Rooms	450	400	720
3 Rooms but less than 4 Rooms	550	600	720
4 Rooms but less than 5 Rooms	700	800	720
5 Rooms but less than 6 Rooms	850	950	850
6 Rooms but less than 7 Rooms	1,000	1,100	1,200
7 Rooms or more	1,150	1,250	1,400

230-90-30 [DELETED 6-17-83, Item #15751-1]

230-90-40 Dwelling with Partial Basement.

Zoning Ordinances

City of New Britain, Connecticut

Over and above the requirements stipulated in the schedule contained in Section 230-90-20, an additional 100 square feet of floor area shall be provided on finished floors in any single family dwelling which does not have a basement with a minimum clear height of seven (7) feet, which basement is at least equal in area to 60 percent of the first floor enclosed area.

230-100 Permitted Fences and Walls.

230-100.10 Schedule of Permitted Fences and Walls.

The following schedule of permitted fences and walls shall apply according to the District in which the site is located on the Zoning Map, whether such site be used for a permitted use or for a special exception use, except where the Zoning Board of Appeals may require additional conditions. [Approved 2-22-85, Item #16617-1; Approved 2-17-98, Item #23706-1; Approved 6-21-00, Item #24933-2; Approved 1-17-05, Item #28230-3; Approved 2-23-06, Item #28899-2]

MAXIMUM FENCES AND WALL HEIGHT, EXCEPT WHERE CORNER CLEARANCES AREA REQUIRED IN ACCORDANCE WITH SECTION 230-70				
District	Front Lot Line	Side Lot Line Outside of Rear Yard	Rear Yard Lot Lines	Not in any Minimum Required Yard
S-1	None	4'	6'	6'
S-2	None	4'	6'	6'
S-3	None	4'	6'	6'
T	4'	6'	6'	6'
T6	4'	6'	6'	6'
A-1	4'	6'	6'	6'
A-2	4'	6'	6'	6'
A-3	4'	6'	6'	6'
SRD	6'	6'	None	6'
OP	4'	6'	6'	6'
B-1	4'	8'	8'	8'
B-1R	4'	6'	6'	6'
B-2	4'	8'	8'	8'
B-3	4'	8'	8'	8'
CBD	4'	8'	8'	8'
I-1	None	None	None	8'
I-2	10'	10'	10'	10'
I-3	8'	8'	8'	8'
UI	8'	8'	8'	8'

230-100.20 Method of Measuring the Height of Fences or Walls.

The height of a fence or wall shall be measured from the ground level at the base of the fence; excepting that where there is a retaining wall the height shall be measured from the average of the ground levels at each side of the retaining wall, and further excepting that any fence or wall on the uphill side of such a retaining wall may be at least four (4) feet high, notwithstanding the provisions of the schedule contained in Section 230-100.10.

230-100.30 Restrictions on Fences.

In all residential zoning districts and in the B-1R zoning district, galvanized silver chain-link fences shall be prohibited in the required front yard area, and also, in the case of corner or through-lots, prohibited along any property line adjoining a public street. Permissible types of fencing, in these locations, where allowed, include – dark green or black vinyl-clad chain link fencing, wrought iron or simulated wrought iron or wooden or vinyl picket fences, or other such fencing consistent in appearance to a residential neighborhood setting. [Approved 2-23-06, Item #28899-2]

230-110 Required Transitional Yards and Screening.

[Approved 3-18-08, Item #29947-2]

230-110-10 In order to assure orderly and compatible relationships between Residence or Office and Public Buildings Districts and Business or Industrial Districts along their common boundary lines, the following requirements shall be met in the listed Districts along such boundaries.

230-110-10.10 Transitional yards shall be required in the following districts where lots or parcels abut a residential zone. The transitional yards shall not be required along city streets.

- In the B-1, B-3, I-2 and OP districts 25 feet. [Approved 3-18-08, Item #29947-2]
- In the B-2, I-1 and I-3 districts 50 feet.

230-110-10.20 Screening of one of the following types shall be provided either on the property line or set back from the property line in such a manner as effectively to screen uses on the property and on adjoining properties so that they shall not be observed by a person standing on the ground level in the adjacent Residence or Office and Public Buildings Districts

during any season of the year, including where appropriate the coordination of screening plans on two or more properties. In approving the site plan for such properties pursuant to the provisions of Section 280-60, appropriate allowances may be made for retaining walls or natural changes in grade where such conditions will serve in part to provide adequate screening.

230-110-10.20.10 A six (6) foot high solid wall.

230-110-10.20.20 A six (6) foot high stockade fence on metal fence posts fixed in concrete footings, with the finished surface of the fencing facing the Residence or Office and Public Buildings District. This type of screening shall only be permitted in B-1, B-2 and I-1 Districts.

230-110-10.20.30 An eight (8) foot high, six (6) feet wide protective planting strip in accordance with specifications established by the City Engineer and guaranteed by a maintenance bond.

230-110-20.10 In all cases where a A-1, A-2 and A-3 district abuts a S-1, S-2 or S-3 district, screening of one of the following types shall be provided. In approving the site plan for such properties pursuant to the provision of section 280-60 appropriate allowances may be made for retaining walls or natural changes in grade where such conditions will serve in part to provide adequate screening.

230-110-20.10.10 A six (6) foot high solid wall accompanied with six (6) feet high evergreen planting between such wall and the abutting districts.

230-110-20.10.20 A six (6) feet high stockade fence on metal fence posts fixed in concrete footings, accompanied with six (6) feet high evergreen planting between such fence and the abutting S-1, S-2 or S-3 district.

230-110-20.10.30 An eight (8) feet high, six (6) feet wide protective planting strip in accordance with specifications established by the City Engineer and guaranteed by a maintenance bond.

230-110-30 All open storage uses of land shall be adequately screened by one of the types of screening listed in section 230-110-10.20, except that the required height of such screening may be increased or decreased as found necessary in the site plan review procedure pursuant to section 280-60.

230-120 Swimming Pools.

A Swimming Pool shall not be located, constructed or maintained on any lot, except in conformity with the provisions of Chapter X, Section 46 of the ordinances of the Common Council of the City of New Britain, and in conformity with the following requirements:

230-120-10 A private swimming pool shall not be located in any front yard, nor in any required side or rear yard.

230-120-20 For a private swimming pool, adjacent to every side and rear lot line within the rear yard area, there shall be a protective evergreen planting strip not less than four (4) feet wide, situated within any required rear yard, designed and laid out with suitable plant material which will attain and shall be maintained at a height of not less than six (6) feet, so as to provide an effective natural screen along the side and rear lot lines.

230-120-30 A private swimming pool shall not be used after 10:30 p.m.

230-120-40 A swimming pool shall not project more than four (4) feet above the average level of the ground surface surrounding such pool, prior to any excavation or fill.

230-120-50 No loud speaker or amplifying device shall be permitted that will project sound beyond the bounds of the property or lot where any pool is located.

230-120-60 No lighting or spot lighting shall be permitted that will project light rays beyond the bounds of the property or lot where any pool is located.

230-130 Open Space Regulations

230-130-10 Where individual dwelling unit balconies of a useable size are provided the minimum open space requirement for each such dwelling unit may be reduced 75% in the A-3 and OP districts and by 50% in A-1 and A-2 districts.

230-130-20 The roofed portion of a deck or other covered area may be included in the computation of open space for the purpose of fulfilling the

minimum requirement in that district provided its design is consistent with the definition of Open Space (Sec. 30-20-551).

230-130-30 The minimum dimension of any area designated as Open Space and intended to satisfy the minimum Open Space requirement set out in the Dimensional Regulations for each zoning district shall be twenty-five (25) feet.

230-130-40 No parking areas or driveways shall be counted in computing the amount of Open Space provided for the purpose of meeting the minimum requirements.

230-140 Bonus for Reduced Lot Coverage of Offstreet Parking Areas in Residential Districts.

230-140-10 In any A-1, A-2, A-3 or OP District the minimum required lot area per dwelling unit may be decreased by 10% where a minimum of 60% of the total required off-street parking spaces (based on the increased number of dwelling units permitted) are contained within the confines of a permitted residential building or so covered as to provide common deck areas on the roof.

230-140-20 The floor space devoted to enclosed off-street parking as permitted by this section shall not be included in the computation of the floor area ratio but all covered parking areas shall be included in the computation of permitted lot coverage.

230-145 Soil Erosion and Sedimentation Controls [Approved 7-1-85, Item #16911-1]

230-145-10 Preamble, Enacting Clause and Short Title

230-145-10.10 Preamble

These Regulations are designed to further the purposes set forth in Public Act 83-388 entitled "An Act Concerning Soil Erosion and Sediment Control" as it may apply to activities subject to Sections B-2 of the General Statutes of the State of Connecticut; to strengthen and extend the soil erosion and sediment control activity in the Town and to reduce the danger from storm water runoff, minimize sediment pollution from land being developed and to

conserve and protect the land, water, air and other environmental resources of the Town.

230-145-10.20 Enacting Clause, Short Title

The Zoning Commission, acting under authority of Public Act 83-388 of the General Statutes of the State of Connecticut, hereby adopts and enacts these Regulations as the "Soil Erosion and Sediment Control Regulations for Land Development of the City of New Britain, Connecticut."

All references to the Connecticut General Statutes refer to the Revision of 1958, as amended.

230-145-10.30 Basic Requirements

No land development which is cumulatively more than one-half acre in area may be undertaken in any district unless certification therefor in compliance with the provisions of these Regulations has first been obtained from the Commission or its appointed agent.

230-145-10.40 Definitions

For the purpose of these Regulations, the words and terms hereinafter listed are hereby defined as follows:

CERTIFICATION. A signed, written approval by the Commission that a soil erosion and sediment control plan complies with the applicable requirements of these Regulations.

CITY. The City of New Britain, County of Hartford, Connecticut.

COMMISSION. The City Plan Commission of the City of New Britain, Connecticut.

COUNTY SOIL AND WATER CONSERVATION DISTRICT. The Hartford County Soil and Water Conservation District established under subsection (a) of section 221-315 of the General Statutes of the State of Connecticut.

DEVELOPMENT. In connection with a soil erosion and sediment control plan any construction of grading activities to improved or unimproved real estate.

DISTURBED AREA. An area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion.

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

GRADING. Any excavating, grubbing, filling (including hydraulic fill) or stock-piling of earth materials or any combination thereof, including the land in its excavated or filled condition.

INSPECTION. The periodic review of sediment and erosion control measures shown on the certified plan.

SEDIMENT. Solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin of erosion.

SOIL. Any unconsolidated mineral or organic material of any origin.

SOIL EROSION AND SEDIMENT CONTROL PLAN. A scheme that minimizes soil erosion and sedimentation resulting from development and includes, but is not limited to, a map and a narrative.

230-145-20 Activities Requiring a Certified Erosion and Sediment Control Plan.

230-145-20.10 A soil erosion and sediment control plan shall be submitted with any application for development when the disturbed area or such development is cumulatively more than one-half acre.

230-145-30 Exemptions.

230-145-30.10 A single family dwelling that is not part of a subdivision of land shall be exempt from these soil erosion and sediment control regulations.

230-145-40 Erosion and Sediment Control Plan.

230-145-40.10 To be eligible for certification, a soil erosion and sediment control plan shall contain proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from storm water runoff on the proposed site based on the best available technology. For methods

and practices necessary for certification refer to the "Connecticut Guidelines for Soil Erosion and Sediment Control (1985)", as amended, published by the Connecticut Council on Soil and Water Conservation. Alternative principles, methods and practices may be used with prior approval of the Commission.

230-145-40.20 Said plan shall contain, but not be limited to:

A. A narrative describing:

1. the development;
2. the schedule for grading and construction activities including:
 - a. start and completion dates;
 - b. sequence of grading and construction activities;
 - c. sequence for installation and/or application of soil erosion and sedimentation control measures;
 - d. sequence for final stabilization of the project site.
3. the design criteria for proposed soil erosion and sediment control measures and storm water management facilities.
4. the construction details for proposed soil erosion and sediment control measures and storm water management facilities.
5. the installation and/or application procedures for proposed soil erosion and sediment control measures and storm water management facilities.
6. the operations and maintenance program for proposed soil erosion and sediment control measures and storm water management facilities.

B. A site plan at a scale of at least one inch equals forty feet on sheets of either 18" x 24" or 24" x 36" in size prepared by a land surveyor licensed to practice in the State of Connecticut to show:

1. the location of the proposed development and adjacent properties;
2. the existing and proposed topography including soil types, wetlands, water courses and water bodies;
3. the proposed area alterations including cleared, excavated, filled or graded areas and proposed structures, utilities, roads and, if applicable, new property lines;
4. the existing structures on the project site, if any;
5. the location and details for all proposed soil erosion and sediment control measures and storm water management facilities;
6. the sequence of grading and construction activities;
7. the sequence and installation and/or application of soil erosion and sediment control measures;
8. the sequence for final stabilization of the development site.

C. Any other information deemed necessary and appropriate by the applicant or requested by the Commission or its designated agent.

230-145-50 Minimum Acceptable Standards

230-145-50.10 Plans for soil erosion and sediment control shall be developed in accordance with these Regulations using the principles as outlined in Chapters 3 and 4 of the "Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended." Soil erosion and sediment control plans shall result in a development that minimizes erosion and sedimentation during construction; is stabilized and protected from erosion when completed; and does not cause offsite erosion and/or sedimentation.

230-145-50.20 The minimum standards for individual measures are those in the "Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended". The Commission or its appointed agent may grant exceptions when requested by the applicant if technically sound reasons are presented.

230-145-50.30 The appropriate method from Chapter 9 of the "Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended", shall

be used in determining the peak flow rates and volumes of runoff unless an alternate method is approved by the Commission.

230-145-60 Issuance or Denial of Certification.

230-145-60.10 The Commission or its authorized agent shall either certify that the soil erosion and sediment control plan, as filed, complies with the requirements and objectives of these Regulations or shall deny certification when the development proposal does not comply with these Regulations.

230-145-60.20 Nothing in these Regulations shall be construed as extending the time limits for the approval of any application under Chapters 124 or 126 of the General Statutes of the State of Connecticut.

230-145-60.30 Prior to certification, any plan submitted to the municipality may be reviewed by the County Soil and Water Conservation District which may make recommendations concerning such plans, provided such review shall be completed within thirty days of the receipt of such plan.

230-145-60.40 The Commission may forward a copy of the development proposal to the Engineering Department or other agencies and/or advisors for review and comment.

230-145-70 Conditions Relating to Soil Erosion and Sediment Control.

230-145-70.10 The estimated costs of measures required to control soil erosion and sedimentation, as specified in the certified plan, shall be covered by a completion bond or other assurance acceptable to the Commission. A cost breakdown forming the basis of the amount of bond to be posted shall be prepared by and submitted to the Commission by the applicant with the application for a soil erosion and sediment control development proposal.

230-145-70.20 Site development shall not begin unless the soil erosion and sediment control plan is certified and those control measures and facilities in the plan scheduled for installation prior to site development are installed and functional and a completion bond therefor has been posted in a form and in an amount acceptable and approved by the Commission.

230-145-70.30 Planned soil erosion and sediment control measures and facilities shall be installed as scheduled according to the certified plan.

230-145-70.40 All control measures and facilities shall be maintained in effective condition to ensure the compliance with the certified plan.

230-145-80 Inspection and Release of Bond.

230-145-80.10 Inspections shall be made by the Commission or its designated agent during the development to ensure compliance with the certified plan and that control measures and facilities are properly performed or installed and maintained. The Commission may require the permittee to verify through progress reports that soil erosion and sediment control measures and facilities have been performed or installed according to the certified plan and are being operated and maintained.

230-145-80.20 Upon completion of all work specified in the certified plan the applicant shall notify the Commission thereof and submit a report, including maps as necessary, certifying that the soil erosion and sediment control measures have been completed as approved or may have been modified with the prior approval by the Commission. Upon receipt of the report and inspection of the site by the Commission or its designated agent. The Commission may release any bond posted upon the finding that the provisions of the certified plan have been complied with.

Section 230-150 SUPPLEMENTAL CONTROLS FOR THE UI ZONING DISTRICT
[Approved 2-17-98, Item #23706-1]

230-150-10 Parking and Truck Loading Spaces

230-150-10.10 Notwithstanding the requirements of Section 240, Off-Street Parking and Loading Requirements, the minimum off-street parking requirements for businesses in the UI zoning district shall be calculated at a ratio of 1 parking space for each 500 square feet of gross floor area.

230-150-10.20 In the UI zoning district accessory off-street parking and truck loading spaces shall not be located in any front yard or, in the case of corner or through lots, in any side or rear yard which abuts a public street. Off-street parking or loading areas may be located in any other side or rear yard, including required yard areas, subject to the landscaping and screening requirements of Section 250-150-20 and the buffer zone requirements of Section 250-150-30.

230-150-10.30 A minimum five (5) foot planting strip shall be provided and maintained between all driveways, off-street parking or loading areas and any adjoining property line.

230-150-20 Landscaping and Screening

230-150-20.10 Every property developed in the UI zoning district shall be suitably landscaped in accordance with a plan prepared by a qualified landscape professional. All portions of such properties not otherwise used for buildings, structures, driveways, parking or loading areas, walkways or similar improvements shall be landscaped and maintained with trees, shrubs, grass and groundcovers and other such landscape materials planted and maintained in a manner appropriate to a high quality industrial park setting. All landscape planting shall be healthy, nursery-grown specimens, installed and maintained in accordance with accepted landscaping standards.

230-150-20.20 As a minimum, all yard areas fronting on public streets shall be landscaped in accordance with the following general standards:

- Shade trees: minimum of 1 (one) tree per 50 linear feet of street frontage; minimum size at planting - 3 to 3-1/2 inch caliper;
- Shrubs and ornamental trees: appropriate varieties of evergreen and/or deciduous shrubs and ornamental trees planted in a manner so as to enhance the appearance of the building and property; and,
- Groundcover: the preferred groundcover shall be grass, except for areas that are covered by access walkways or mulched planting beds. In locations where slope, shade or other circumstances dictate, other groundcovers such as pachysandra, myrtle, daylilies, hosta, etc. may be utilized.

230-150-20.30 Parking areas shall be landscaped, to the following minimum standard:

- Landscaped end islands shall be provided at the ends of all parking rows; minimum dimensions shall be 18 feet by 9 feet; plantings shall include one (1) shade tree (3 to 3-1/2 inch caliper) and shrubs of suitable variety and size;

- Planting strips located between parking rows and adjoining property lines shall be planted with a minimum of one (1) shade tree per every six (6) parking spaces and a mix of evergreen and deciduous shrubs of suitable size and variety planted at a spacing appropriate to the species; and
- Screening shall be provided for all parking areas visible from any public street; suitable methods of screening include evergreen or mixed plantings a minimum of four (4) feet in height, spaced so as to form a complete visual screen within three (3) growing seasons, earthen berms a minimum of four (4) feet in height and covered in suitable planting materials; masonry walls four (4) feet in height or any suitable combination of such.

230-150-20.40 All loading areas, dumpster and recycling areas shall be screened from view of any public street by means of location relative to the main building and/or by other such means including evergreen plantings a minimum of six (6) feet in height and spaced so as to provide complete visual screening immediately; masonry walls a minimum of six (6) feet in height or any other structure or fence which is opaque, structurally able to withstand the use, and aesthetically compatible in design with the building and surrounding district.

230-150-30 Buffer Zones and Fencing

230-150-30.10 A minimum of 40 foot buffer zone shall be provided along all property lines, including street frontages, where the UI zone abuts any residential zoning district. Such buffer area may be inclusive of any required yard area, provided that the entire 40 foot buffer zone shall be suitably planted and maintained, and shall not be used for parking, storage of materials or in any manner other than as green space. Such buffer zone shall be planted with appropriate trees and shrubs so that the field of view between the residential district and the industrial property shall be obscured visually within five (5) years time, to such an extent that activity on the industrial property is not immediately apparent.

230-150-30.20 In addition to required plantings, all District buffer zones shall also have fencing eight (8) feet in height and conforming to the standards of 230-150-30.30. Where the buffer zone abuts a residential property, such fencing shall be at the property line. Where the buffer zone abuts a public street, the fencing shall be set back 10 feet from the street

line, to allow the planting of trees between the public sidewalk and the fence.

230-150-30.30 All fencing in the UI district shall be designed or chosen so as to be attractive and consistent with the character of the district. As a minimum, chain link fencing shall be to City Standard Specification, with top and bottom rails (in lieu of tension wire) and with dark (black or green) polyvinyl chloride coating on all surfaces. Also acceptable are walls of brick, stone or masonry construction or wrought iron or other metal fencing, such as extruded tubular aluminum picket fencing, finished with a dark (black or green) acrylic coating.

230-150-30.40 Within the UI district, no fencing shall be permitted in any required yard area which faces a public street, except for buffer zone fencing, as required pursuant to Section 230-150-30.20. Fencing conforming to the standards of Sections 230-150-30.30 and 230-100-10 is permitted along interior side and rear lot lines between abutting UI-zoned properties.

230-150-40 Architectural Design

230-150-40.10 The scale and mass of buildings and other structures, including, among other elements, the exterior building material, color, roofline, and building elevations shall be of such character as to harmonize and be compatible with other buildings in the district and adjacent areas to preserve and improve the appearance of the general area.

230-150-40.20 Building materials in each section of the development shall be consistent so as to maintain a unifying visual effect. Roof materials, window sizes and general styles should be compatible within the entire district.

230-150-40.30 All roof-mounted structures and equipment shall be integrated into the architectural design of the buildings so as to be concealed and inconspicuous.

Section 230-160 SUPPLEMENTAL CONTROLS FOR PLANNED RETAIL SHOPPING COMPLEXES IN THE TPC ZONING DISTRICT [Approved 1-17-07; Item #29357]

230-160-10 GENERAL INTENT AND REQUIREMENTS

230-160-10.10 The intent of this section is to allow shopping complexes serving a local and regional population in an integrated, comprehensively planned and professionally designed complex.

230-160-10.20 The site for any planned retail shopping complex shall be a contiguous property not less than two (2) acres in area or a two acre or larger piece of a larger TPC zoned property.

230-160-10.30 The site for any planned retail shopping complex shall be located on an arterial or collector street not less than 3,000 feet in driving distance from a limited access highway interchange.

230-160-20 Parking and Truck Loading Spaces

230-160-20.10 In the TPC zoning district accessory off-street parking may be located in any front, rear or side yard. A minimum five (5) foot planting strip shall be provided and maintained between all driveways, off-street parking areas and along all adjoining property lines.

230-160-20.20 All driveways, parking areas, drive-through lanes, etc. shall be designed so as to provide a safe and efficient parking layout, with due consideration for both vehicular and pedestrian safety and encouraging integrated and shared use of driveway access and parking spaces among the individual businesses in the complex.

230-160-20 Landscaping and Screening

230-160-20.10 Every property developed in the TPC zoning district shall be suitably landscaped in accordance with a plan prepared by a qualified landscape professional. All portions of such properties not otherwise used for buildings, structures, driveways, parking or loading areas, walkways or similar improvements shall be landscaped and maintained with trees, shrubs, grass and groundcovers and other such landscape materials planted and maintained in a manner appropriate to a high quality industrial park setting. All landscape planting shall be healthy, nursery-grown specimens, installed and maintained in accordance with accepted landscaping standards.

230-160-20.20 All permitted operations and related storage shall be conducted entirely

within a building, except that appropriately screened truck loading docks are permissible, provided that they are not located within 100 feet of any public street.

230-160-30 Architectural Design

230-160-30.10 The scale and mass of buildings and other structures, including, among other elements, the exterior building material, color, roofline, and building elevations shall be of such character as to harmonize and be compatible with other buildings in the complex and adjacent areas to preserve and improve the appearance of the general area.

230-160-40.20 Building materials in each section of the development shall be consistent so as to maintain a unifying visual effect. Roof materials, window sizes and general styles should be compatible within the entire district.

230-160-40.30 All roof-mounted structures and equipment shall be integrated into the architectural design of the buildings so as to be concealed and inconspicuous.

Zoning Ordinances

City of New Britain, Connecticut

SECTION 230-170: Supplemental Controls for Auto Dealers and Repair Operations in All Zoning Districts. [APPROVED 3-18-08, ITEM #29948-2]

230-170-10 Every Site Plan submitted for a special exception approval or certificate of location approval, must conform with applicable standards of the Department of Motor Vehicles plan requirements and must, as a minimum, be prepared on a current Class A-2 survey base.

230-170-20 Said plan must show conforming parking as specified in Section 240-30, with all parking spaces designated for customers and employees having clear and unimpeded access and conforming back-up aisles, proper dimensions, etc. Customer parking spaces shall be separate from display spaces, safely and conveniently located near the office area and clearly marked with signage.

230-170-30 For auto sales operations, no more than one (1) sales vehicle space per 500 square feet of lot area shall be permitted and all sales vehicle display spaces shall be situated so as to be reasonably accessible without backing or maneuvering vehicles into the public street or onto the sidewalk. No display vehicle shall be located so as to interfere with sightlines for any driveway or intersection.

230-170-35 ANY WRECKED OR PARTIALLY DISMANTLED VEHICLES KEPT ON SITE SHALL BE FULLY SCREENED AND ALL REAR AND SIDE YARDS ABUTTING ADJOINING RESIDENTIAL PROPERTIES SHALL BE SCREENED.

230-170-40 NO LIGHTING WHICH WOULD RESULT IN GLARE OR LIGHT SPILLOVER ONTO ADJOINING RESIDENTIAL PROPERTIES SHALL BE EMPLOYED.

230-170-50 ALL PARKING, DISPLAY VEHICLES AND VEHICLE STORAGE SHALL BE ON A PAVED SURFACE, OR ANOTHER PREPARED SURFACE DEEMED ACCEPTABLE BY THE CITY ENGINEER.

230-170-60 ALL SITES SHALL HAVE APPROPRIATE PLANTING ISLANDS AND LANDSCAPING IN ACCORD WITH GOOD PROFESSIONAL DESIGN PRACTICES, INCLUDING, AS A MINIMUM, A FOUR (4) FOOT PLANTING STRIP ALONG ALL LOT LINES, EXCEPT FOR LOCATIONS OF ACTIVE DRIVEWAY CURB CUTS, TO INCLUDE APPROPRIATE LOW GROUND COVERS ALONG STREET FRONTAGES AND A MIX OF HIGHER EVERGREEN AND DECIDUOUS SHRUBS AND TREES ALONG THE REAR AND SIDE LOT LINES NOT BORDERING A PUBLIC STREET.

Zoning Ordinances

City of New Britain, Connecticut

230-160-70 ALL SITES SHALL HAVE APPROPRIATE DRAINAGE SYSTEMS, CONFORMING WITH APPLICABLE ENGINEERING STANDARDS, WITH ANY SHOP FLOOR DRAINS, VEHICLE WASH FACILITIES, ETC. UTILIZING SUCH FEATURES AS OIL AND GREASE SEPARATORS, WASHWATER RECYCLING SYSTEMS ETC, AS MAY BE DIRECTED BY THE CITY ENGINEER.

Section 235 SPECIAL REGULATIONS FOR RESIDENTIAL DESIGN DISTRICT

[Approved 2-22-85, Item #16617-1]

235-10 Subject to the regulations, standards and conditions set forth herein.

235-10-20 Major natural surface drainage channels shall be preserved as part of the required open space. Developed areas shall be served by storm sewers. All surfaces shall be treated to prevent the erosion of soil.

235-10-30 Preservation of all open space must be guaranteed by legal documents filed in the City Land Records. Depending on what City Plan Commission recommends, it can be either in the form of conservation easements, fee ownership, or both. Conservation may be public or private. Fee simple may be vested in a private corporation, association, or, if acceptable to the City's governing body, by dedication to the City as Municipally Owned Land.

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235-10-40.40 All landscaping, trees and screening material adjacent to parking areas, loading areas or driveways shall be properly protected by barriers, curbs or other means, from damage by vehicles.

235-10-40.50 To the extent that existing healthy trees, if properly located are preserved, they shall be fully credited against the requirements of this Section. The City Plan Director shall determine which trees shall be preserved as part of the site plan.

235-10-40.60 Screening Specifications

The following specifications are considered as prototypes. The City Plan Commission may recommend one type or combinations of all. In order to comply with the defined "desired effect", the number and spacing of required trees and width of the screening strip may be varied pursuant to Section 235-10-40.70.

235-10-40.60.01 Type "A" Screening.

The desired effect is partial visual screening. The width of the strip may be varied. However, it shall be a minimum of 50-feet. Plant material shall consist of large trees and/or evergreens spaced approximately 50-feet on centers or flowering trees or flowering trees spread approximately 25-feet on centers or a combination of both.

235-10-40.60.02 Type "B" Screening.

The desired effect is to complete visual screening of parking and loading areas. The screening material shall consist of a hedge, screening fence, screening wall or a combination thereof. The screening strip shall be 6-feet for said fence or wall and at least 10-feet for a hedge unless a greater width is specifically required.

235-10-40.60.03 Type "C" Screening.

The desired effect is complete visual screening of parking and loading areas and special spatial separation. Plant material shall be the same as specified for Type "A" screening plus a hedge, screening fence or screening wall. The screening strip shall be a minimum of 50-ft. on center.

235-10-40.60.04 Type "D" Screening.

The desired effect is primarily spatial separation. The screening strip shall be a minimum of 100-ft. wide. Plant material shall consist of a mixture of large trees, flowering trees and evergreens spaced about 50-ft. on centers.

235-10-40.70 Modification of Screening.

The City Plan Commission is authorized to consider and vary such modifications in the above standards, in a specific SRD Development, where the City Plan Commission makes a finding that equivalent or superior screening will be provided.

235-10-40.70.01 Definitions.

235-10-40.70.02 DESIRED EFFECT. The visual impressions desired for screening and landscaping.

235-10-40.70.03 LARGE TREES. Deciduous shade trees, such as Sugar Maple, Red Oak, or Conifers such as White Pine, Canadian Hemlocks. The required large trees shall be a minimum of 2 1/2" - 3" caliper.

235-10-40.70.04 FLOWERING TREES. Trees such as Dogwood, Crabapple, etc.

235-10-40.70.05 HEDGE. A hedge shall provide complete visual screening and consist of evergreens at least 4-ft. in height at the time of planting and it shall be maintained at a height of at least 6-ft.

235-10-40.70.06 SCREENING FENCE OR SCREENING WALL. These are devices for complete visual screening. They shall be at least 6-ft. in height and 3/4 solid.

235-10-40.70.07 PARTIAL VISUAL SCREENING. A type of screening through which the screened object is partially visible.

235-10-40.70.08 COMPLETE VISUAL SCREENING. A type of screening which affords a year-round effect and through which the screened object is obscured.

235-10-40.70.09 LANDSCAPING. The term landscaped or landscaping shall mean that an area to be at least covered with grass, or ground cover. Any additional planting is either specifically required by the ordinance or left to the discretion of the property owner (Developer, Association, etc.).

235-10-50 All streets that revert back to the City of New Britain shall comply in design with the adopted Subdivision Regulations.

235-10-60 Pedestrian walks shall overlook all dwelling units so that open space and other features of the development can be reached by residents without pedestrians sharing streets with vehicles. Pedestrians and vehicular grade separation shall be provided for walks crossing any street that carry traffic through the SRD.

235-10-70 Maximum number of attached residential units shall not exceed six (6) in any building.

235-10-80 Areas of visual and acoustical privacy shall be created for each dwelling unit by the use of fences, and landscaping and/or the location of buildings.

235-10-90 Phasing Plan shall be required for all developments. The City Plan Commission may require approval of each major development phase.

235-10-110 Outdoor trash receptacles such as dumpsters shall not be permitted unless totally screened.

235-10-120 Final Development Plans shall include the following:

235-10-120.01 Class A-2 Boundary Survey Map 1"=20' or 1"=40'.

235-10-120.02 Site Plan 1"=20' or 1"=40'.

235-10-120.03 Site Development Plan.

235-10-120.04 Site Landscaping Plan.

235-10-120.05 Architectural Plans.

235-10-130 The following shall be shown on the above Plans:

Zoning Ordinances

City of New Britain, Connecticut

235-10-130.01 Certification of a Class A-2 Boundary Survey Map by a State of Connecticut licensed Civil Engineer and Land Surveyor in the form of separate embossed stamps with their signatures across them.

235-10-130.02 Small Key Map showing location - typically 1"=500'.

235-10-130.03 Land, proposed structures, uses, acreage, relevant streets, surrounding zoning classification.

235-10-130.04 Dwelling unit densities, rooms, etc.

235-10-130.05 Building intensities.

235-10-130.06 Vehicular and pedestrian circulation.

235-10-130.07 Off-street parking.

235-10-130.08 Proposed pedestrian walks, etc.

235-10-130.09 Proposed open space, Lawns, etc.

235-10-130.10 Landscaping Plan and Schedule.

235-10-130.11 Existing and proposed utilities and easements.

235-10-130.12 Preliminary building plans, floor plans, exterior elevations and perspectives.

235-10-130.13 Relationship to existing and future land uses.

235-10-130.14 Priority schedule of construction.

235-10-130.15 Future division of property.

235-10-130.16 Any other information the Commission may reasonably require or the applicant may wish to submit (i.e. traffic report).

235-10-140 A comprehensive report compiled by the City Plan Commission staff shall be submitted to the City Plan Commission prior to its final development approval. The following shall be included:

235-10-140.01 Traffic circulation and security report from the Chief of Police.

235-10-140.02 Plan Review Report from the Fire Marshal.

235-10-140.03 Plan Review Report from the City Engineer.

235-10-140.04 Plan Review Report from Bureau of Engineering.

235-10-140.05 Plan Review Report from the Water Department.

235-10-140.06 Environmental Impact Statement prepared through the Planning Department in conjunction with the Conservation Commission, Soil Conservation Service, or Department of Environmental Protection.

235-10-140.07 Reports or statements from any other Advisory Board or Commission, if deemed necessary.

235-10-150 Criteria for Evaluating a Proposed Special Residential Design District Zone Designation.

The intent of this ordinance is to approve SRD Districts only where specified development proposals are determined feasible. The City Plan Commission and Zoning Committee may recommend to the Common Council, their approval of a petition for a SRD District provided that a finding is made that the facts submitted with the application, meets the requirements of Section 230-10-140 and Section 280-60-30.10.

235-10-150.01 The Developer has provided, where appropriate, for the sustained maintenance of the development in general, and also for the open space in accordance with Section 235-10-30, 235-10-40, and 235-10-50.

235-10-150.02 The size and intensity of the proposed residential use and its effect on the compatibility with the adopted Master Plan of Development, the specific zone and the neighborhood.

235-10-150.03 The capacity of adjacent and feeder streets to handle peak traffic loads created by the zone designation.

235-10-150.04 The overall effect on values and utilization of neighborhood properties.

Zoning Ordinances

City of New Britain, Connecticut

235-10-150.05 Utilities and drainage and recreational facilities have been laid out not to unduly burden the capacity of such facilities, such other facilities presently connected there with, and such facilities proposed by the adopted Master Plan of Development, and officially adopted Master Utility Plans.

235-10-150.06 Unusual topography of the location, the natural location, and height of buildings, walls, fences, grades, and landscaping of the site.

235-10-150.07 The extent, nature and arrangement of parking facilities, entrances and exits.

235-10-150.08 Extent of Fire and Police protection.

235-10-150.09 The preservation of the character of the neighborhood and environment.

235-10-150.10 The proposed development will be in keeping with the general interest and spirit of the City of New Britain's Building/Zone Regulations and City's Master Plan of Development.

235-10-150.11 All other standards prescribed by these requirements.

Section 240 OFFSTREET PARKING AND TRUCK LOADING SPACE REQUIREMENTS AND REGULATIONS.

Offstreet parking and truck loading space requirements shall be provided for, and kept available as an accessory use to all permitted and special exception uses of buildings, structures and lots in amounts not less than those specified in this Section.

240-10 Method of Determining Offstreet Parking Space Requirements.

240-10-10 The requirements for a simple use (e.g. a one family dwelling or a retail store shall be determined directly from the schedule of such requirements which is a part of this section, except as provided in Section 240-10-60.

240-10-20 The requirement for a combination use made up of several component uses e.g. a bowling alley combined with auditorium and a restaurant and bar, or a retail store combined with office building) shall be determined by establishing the requirements for each component use from the schedule of such requirements which is a part of this Section, and adding them together.

240-10-30 When the required number of spaces is determined to result in a fractions, it shall be increased to the next highest whole number.

240-10-40 If the use is not specifically listed in the schedule of such requirements, the requirement shall be the same as for the most similar listed use.

240-10-50 Uses which require approval pursuant to the special exception use procedure set forth in Section 270-40 may be required to provide offstreet parking spaces in excess of the requirements of this Section as indicated in section 270-40-30.80.

240-10-60 Within any B-1, B-3, or CBD District the minimum number of offstreet parking spaces required on any lot of 10,000 square feet or less shall be one parking space for each 1,250 square feet of lot area or part thereof.

Zoning Ordinances
City of New Britain, Connecticut

240-20 Schedule of Offstreet Parking Space Requirements for Residential Uses.

Single family houses [Approved 10-26-88, Item #18505-1]	2 per dwelling unit
Two family houses [Approved 10-26-88, Item #18505-1]	2 per dwelling unit
Residential Condominium or Common Interest Ownership Community [Approved 2-23-06, Item #28900-2]	2 per dwelling unit
Multifamily houses, townhouses & garden apartments [Approved 10-26-88, Item #18505-1]	2 per dwelling unit
Residential Membership Club	1 per residence unit, plus 1 per each two employees on the premises at any one time
Housing for the Elderly	Parking area sufficient to meet the anticipated requirements, with a minimum of 1 space per each 3 dwelling units
Condominiums [Approved 2-22-85, Item #16617-1]	2 per dwelling unit

240-30 Schedule of Offstreet Parking Space Requirements for Nonresidential Uses.

Uses	Requirements: No. of Spaces
<i>Animal Hospital</i>	1 per 200 sq. ft. of floor area
<i>Auditorium, church, convention hall, stadium, theater, studio or other place of public assembly, not otherwise classified</i>	1 per 4 permanent seats or the floor area equivalent {one seat=18 linear inches of pew/bench} [Approved 8-23-06, Item #29132-2]
<i>Bank, savings & loan</i>	See "Office"

Zoning Ordinances

City of New Britain, Connecticut

association	
Auto Sales [Approved 3-18-08, Item #29948-2]	Sufficient parking for all vehicles displayed for sale, plus a minimum of five (5) parking spaces, or one (1) customer parking space per every five (5) sales vehicle display spaces, but in no case less than five (5) customer parking spaces.
Bed and Breakfast Accommodations	1 space per guest room, plus 2 spaces for the resident family [Approved 7-16-01, Item #26484-2]
Bowling Alley	6 per alley
Funeral home	1 per 100 sq. ft. or net floor area
Gasoline station, parking garage	Sufficient parking spaces for all vehicles stored or being serviced at any one period of time plus a minimum of 5 additional spaces
Home occupation, home professional office	1 per 200 sq. ft. of area given over to this component of the land use, but in no case less than 2 spaces
Hospital	1 per 2 beds, plus one per each 2 employees on the premises at any one period of time
Hotel, motel	1 per guest bedroom plus 1 per each two employees on the premises at any one period of time
Manufacturing or industrial establishment and offices thereof	1 space per 5 employees on the largest single shift
Nursing home	1 per each 2 beds plus 1 per each 2 employees on the premises at any one time
Offices, office building	1 per 150 sq. ft. of net floor area
Public or semi-public art gallery, library or museum	See "Auditorium", etc.
Repair garage [Approved 3-18-08, Item #29948-2]	A minimum of three (3) parking spaces per service bay or service area
Restaurant, club	1 per 4 permanent seats or the floor area equivalent
Retail store, personal service store, shopping center, under 75,000 sq. ft. [Approved 6-11-99, Item #24426-2]	1 space per 200 sq. ft. of gross floor area
Retail store, personal service store, shopping center, over 75,000 sq. ft. [Approved 6-11-99, Item #24426-2]	1 space per 200 sq. ft. of gross floor area, up to 75,000 sq. ft., plus 1 space per each 250 sq. ft. of gross floor area in excess of 75,000 sq. ft.
School	1 per employee

Zoning Ordinances

City of New Britain, Connecticut

<i>Shop for custom work</i>	1 per 150 sq. ft. of floor area
<i>Trucking station</i>	Sufficient parking spaces for all trucks stored or being serviced at any one period of time, plus 2 spaces per each 3 employees on duty or on the premises at any one time.
<i>Wholesale establishment, warehouse</i>	See "Manufacturing or Industrial Establishment"

240-50 Private Garages or Offstreet Parking Areas in Residence and OP Districts--Supplemental Regulations.

240-50-10 Accessory private garages shall not be designed for rental of parking spaces to persons living off the premises.

240-50-20 Not more than one parking space per dwelling unit may be rented to persons living off the premises in the case of single or two family dwelling uses, nor more than one parking space per each two dwelling units may be rented to persons living off the premises in the case of any other residence use.

240-50-30 Not more than one commercial vehicle shall be housed or parked in a private garage or offstreet parking area. Such commercial vehicle shall not exceed a gross motor vehicle weight of 10,000 pounds. Such commercial vehicle shall also not exceed thirty feet in length and eight feet in height. [Approved 4-12-00, Item #24826-2]

240-50-35 No motorhome, camper, trailer or other similar personal use vehicle that exceeds eight (8) feet in height or 24 feet in length may be parked in a front yard area in any residential, RO or OP zoning district. Such motorhome, camper, trailer or other similar vehicle may be parked within a rear yard area on a private residential property, provided that it is not parked within 5 feet of any neighboring property line. No motorhome, camper, trailer or other such vehicle that is not owned by the property owner may be kept on any residential, RO or OP zoned property. [Approved 8-29-06, Item#29091-2]

240-50-40 Parking in the required front yard in the S-1, S-2, S-3, T, and T-6 Districts is prohibited except within an access driveway with a maximum width of twenty feet; except that any front yard paved parking lot not in conformance with this Section, but in existence prior to the effective date of

this Section, is allowed to continue in its original configuration. [Approved 4-21-78, Item #12896-1; Approved 6-21-00, Item #24933-2]

240-50-50 In any multi-family, garden apartment or townhouse development in which parking spaces are provided in front of garages, pursuant to Section 230-10-20.30, each space provided in front of a garage shall be counted at a rate of 1/2 space towards the unit's off-street parking requirement. The remainder of the parking requirement shall be provided for in a separate off-street parking area for visitors, calculated at a rate 1/2-space per garage, and additional to the parking provided to meet the requirements of any other portion of the development. [Approved 10-26-88, Item #18505-1]

240-60 Access Driveway Requirements.

240-60-10 Access driveways for parking garages, public parking areas, filling stations, repair garages, or trucking stations may have separate or combined entrances and exits.

240-60-20 Every entrance or exit driveway shall have a minimum unobstructed width of ten (10) feet. Every combined entrance and exit driveway shall have a minimum unobstructed width of twenty (20) feet, for parking in excess of 10 spaces. [Approved 2-21-86, Item #17164-1]

240-60-30 In all Districts, the intersection of entrance or exit driveways with the public street shall have the same corner clearances as prescribed for intersecting streets in Section 230-70. [Approved 3-18-08, Item #29947-2]

240-70 Design Requirements for Offstreet Parking and Truck Loading Areas.

240-70-10 All Accessory offstreet parking and truck loading areas shall be located in accordance with the provisions of Section 230-10.

240-70-20 The physical improvements of offstreet parking and truck loading areas shall include:

240-70-20-10 Curbs, paving, sidewalks and drainage facilities complying with the standards established in the ordinances of the City of New Britain and such additional standards as the City Engineer shall require.

240-70-20-20 Adequate lighting in public parking areas to assure the general safety and convenience of the public.

240-70-20.30 Appropriate screening for the protection of adjacent properties particularly along District boundary lines as provided for in Section 230-110.

240-70-30 In all Districts, all aisles within parking areas shall have a minimum width of 24 feet when the parking spaces are a 90 degree angle with the driveway; 18 feet when the parking spaces are at 60 degrees; and 16 feet when the parking spaces are at 45 degrees.

[Approved 3-18-08, Item #29947-2]

240-70-40 Aisles and turning areas shall have adequate radii to assure ease of mobility, ample clearance, and convenient access and egress.

240-70-50 In all Districts, centerline gradients of aisles shall not exceed 8 per cent.

[Approved 3-18-08, Item #29947-2]

240-70-60 In all Districts, accessory off-street parking areas shall be marked off into parking spaces with a minimum width of nine (9) feet, and minimum length of 18 feet; or, in the case of parking spaces for trucks or special equipment, parking spaces of a minimum size to be determined by the City Engineer based on the nature of the parked vehicles.

[Approved 3-18-08, Item #29947-2]

240-70-70 In all Districts, an accessory offstreet truck loading space shall have a minimum width of 10 feet, a minimum length of 25 feet, and a minimum clear height of 14 feet. The related aisle shall have the same minimum width and clear height.

[Approved 3-18-08, Item #29947-2]

240-70-80 Except in the B-1R and the S1, S2, S3, T, T-6, A1, A2 and A3 residential districts, accessory off street parking areas may have 33% of their total amount of parking spaces designated for Compact Cars. The designated compact car parking spaces must have a minimum width of 7.5 feet and a minimum length of 15 feet. The minimum width of the parking aisle shall be 18 feet. [Approved 6-21-00, Item #24933-2; Approved 2-23-06, Item #28899-2]

In addition, the compact car parking area must be clearly marked for compact cars and physically set apart from the standard parking areas. Site plan designs for compact cars parking shall be approved by the Director of City Planning before a building permit can be issued. [Approved 6-21-84, Item #16242-1]

240-80 Exemptions and Waivers.

240-80-10 Existing buildings and uses are exempt:

The provisions of this Section shall not apply to any building or structure or lot lawfully in use at the effective date of this ordinance, whether continued as a permitted or legal nonconforming use, or thereafter converted or changed without enlargement to a different lawful use having the same parking and truck loading requirements.

240-80-20 The offstreet parking space requirements stipulated in this section shall be automatically waived for properties located within a Municipal Parking District, except for residential uses in the CBD district, which shall be provided in accordance with Section 170-50-90.10. Said District shall be established by the City Plan Commission, with the approval of the Common Council and the bounds thereof may be amended by action of those bodies from time to time. [Approved 11-21-86, Item #17459-1; Approved 6-16-08, Item #30065-3]

240-80-30 The Zoning Board of Appeals, subject to the applicable provisions of Section 270-50, may waive the requirements, in whole or in part, for the offstreet parking or truck loading spaces stipulated in this Section.

Section 250 SIGN REGULATIONS.

250-10 Schedule of Permitted Signs:

The following schedule of permitted signs shall apply to each premises according to the District in which it is located on the Zoning Map, whether it be used for a special exception use.

DISTRICT S-1, S-2, S-3, T, T-6, A-1, A-2, A-3, RO, OP. [Approved 2-21-86, Item #17164-1; Approved 6-21-00; Item #24933-2]

Announcement or Professional.

One on each public street frontage; pursuant to Sec. 250-20.

Business or Identification.

Prohibited; except in OP district where one wall sign or ground sign on each street frontage is permitted pursuant to Sec. 250-30.

Bus Passenger Waiting Shelter Advertising Sign.

Permitted in all zones; pursuant to Sec. 250-71. [Approved 10-22-81, Item #14771-5]

Real Estate.

One on each public street frontage for single lots or buildings; two subdivision signs on each public street frontage for each approved subdivision; pursuant to Sec. 250-40.

Advertising.

Prohibited, except as provided for pursuant to Section 250-50-80. [Approved 2-14-01, Item #26232]

Temporary.

Zoning Ordinances

City of New Britain, Connecticut

Permitted in OP and for all conforming land uses in residential zones; pursuant to Sec. 250-60.

Directional.

Permitted in all zones pursuant to Sec. 250-70.

DISTRICT B-1, B-1R, B-2, B-3, CBD, TP, TPC, I-1, I-2, I-3. [Approved 1-17-07; Item #29357]

Announcement or Professional.

One on each public street frontage; pursuant to Sec. 250-20.

Business or Identification.

One wall sign and one detached or ground sign or roof sign or awning sign on each public street; pursuant to Sec. 250-30. [Approved 2-14-01, Item #26231]

Bus Passenger Waiting Shelter Advertising Sign.

Permitted in all zones; pursuant to Sec. 250-71. [Approved 10-22-81, Item #14771-5]

Real Estate.

One on each public street frontage for single lots or buildings; 2 subdivision signs on each public street frontage for each approved subdivision; pursuant to Sec. 250-40.

Advertising.

Permitted as special exception uses in the B-1; B-2; B-3; I-2; and I-3 districts pursuant to Sec. 250-50, and permitted in all districts as provided for pursuant to Section 250-50-80. [Approved 6-26-86, Item #17123-1] [Approved 2-14-01, Item #26232]

Temporary.

Permitted pursuant to Sec. 250-60.

Directional.

Permitted in all zones; pursuant to Sec. 250-70.

DISTRICT UI [Approved 2-17-98, Item #23706-1]

Announcement or professional.

One on each public street frontage, pursuant to Sec. 250-20.

Business or Identification.

One wall sign on each public street pursuant to Sec. 250-30 and one planter sign on each public street pursuant to Sec. 250-40.

Real Estate.

One on each public street for single lots or buildings; 2 subdivision signs on each public street frontage for approved subdivisions pursuant to Sec. 250-40.

Advertising.

Not permitted.

Temporary.

Permitted pursuant to Sec. 250-60.

Directional.

Permitted pursuant to Sec. 250-70.

250-20 Announcement or Professional Signs.

250-20-10 Signs for home professional offices or home occupations shall bear only the name and profession or occupation of the resident. Such sign shall have a maximum area of one (1) square foot and may be located either on the building wall or in the front yard, provided that it is not back at least ten (10) feet from all property lines and is not more than six (6) feet above the natural ground level at that point, except that announcement signs in an OP district may have a maximum area of six (6) square feet.

250-20-10.10 A church or other place of worship may have one (1) announcement sign, not over twelve (12) square feet in area, either fixed on the main wall of the building or located in the front yard provided that it is set back at least 10 feet from the front property line and at least twenty (20) feet from all other property lines.

250-20-10.20 A parish house, club, school, or public or semi-public building, or health, fitness and recreational facility may have one (1) announcement sign, not over six (6) square feet in area, fixed on the main wall of its building. [Approved 2-21-86, Item #17122-2]

250-20-10.30 Such signs may be double-faced.

250-20-10.40 Such signs may be lighted only by shielded light sources attached to the sign.

250-30 Business or Identification Signs.

250-30-10.10 A maximum area of three (3) square feet for each horizontal foot of building wall on which it is mounted; except that in zones B-1, B-2, OP, I-1 and wall signs facing parking lots, the maximum area shall be two (2) square feet for each horizontal foot of building wall on which it is mounted. In the B-1R zone the maximum area shall not exceed 1 square feet per horizontal foot of the building wall on which it is mounted. [Approved 2-23-06, Item #28899-2]

250-30-10.20 A maximum width of seventy five (75) percent of the building wall's horizontal measurement except that, where such horizontal measurement is 20 feet or less, the maximum width may be ninety (90) percent of such measurement.

250-30-10.30 A maximum projection of twelve (12) inches from the face of the building wall to which the sign is attached, with the exception of awning signs which may project a maximum of 36 inches from the face of said building and the bottom of said sign shall be at least ten (10) feet above level of any walkway, beneath said sign. [Approved 2-14-01, Item #26231]

250-30-20 A detached or ground identification sign shall have:

250-30-20.10 A maximum area of thirty two (32) square feet in area per side except that, when the building area is twenty (20) percent or less of the lot area and the buildings or structures are set back seventy five (75) feet or more, the sign area may be increased to the equivalent of one (1) square foot of sign area for every two (2) feet of lot frontage.

250-30-20.20 A maximum unbroken width of twenty five (25) feet.

250-30-20.30 A maximum height measured from the ground level to the top of the sign of twenty one (21) feet, except that in a B-1, B-1R, B-2, OP, or I-1 District the maximum height measured from ground level to the top of the sign shall be 15 feet. [Approved 2-23-06, Item #28899-2]

250-30-20.40 At least three (3) feet of clear space between the sign board and the ground, except that necessary supports may extend through such clear space.

250-30-20.50 A setback of at least twenty (20) feet from any property line, except that if the average front setback of existing buildings within the same block is less than ten (10) feet, then the average setback so established shall be applied to such sign.

250-30-30 A sign mounted on the roof of the building or structure shall have:

250-30-30.10 A maximum height of fifteen (15) feet above the roof upon which it is situated in business zones and the I-2 zone and twenty five (25) feet in all other industrial zones.

250-30-30.20 A maximum width of seventy five (75) percent of the building wall's horizontal measurement.

250-30-30.30 There shall be a clear space above the roof and the lowest part of any portion of the sign of not less than six (6) feet.

250-30-30.40 The supporting members of a roof sign shall be free of any bracing angle iron, guy wires, cables, etc. The supports shall appear to be an architectural and integral part of the building. Supporting columns of round, square or shaped steel members may be erected if required bracing, visible to the public, minimized or covered.

250-30-40 Freestanding Ground Signs in the UI Zoning District

[Approved 2/17/98, Item #23706-1]

250-30-40 Freestanding ground sign(s) serving as a business or identification sign in the UI zoning district shall conform to the following:

250-30-40.10 Freestanding ground sign(s) shall exceed 32 sq. ft. in area or 5 ft. in height

250-30-40.20 All freestanding ground sign(s) shall be setback a minimum of 10 ft. from all property lines including public street lines. No such sign shall be located so as to interfere with sightlines for any public or private street or driveway.

250-30-40.30 All such signs shall be suitably designed and constructed of such materials so as to be attractive, durable and compatible in character with the other buildings and structures in the district.

250-30-40.40 The ground area encompassing the base of a freestanding ground sign shall be planted with an appropriate mixture of low evergreen and deciduous shrubs.

250-40 Real Estate or Construction Signs.

250-40-10 Real Estate or construction signs shall not be erected nearer than ten (10) feet from the property line. Such signs shall have a maximum area of eight (8) square feet, except that subdivision signs shall have a maximum area of twenty four (24) square feet.

250-40-20 Temporary directional signs indicating the location of a real estate subdivision shall be permitted as special exception uses under the provisions of Section 270-40 for a period of one (1) year during the active selling of subdivision properties. Additional periods of one (1) year may be granted upon an application to the Zoning Board of Appeals.

250-50 Advertising Signs or Billboards.

250-50-10 Advertising signs shall only be allowed as Special Exception Uses in B-1, B-2, B-3, TP, I-2 and I-3 Zones, except as provided for in Section 250-50-80. In no manner shall said type of sign be permitted in residential zones, except as provided for in Section 250-50-80. [Approved

6-26-86, Item #17123-1] [Approved 3-8-00, Item #24788-2] [Approved 2-14-01, Item #26232]

250-50-20 Advertising signs on the ground shall not be erected nearer to the street line than the established setback line and shall not exceed twenty one (21) feet in height. The height shall be measured vertically from the average grade of the street nearest the supporting columns to the highest point of said sign.

250-50-30 Advertising signs on the walls of structures shall be limited to less than 300 square feet and not longer than 50 percent of the horizontal length of the structure.

250-50-40 Advertising signs shall be separated from each other by a distance of at least 300 feet except in the B-3 and CBD zones, except that two (2) or more such signs may be arranged to form a continuous face, either in a straight line, on an angle, or back to back. Faces which are separated by no more than two (2) feet shall be considered continuous for the purpose of this section.

250-50-50 Advertising signs shall abide by the yard and lot coverage provisions of the zoning district in which such sign is located.

250-50-60 Advertising signs shall not be displayed within one hundred (100) feet of any public park, playground or cemetery, nor shall said sign be displayed within one hundred (100) feet of an adjoining residential district if designed to face directly into such district and be visible therefrom.

250-50-70 Advertising signs shall not be attached to or located on any building or property used in whole for residential purposes, or attached to or located on any portion of a building where that portion is used for residential purposes, regardless of what such property is zoned.

250-50-80 Notwithstanding the preceding prohibitions and restrictions, signs for the advertisement of goods and services may be located within the interior of any sports facility owned by the City of New Britain, which facility is utilized for spectator sports and where the advertisement signs are intended for viewing by the spectators within the facility. [Approved 2-14-01, Item #26232]

250-60 Temporary Signs.

250-60-10 Temporary signs are permitted in all business zones, all industrial zones, the OP zone and for all conforming land uses in residential zones.

250-60-20 Signs temporarily attached or temporarily painted to a window, door or wall announcing sales or special features shall be no larger than similar permanent permitted signs in the district. Said temporary signs if shown on windows shall not exceed 50% of the window area.

250-60-30 Temporary signs shall be removed immediately after the termination of such sale or special feature and in no case shall be permitted for a period longer than 30 days.

250-70 Directional Signs.

250-70-10 Directional signs identifying entrances and exits, parking areas, traffic flows and hazards may be provided in all zones, as required. Signs shall be of a strictly informative nature and shall be no larger than two (2) square feet in size.

250-71 Bus Passenger Waiting Shelter Advertising Sign.

[Approved 10-22-81, Item #14771-5]

250-71-10 For each Shelter only one double faced sign will be permitted.

250-71-20 There must be a distance of at least 1500 feet between locations of shelters along the same street frontage in Residential Districts.

250-71-30 Each shelter must be placed in such a manner as not to interfere with the flow of vehicular or pedestrian traffic.

250-71-40 The advertising signs must be constructed as an integral part of the shelter.

250-71-50 Only indirect lighting will be allowed within each shelter.

250-80 General Provisions.

250-80-10.10 Except for business and identification signs as prescribed in Section 250-80-10.10, signs attached to a structure shall not project more

than two (2) feet over the top of the exterior wall of such structure at the location of the sign.

250-80-10.20 Temporary or permanent signs resting on, or attached to vehicles shall not be used as a means to circumvent the provisions of this Ordinance.

250-80-10.30 Except for temporary signs, no sign shall be attached to, painted on, or obstruct any window, door stairway or other opening intended for ingress or egress or for needed ventilation and light.

250-80-10.40 Portable signs, folding signs similar movable signs shall be treated as Temporary signs. However, no more than one such sign shall be permitted per structure.

250-80-10.50 In no case shall lighted or unlighted signs be so located or designed so that they constitute a hazard to vehicular traffic by obstructing visibility or unnecessarily distracting drivers.

250-80-10.60 The area of a sign shall be determined by the smallest rectangle that encompasses all of the letters or symbols which make up the sign including any background of a different color or material than the general finish of the building, whether painted or applied.

250-80-20 Illuminated and Moving Signs.

250-80-20.10 A sign may be illuminated if the illumination is confined to the surface of the sign. No flashing, or rotating lights shall be permitted except lights on signs indicating time and/or temperature by means of white, intermittent lighting, provided the longest dimension of such a sign does not exceed five (5) feet.

250-80-20.20 The speed of rotating signs may not exceed eight (8) revolutions per minute.

250-80-20.30 The light sources of signs shall be so designed and shielded that they cannot be seen from beyond property lines on which said sign is located, except that signs with exposed neon tubes shall be permitted in all business and industrial districts.

250-80-30 Nonconforming Signs. Any signs existing at the time of the adoption of this Zoning Ordinance or any amendment thereto, which does not conform with the requirements of this Ordinance shall be termed nonconforming structures as provided by Section 260 of this Ordinance.

250-80-40 Any person, firm, or corporation occupying any vacant lot or premises by means of a ground sign, or any other type of sign, shall be subject to the same duties and responsibilities as the owner of the lot and premises with respect to keeping the same clean, sanitary, inoffensive, and free and clear of all obnoxious substances and unsightly conditions on the ground in the vicinity of such ground sign or said premises for which they may be responsible.

250-80-50 No gasoline service station identification sign, or similar pole sign, including its structure, shall exceed a height of twenty (20) feet above the lowest adjacent established grade.

250-80-60 Notwithstanding these provisions a Shopping Center in a B-2 zone or an Industrial Park in a I-1, I-2, or I-3 zone may have one identification sign of a free-standing type at a height no more than one (1) foot for each foot of setback, said measurements shall be computed from the edge of the right-of-way of the street upon which the sign is located and measured to the column or columns nearest the street front. The height shall be measured vertically from the average grade nearest the supporting columns to the highest point of said sign. One half (1/2) of all superficial ornamentation, trim, column or columns, covers or symbol-type appendages of a non-message bearing character shall be included in determining height.

250-80-70 Notwithstanding any other sections of this Ordinance all signs, except directional signs, shall be set back at least 25 feet from any street intersection. The setback shall be measured from the point of tangency at the nearest curb line.

250-80-80 No person shall post or affix any notice, poster or other paper or device, calculated to attract the attention of the public, to any lamp post, public utility pole or shade tree, nature feature, rock, awning post, fire alarm pole, or upon any public structure or building, except as may be authorized by law.

250-90 Application.

250-90-10 In addition to the requirements of this Ordinance, every business or identification, advertising, announcement or professional, and temporary sign (after thirty (30) days) must have a permit issued by the Department of Buildings. Every application for said type of sign shall include the following information and exhibits in triplicate:

A. Exhibit showing the location of proposed and any existing sign(s) and its structure on the premises in relation to adjacent buildings or structures.

B. Exhibit showing the design, and size, structural details, dimensions, and colors of the proposed and any existing sign(s) on the premise.

250-90-20 All signs must be constructed in accord with structural and all other requirements as established by the Building Code of the City of New Britain.

250-90-30 Before said permit is issued, the Director of Planning shall be required to submit his report to the director of licenses, permits and inspections regarding aesthetic considerations and proper land use, regarding the location of advertising ground signs, and identification signs which identify shopping centers and industrial parks. If the Director fails to submit his report within fifteen (15) days after receiving it, the proposed sign shall be considered approved by him. [Approved 1-13-03, Item #27215]

250-90-40 Penalty. Any person who erects, maintains, displays or allows to remain in view an advertisement, signs or billboard, or any structure designed for the display of advertising matter contrary to any provisions of this section shall be fined not more than one hundred (\$100) dollars for each sign so displayed.

Section 260 NONCONFORMING USES AND NONCONFORMING BUILDINGS OR STRUCTURES.

260-10 Unlawful Buildings, Structures, or Uses Not to be Construed as Nonconforming.

260-10-10 No unlawful building or structure, or unlawful use of a building or structure or lot existing at the effective date of this Ordinance shall be deemed to be a nonconforming building, structure or use.

260-10-20 All buildings or structures, or use of a building or structure or lot lawfully existing at the effective date of this Ordinance shall be deemed to be a nonconforming building, structure or use.

260-20 Continuance.

260-20-10 Any lawful use occupying any building, structure or lot at the time of the effective date of this ordinance or any amendment thereto, which does not comply, after the effective date of this ordinance or any amendment thereto, with the use regulations of the District in which it is situated, may be continued in the building or structure or upon the lot so occupied.

260-20-20 Except as provided in section 270-50-40.30, a building or structure used by a nonconforming use at the effective date of this ordinance, may not be reconstructed, structurally altered, restored or repaired to an extent exceeding in aggregate cost 75 percent of the replacement cost of such building or structure, unless the use of such building or structure is changed to a conforming use.

260-20-30 A nonconforming building or structure that is not devoted to a nonconforming use may be reconstructed structurally altered, restored or repaired in whole or in part, and the provisions of Section 260-20-20 shall not apply, except that the degree of nonconformity shall not be increased. [Approved 3-18-08, Item #29947-2]

260-20-40 A nonconforming lot of either less area or width which was a conforming lot at the effective date of this Ordinance may be used or a building or structure may be erected on such lot. The use and building or structure must be in accordance with all applicable provisions of this

Zoning Ordinances

City of New Britain, Connecticut

Ordinance. [Approved 4-18-80, Item #13676-2; Approved 11-28-90, Item #19611-2]

260-20-50 An existing building designed and used for a conforming use but located on a nonconforming lot, whether the building is conforming or nonconforming with respect to lot coverage and minimum yard requirements, may be reconstructed, structurally altered, restored or repaired whole or in part, except that the degree of nonconformity shall not be increased.

260-30 Extension.

260-30-10 A nonconforming use shall not be enlarged or extended, except as provided in Section 270-50.

260-40-10 A nonconforming use shall be changed only to a conforming use, except as provided in Section 270-50.

260-50 Abandonment.

260-50-10 A nonconforming use shall be deemed to have been abandoned:

260-50-10.01 When it is changed to a conforming use.

260-50-10.02 In cases where such nonconforming use is of a building or structure designed for such use, when it has been voluntarily discontinued for a period of 12 consecutive months.

260-50-10.03 In cases where such nonconforming use is of a building or structure not designed for such use, or is of a lot or land whereon there is no consequential building or structure devoted to such use, when it has been voluntarily discontinued for a period of six (6) consecutive months.

260-50-10.04 In the case of an alcoholic liquor permit which shall have been discontinued for a period of 90 days by reason of surrender, cancellation or revocation of said permit, then such use shall not be resumed except in conformity with the provisions of this Ordinance.

260-50-20 A nonconforming use that has been abandoned shall not thereafter be reinstated.

Section 270 THE ZONING BOARD OF APPEALS.

270-10 Organization and General Procedure.

270-10-10 There shall be a Zoning Board of Appeals. The method of appointment, terms of office, and tenure of its members shall be as provided by Section 3171 and 3172 of the Charter of the City of New Britain, as amended.

270-10-20 The Zoning Board of Appeals shall have the powers enumerated in Section 3173 of the Charter of the City of New Britain, as amended, and as herein more particularly provided and interpreted.

270-10-30 The Zoning Board of Appeals shall adopt such Rules of Procedure, not inconsistent with the provisions of State Law, the Charter, this zoning ordinance, and other city ordinances, as it may deem necessary to the proper performance of its duties and the proper exercise of its powers.

270-10-40 All requirements pertaining to meetings and minutes of the Board shall conform with the provisions of Section 3174 of the Charter of the City of New Britain, as amended. A quorum shall consist of four (4) members or reserve members of the Board.

270-10-50 The vote of the Board on the affirmance or reversal of an order, requirement, decision or determination appealed from shall be in compliance with Section 3176 of the Charter of the City of New Britain.

270-20 Applications on appeal for variances from determinations by the director of licenses, permits and inspections, and applications for permits for special exception uses shall be submitted in the form required by the Board and filed in the office of the Board. [Approved 1-13-03, Item #27215]

270-20-20 The Board shall fix a time and place for a public hearing thereon, and shall provide for the giving of notice at least 15 days prior to the date thereof, as follows:

270-20-20.10 By publishing a notice in a daily newspaper of general circulation in the City, as provided by Section 3134 of the Charter of the City of New Britain.

270-20-20.20 By requiring the applicant to erect a white-with-black lettering sign or signs measuring not less than three (3) feet long and two (2) feet wide, which shall be prominently displayed on the premises facing each public street on which the property abuts, giving notice that an application for an appeal or special exception use is pending, and the date, time and place where the public hearing will be held. The sign shall not be set back more than 10 feet from the property line and shall be not less than two (2) or more than six (6) feet above the grade at the property line. The sign shall be made of 1/2 inch pressed board or other durable material. It shall be displayed for a period of not less than 15 days immediately preceding the public hearing date or any adjourned date. The applicant shall file an affidavit that he has complied with the provisions of this section.

270-20-30 The City Plan Commission may have representation at any public hearing held by the Board on an application for a permit for a special exception use.

270-20-40 The Board shall keep accurate records of all variances and special exception uses granted by its actions under this ordinance.

270-20-40.10 Each case shall be identified by a sequential numbering system and alphabetically by the applicant's name. Separate files and numbering systems shall be established for variances and special uses.

270-20-40.20 Separate maps for variances and special exception uses shall be kept posted up-to-date, showing clearly the number and correct map location of each case.

270-20-50 Building permits authorized by actions of the Board on variance and special use cases shall be applied for to the Director of Licenses, Permits and Inspections within 180 days of such authorization, and shall automatically expire if construction under the permit is not started within 90 days of issuance. A one time, 90 day, extension of the initial 180 day period to file for a building permit may be granted by the Director of Licenses, Permits and Inspections, provided the applicant shows good cause as to why the extension is warranted. Any further extensions, if warranted, may only be granted by the Zoning Board of Appeals. [Approved 1-13-03, Item #27215] [Approved 3-15-10]

270-30 Appeals on Interpretation of Zoning Ordinance and Map.

Zoning Ordinances

City of New Britain, Connecticut

The Zoning Board of Appeals is hereby authorized, upon an appeal, to hear and decide:

270-30-10 Any matter where an appellant alleges that the director of licenses, permits and inspections was in error in refusing to issue a building permit or certificate of occupancy, as a result of misinterpreting the meaning, intent or application of any Section or part of this ordinance. [Approved 1-13-03, Item #27215]

270-30-20 Any matter where an appellant alleges that the director of licenses, permits and inspections was in error in its determination as to the exact location of a district boundary line on the Zoning Map that forms a part of this ordinance. [Approved 1-13-03, Item #27215]

270-30-30 Any other matter relating to this ordinance, where an appellant seeks a review of any decision, order, or ruling made by the director of licenses, permits and inspections. [Approved 1-13-03, Item #27215]

270-30-40 Any matter which the director of licenses, permits and inspections appeals on grounds of doubt as to the meaning or intent of any provision of this ordinance or as to the location of a district boundary line on the Zoning Map. [Approved 1-13-03, Item #27215]

270-40 Special Exception Uses.

270-40-10 Grant of Power. Pursuant to Section 3173 of the Charter of the City of New Britain, as amended, and in addition to and apart from the power to grant appeals for variances, the Zoning Board of Appeals shall have original jurisdiction and power to grant an application for a permit for a special exception use on a particular site. Such application may be granted whether or not a finding is made that the strict execution of this ordinance would present practical difficulties, but all action by the Board shall be subject to the general provisions of this Ordinance, and more specifically to the guiding principles, general standards, and the special conditions and safeguards contained in this Section, to the extent applicable to each particular application.

270-40-20 Guiding Principles.

270-40-20.10 Such use shall be one which is specifically authorized as a special exception use in the District in which the particular site is located.

270-40-20.20 For every such special exception use, the Board shall make a specific finding, after a public hearing in the manner provided by law, that such use will not be prejudicial to the character of its neighborhood.

270-40-20.30 No application for a permit shall be granted by the Board for any special exception use, until the said Board shall have first received and considered an advisory report thereon from the City Plan Commission, with respect to the location of such use in relation to the needs and growth pattern of the City, and where appropriate, with reference to the adequacy of the site area and the arrangement of buildings, driveways, parking areas, offstreet truck loading spaces, and other pertinent features of the site plan. The City Plan Commission shall have thirty (30) days from the date of its receipt of the application, within which to file its report thereon. In the event that said Commission shall fail to file said report within such thirty (30) days, it shall be deemed that the Commission has no objection to the application for a Special Exception.

270-40-20.40 Every decision by the Board granting an application for a permit for a special exception use shall clearly set forth the nature and extent of such authorized use and any special conditions or safeguards to which it shall be subject as a result of the Board's findings.

Zoning Ordinances

City of New Britain, Connecticut

270-40-20.50 A special exception use, for which an application for a permit is granted by the Board, pursuant to the provisions of this Section, shall be construed to be a conforming use.

270-40-30 General Standards.

For every such special exception use, the Board shall determine the following:

270-40-30.10 That such use will be in harmony with and promote the general purposes and intent of this Ordinance as stated in Section 20.

270-40-30.20 That the plot area is sufficient, appropriate and adequate for the use and the reasonably anticipated operation and expansion thereof.

270-40-30.30 That the proposed use will not prevent the orderly and reasonable use of adjacent properties in adjacent use districts.

270-40-30.40 That the site is suitable for the location of such use in the community.

270-40-30.50 That the characteristic of the proposed use are not such that its proposed location would be unsuitably near to a church, school, theater, recreational area or other place of public assembly.

270-40-30.60 That the proposed use, particularly in the case of non-nuisance industry, does conform with the ordinance definition of the special exception use where such a definition exists, or with the generally accepted definition of such use where such definition does not exist in the Ordinance.

270-40-30.70 That access facilities are adequate for the estimated traffic from public streets and sidewalks, so as to assure the public safety and to avoid traffic congestion, and further that vehicular entrances and exists shall be clearly visible form the street and not within 40 feet of the intersection of street lines at a street intersection except under unusual circumstances.

270-40-30.80 That there are offstreet parking and truck loading spaces at least in the number required by the provisions of Section 240, but in any case an adequate number for the anticipated number of occupants, both employees and patrons or visitors, and further that the layout of the spaces and driveways is convenient and conducive to safe operation.

270-40-30.90 That adequate buffer yards and screening are provided where necessary to protect adjacent properties and land uses.

270-40-30.100 That adequate provisions will be made for the collection and disposal of excessive storm water runoff from the site, and of sanitary sewage, refuse or other waste, whether liquid, solid, gaseous or of other character.

270-40-30.110 That the proposed use recognizes and provides for the further specific conditions and safeguards required for particular uses in Section 270-40-40, if any.

270-40-40 Specific Conditions and Safeguards for Certain Special Exception Uses.

No authorization for a building permit shall be granted by the Zoning Board of Appeals for any special exception use listed in this Section, unless the Board shall specifically find that, in addition to meeting all the general standards set forth in Section 270-40-30, the proposed special exception use also meets the specific conditions and safeguards stipulated in this Section 270-40-40.

Under no circumstances shall the Zoning Board of Appeals have the authority or power to grant variances for any specific condition or safeguard. [Approved 2-19-86, Item #17123-1]

270-40-40.05 ADULT ORIENTED ESTABLISHMENTS. [Approved 3-13-98, Item #23533-6]

270-40-40.05.10

270-40-40.05.40 Each adult oriented establishment shall provide required off-street parking conforming to the requirements of Section 240 at the rate of one (1) parking space for each 100 square feet of net floor area leased or used by the adult oriented establishment.

270-40-40.05.50 The sale and/or consumption of alcoholic beverages is prohibited in and/or at an adult oriented establishment as defined in these Regulations, except that adult cabaret may be permissible in a nightclub, bar or restaurant which is duly licensed to serve alcoholic beverages, provided that all other specific conditions of Section 270-40-40.05 are met.

270-40-40.05.60 No adult oriented establishment as defined herein, shall be conducted in any manner that permits the observation of any material depicting or describing of "specified sexual activities" or "specified anatomical areas" as defined herein, from any public way. This provision shall apply to any building exterior display, decoration, sign, show window or other building exterior opening.

270-40-40.05.70 All adult oriented establishments which were lawfully in existence as of the effective date of these regulations shall comply with all provisions of Section 260 non-conforming uses.

270-40-40.10 ALCOHOLIC LIQUOR PERMIT LOCATION.

270-40-40.10.10 The entrance of the location where alcoholic liquor, beer, wine or ale requiring a permit as defined by the State Liquor Act is sold shall be at least 1500 feet from the entrance of the other location where alcoholic liquor, beer, wine or ale is sold, except under a special exception granted by the Zoning Board of Appeals.

270-40-40.10.20 The location of a permit granted by the State Liquor Act may be relocated within 750 feet of the former premises at which the said permit was located, provided that the new location proposed is not in a zone district where such use is prohibited by this Ordinance.

270-40-40.10.30 No permit shall be granted in any OP or residential district, however, club permits may be granted if approval is given by the Zoning Board of Appeals.

270-40-40.10.40 In any Industrial District restaurant permits only shall be granted.

270-40-40.10.50 No permit location shall be granted within a 500 feet distance along the same street front from a Residence District, a public or private elementary or high school, or a religious institution.

270-40-40.20 ARENA, ASSEMBLY HALL.

270-40-40.20.10 The site shall be at least 500 feet from any Residence District boundary.

270-40-40.20.20 No event or accessory activity other than offstreet parking and truck loading shall take place outside the confines of the arena or assembly hall building or structure itself.

270-40-40.20.30 Public address systems shall only be used in connection with the events sponsored in the arena or assembly hall, provided that where an arena is an open air structure the use of such a public address system shall be limited to the hours between 10:00 A.M. and 11:00 P.M.

270-40-40.20.40 There shall be adequate pedestrian areas at the entrances and exits to the arena or assembly hall as well as suitable locations for taxis and private vehicles to stand while picking up pedestrians.

270-40-40.20.50 No alcoholic liquor permit location shall be granted in conjunction with, or on the same premises as, such arena or assembly hall.

270-40-40.30 Conversion of two-family detached dwelling (attic space) to three-family detached dwelling. [Approved 5-3-82, Item #15290]

270-40-40.30.10 There shall be adequate off-street parking spaces for three (3) vehicles. [Approved 5-3-82, Item #15290]

270-40-40.30.20 There shall be two (2) interior means of ingress and egress. [Approved 5-3-82, Item #15290]

270-40-40.30.30 The City Plan Commission must approve a special exception for a conversion before an application may be granted by the Zoning Board of Appeals. The City Plan Commission shall base its findings on the planning factors the conversion will have on the immediate neighborhood including but not limited to, density, traffic, appearance, and suitability of the site. [Approved 5-3-82, Item #15290]

Zoning Ordinances

City of New Britain, Connecticut

270-40-40.35 AUTO SALES AND/OR REPAIRERS OPERATIONS.

[APPROVED 3-18-08, ITEM #29948-2]

270-40-40.35.10 NOTWITHSTANDING THE MINIMUM LOT SIZE AND WIDTH OF THE ZONING DISTRICT, THE SITE MUST BE A MINIMUM OF 10,000 SQUARE FEET IN AREA AND NOT LESS THAN 100 FEET IN WIDTH, EXCEPT THAT BUSINESSES THAT ARE EXCLUSIVELY LIMITED REPAIRER OPERATIONS, MAY BE PERMITTED ON ANY LOT CONFORMING TO THE MINIMUM LOT SIZE, PROVIDED ALL OTHER SPECIAL CONDITIONS AND SAFEGUARDS, PARKING, SCREENING AND TRANSITIONAL YARD REQUIREMENTS ARE MET.

270-40-40.35.20 NO OUTSIDE REPAIR OPERATIONS AND NO OUTSIDE (UNSCREENED) STORAGE OF ANY MATERIALS OR VEHICLES SHALL BE ALLOWED.

270-40-40.35.30 ALL CURB CUTS SHALL BE AT LEAST 25 FEET FROM ANY INTERSECTION. ALL PARKING SPACES INTENDED FOR CUSTOMER USE SHALL BE CLEAR AND ACCESSIBLE WITH CONFORMING BACK-UP AISLES THAT DOES NOT ENTAIL BACKING INTO THE PUBLIC STREET RIGHT-OF-WAY. ALL DOORWAYS AND SERVICE BAYS SHALL BE CLEAR AND ACCESSIBLE AND UNIMPEDED BY PARKING OR SALES VEHICLE DISPLAY SPACES.

270-40-40.35.40 FOR AUTO SALES OPERATIONS, NO MORE THAN ONE (1) SALES VEHICLE SPACE PER 500 SQUARE FEET OF LOT AREA SHALL BE PERMITTED. SALES VEHICLE SPACES SHALL BE SEPARATE AND NOT ENCUMBER PARKING SPACES REQUIRED FOR CUSTOMERS, NOR FOR OPERATIONS WHERE AUTO REPAIR SERVICES ARE OFFERED FOR THE GENERAL PUBLIC, SALES DISPLAY SPACE SHALL NOT ENCUMBER PARKING REQUIRED FOR REPAIR OPERATIONS ON THE PROPERTY.

270-40-40.35.50 NO AUTO DEALER OR REPAIRERS PERMIT SHALL BE ALLOWED FOR ANY LOCATION THAT ABUTS ANY RESIDENTIALLY ZONED PROPERTY OR IS WITHIN 100 FEET ALONG THE SAME STREET FRONTAGE FROM ANY RESIDENTIAL ZONING DISTRICT.

270-40-40.35.60 NO AUTO DEALER OR REPAIRERS PERMIT SHALL BE ALLOWED FOR ANY LOCATION THAT IS UNABLE TO MEET THE REQUIRED TRANSITIONAL YARD SETBACKS ALONG ABUTTING RESIDENTIAL ZONE LINES.

270-40-40.40 CEMETERY.

270-40-40.40.10 A cemetery shall have a minimum site area of 15 acres, except that existing cemeteries that are smaller than 15 acres may be expanded even though such expansion would not increase their site area to 15 acres.

270-40-40.50 CLUB, MEMBERSHIP, NON-PROFIT; POLITICAL CLUB.

270-40-40.50.10 No outdoor flood lighting or public address systems shall be permitted.

270-40-40.60 CLUB, RESIDENCE MEMBERSHIP, NON-PROFIT.

270-40-40.60.10 There shall be no more than one single-person room or suite for each 350 square feet of site area.

270-40-40.60.20 No outdoor flood lighting or public address systems shall be permitted.

270-40-40.70 COLLEGE.

270-40-40.70.10 In any Residence District, all college site development shall be so designed that all buildings, structures and uses of land shall be set back a minimum of 50 feet from all property lines; and further that all buildings and structures shall be set back at least 100 feet from common boundary lines with other lots in Residence Districts.

270-40-40.70.20 Adequate fencing and screening shall be provided along all common boundary lines with other lots in Residence Districts so as to prevent intrusion on those properties in terms of physical entry and other nuisances to adjoining property owners.

270-40-40.70.30 The plan for pedestrian and vehicular access to the college site shall be based on major or arterial streets, and shall specifically avoid drawing pedestrian or vehicular traffic through minor residential streets.

270-40-40.75 CONVERSION OF SINGLE FAMILY OR TWO FAMILY TO NOT MORE THAN 3-UNITS. [Approved 2-21-86, Item #17164-1]
[DELETED 8-29-06, Item #29133-2]

270-40-40.80 COMMERCIAL PUBLIC RECREATION USE NOT OTHERWISE CLASSIFIED.

270-40-40.80.10 All such uses shall be located within a building.

270-40-40.80.20 No alcoholic liquor permit location shall be granted in conjunction with, or in the same building as such commercial public recreation use.

270-40-40.80.30 Any use of a public address system shall be limited to the inside of the building and its sound shall not be audible beyond the limits of the property.

270-40-40.85 CONGREGATE OR ASSISTED LIVING HOUSING.
[Approved 6-21-00; Item #24933-2]

270-40-40.85.10 The site shall not be less than 2 acres in area.

270-40-40.85.20 The site shall have a minimum width of 150 feet.

270-40-40.85.30 The total number of dwelling units shall not exceed 1 per each 3,000 sq. ft. of lot area.

270-40-40.85.40 Off-street parking shall be provided at the ratio of 1 parking space for every 3.5 dwelling units.

270-40-40.90 COUNTRY CLUB.

270-40-40.90.10 The site shall not be less than three (3) acres in area.

270-40-40.90.20 All country club uses shall be set back at least 100 feet from all property lines except for off-street parking, which shall be set back at least 50 feet from all property lines.

270-40-40.90.30 Any use of a public address system shall be limited to the inside of the building and its sound shall not be audible beyond the limits of the property.

270-40-40.90.40 Adequate fencing and screening shall be provided along all common boundary lines with other lots in Residence Districts to prevent intrusion on those properties in terms of physical entry and other nuisances to adjoining property owners.

270-40-40.90.50 The plan for vehicular access to the country club site shall be by way of a major or arterial street.

270-40-40.100 CREMATORY.

270-40-40.100.10 A crematory shall only be permitted to locate on the site of a cemetery that conforms to the minimum requirements for a new cemetery as provided in Section 270-40-40.40, or on a contiguous lot to such cemetery with a minimum land area of two (2) acres.

270-40-40.110 DAY CAMP.

270-40-40.110.20 There shall be no more than one (1) camper for each 2,000 square feet of site area.

270-40-40.110.30 All buildings, structures, and areas of organized activity, such as baseball diamonds, basketball courts, riding areas, swimming pools, etc., shall be located at least 50 feet from all property or street lines.

270-40-40.110.40 The only residence uses permitted on the site shall be two (2) single family dwelling units, and such dwelling units shall comply with the applicable provisions of this Ordinance for the District in which they are located.

270-40-40.110.50 No outdoor floodlighting or public address system shall be permitted.

270-40-40.115 [DELETED 10-26-88, Item #18505-1]

270-40-40.120 GASOLINE STATION.

Zoning Ordinances

City of New Britain, Connecticut

270-40-40.120.10 The proposed use shall be on a site with an area of at least 15,000 square feet and with at least 150 feet of street frontage on any public street.

270-40-40.120.20 The site shall be at least 200 feet distance from the premises of any church, hospital, library, playground, school or any other institution for children, or any similar place of public assembly.

270-40-40.120.30 The site shall be at least 1,000 feet distance from the premises of any existing public garage or gasoline station, or any site previously approved for such use and for which the building permit has not expired as provided for in this Ordinance.

270-40-40.120.40 All pumps, lubricating and other devices shall be located at least 15 feet from any street line and 25 feet from any structure.

270-40-40.120.50 Curbs shall be constructed so as to channelize all traffic to permitted curb cuts. There shall be no more than two (2) curb cuts on any street frontage. The paved service areas shall be separated from public sidewalks by a curb except at driveway crossings.

270-40-40.120.60 The site shall be suitably paved and drainage facilities provided in accordance with the standards established in the ordinances of the City of New Britain and such additional standards as the City Engineer shall require.

270-40-40.120.70 All gasoline, oil or other volatile inflammable liquids shall be stored in accordance with the provisions of the applicable ordinances of the City of New Britain and of State regulations.

270-40-40.120.80 All automobile parts, dismantled vehicles and similar articles shall be stored within the principal building.

270-40-40.120.90 Required side, and rear yards adjacent to residence districts shall not be used for any structure, facility, sign, light pole, or parking area. Outdoor storage, outdoor repair work and portable signs shall be prohibited at all times.

270-40-40.130 GOLF COURSE.

270-40-40.130.10 Outdoor lighting shall be limited to those areas immediately adjoining and within 100 feet of the main building, and to the parking area, and the swimming pool area. There shall be no general outdoor lighting.

270-40-40.140 GREENHOUSE.

270-40-40.140.10 Outdoor storage shall be prohibited.

270-40-40.145 HEALTH, FITNESS & RECREATIONAL FACILITY

[Approved 2-21-86, Item #17122-2]

270-40-40.145.10 Minimum Site area shall be 86,000 sq. ft.

270-40-40.145.20 Outdoor lighting shall not spill over to adjacent properties.

270-40-40.145.30 No Alcoholic Permits shall be allowed in conjunction with this use.

270-40-40.145.40 Public address system shall be confined to the inside of the building.

270-40-40.145.50 Adequate screening shall be provided along all boundary lines adjoining residential uses to prevent intrusion on those properties in terms of entry or other nuisances.

270-40-40.145.60 Parking areas shall be oriented to the building and away from adjacent residential uses.

270-40-40.150 HOSPITAL.

270-40-40.150.10 The site shall have a minimum land area of three (3) acres.

270-40-40.150.20 The site shall have at least 200 feet of frontage on an arterial street.

270-40-40.150.30 Staff residence quarters may be considered accessory uses to a hospital, provided that additional parking spaces are made

available for residents in accordance with the requirements of Section 240-20 for a residential membership club.

270-40-40.150.40 Professional offices may be considered accessory uses to a hospital, provided that additional parking spaces are made available in accordance with Section 240-30.

270-40-40.150.50 Off-street parking requirements may be met in a garage erected as an accessory to the hospital, whether such garage is operated by the hospital or by others, provided that required spaces for both the commuting and resident staff are reserved and that the garage is not operated as a regular commercial venture.

270-40-40.151 MASSAGE ESTABLISHMENT. [Approved 1-19-79, Item #13217-3]

270-40-40.151.10 No massage establishment shall be permitted within one thousand (1,000) feet distance along the same street front from a residence district as defined in Section 50-10-10 of this Ordinance, a public or private educational institution, a religious institution, or a public building.

270-40-40.151.20 No massage establishment shall be permitted within one thousand and five hundred (1,500) feet of another massage establishment.

270-40-40.160 MULTIFAMILY HOUSES IN AN OP DISTRICT.

270-40-40.160.10 The site shall have a minimum lot area of 10,000 square feet.

270-40-40.160.20 The site shall have a minimum lot width of 75 feet.

270-40-40.160.30 The floor area ratio shall not exceed 1.60.

270-40-40.160.40 No accessory buildings shall be permitted in any required rear yard.

270-40-40.160.50 The minimum setback for an accessory building from any lot line shall be the same as the required yard.

270-40-40.165 MULTIFAMILY HOUSES IN A T-6 DISTRICT. [Approved 6-21-00, Item #34933-2]

270-40-40.165.10 The site shall have a minimum lot area of 9,000 sq. ft.

270-40-40.165.20 The site shall have a minimum width of 75 feet.

270-40-40.165.30 The total number of dwelling units allowed shall not exceed 1 per each 3,000 sq. ft. of lot area and shall not exceed a total of six (6) dwelling units, regardless of the lot size.

270-40-40.165.40 The floor area ratio shall not exceed .50 and the lot coverage shall not exceed 20%.

270-40-40.165.50 Off-street parking shall be provided in accordance with the provisions of Section 240-30.

270-40-40.170 MOTEL.

270-40-40.170.10 There shall be no more than one guest room for each 1,700 square feet of site area.

270-40-40.170.20 Minimum required side and rear yards shall not be used for any structure, facility, sign, light pole, or parking. Outdoor storage and portable signs shall be prohibited at all times.

270-40-40.170.30 There shall be adequate provision for the control of estimated traffic generated by the proposed use and for prevention of unwarranted traffic or pedestrian hazards, including but not limited to curbs constructed so as to channelize all traffic to permitted curb cuts, and the provision of a curb separating the public sidewalks from paved service areas except at driveway crossings.

270-40-40.170.40 The site shall be suitably paved and drainage facilities provided in accordance with the standards established in the ordinances of the City of New Britain and such additional standards as the City Engineer shall require.

270-40-40.180 NURSERY SCHOOL.

270-40-40.180.10 All buildings, structures, and areas of organized activity, such as playgrounds, playfields and classroom buildings shall be located at least 30 feet from all property or street lines.

270-40-40.180.20 No outdoor floodlighting or public address system shall be permitted.

270-40-40.190 NURSING HOME, CONVALESCENT HOME, REST HOME.

270-40-40.190.10 The site shall have an area of at least two (2) acres.

270-40-40.190.20 There shall be no more than one (1) patient bed for each 350 square feet of site area.

270-40-40.190.30 Off-street parking shall be in accordance with the requirements of Section 240-30 for hospitals.

270-40-40-195 OFFSTREET PARKING FACILITIES INCLUDING PARKING GARAGES IN THE UI DISTRICT FOR PUBLIC USE OR PROFIT.

[Approved 2-17-98, Item #23706-1]

270-40-40-195.10 Off-street parking facilities shall be intended to serve exclusively the needs of businesses within the UI District or of nearby businesses which are in immediately adjoining industrial or commercial areas, and are within a 1,000 foot radius of the parking facility.

270-40-40-195.20 Off-street parking garages shall be required to meet all yard and buffer zone restrictions. Surface parking lots shall be required to meet the requirements of Section 230-150-10.20 for yards abutting public streets and the setback requirements of Section 230-150-10.30, regarding setback from adjoining property lines.

270-40-40.200 PARKING GARAGE-PUBLIC; OFFSTREET PARKING AREA-PUBLIC.

270-40-40.200.10 All entrance driveways shall be free of parking spaces.

270-40-40.210 PASSENGER TRANSPORTATION TERMINAL.

270-40-40.210.10 In addition to the required site plan, a schematic plan of the facility shall be presented to demonstrate the disposition of the transportation facilities, their coordination, the plan for pedestrian spaces, and the location of any other functions of the terminal.

270-40-40.210.20 All loading or unloading locations for public transportation vehicles shall be off-street.

270-40-40.210.30 Where such a terminal includes a heliport, particular attention shall be given to the impact on neighboring properties in terms of safety and noise, and compliance with Federal Aviation Agency regulations.

270-40-40.220 PUBLIC UTILITY FACILITY.

270-40-40.220.10 The Zoning Board of Appeals shall find that the proposed facility is reasonably compatible with the surrounding land uses, and that it is reasonably necessary to locate the facility on the proposed site or a similar site in the same vicinity, in order to provide adequate service to the City of New Britain.

270-40-40.220.20 All main and accessory buildings or equipment, exclusive of transmission lines, shall be set back from all property lines at least 50 feet.

270-40-40.220.30 Where open storage or equipment areas are necessary, they shall be fenced and screened.

270-40-40.230 MULTIFAMILY HOUSES AND APARTMENTS OVER FIRST OR FIRST AND SECOND STORY NON-RESIDENTIAL USES IN THE CBD DISTRICT.

[Approved 11-21-86, Item #17459; Approved 6-20-88, Item #18284-1; DELETED 6-18-08; Item #30065-3]

270-40-40.230.10 [DELETED 6-18-08; Item #30065-3]

270-40-40.230.20 [Approved 11-21-86, Item #17459-1; DELETED 6-18-08; Item #30065-3]

Zoning Ordinances

City of New Britain, Connecticut

270-40-40.230.30 [Approved 11-21-86, Item #17459-1; ; DELETED 6-18-08; Item #30065-3]

270-40-40.230.40 [DELETED 6-18-08; Item #30065-3]

270-40-40.230.50 [Approved 6-20-88, Item #18284-1; DELETED 6-18-08; Item #30065-3]

270-40-40.230.60 [Approved 6-20-88, Item #18284-1; DELETED 6-18-08; Item #30065-3]

270-40-40-230.70 [Approved 6-20-88, Item #18284-1; DELETED 6-18-08; Item #30065-3]

270-40-40.235 Mixed Use Residential Dwellings and Business in the B-1R District. [Approved 2-23-06, Item #28899-2]

270-40-40.235.10 The site shall meet the minimum lot area and width requirements.

270-40-40.235.20 No business or other nonresidential use shall be allowed on an upper floor over a residential dwelling(s). For new mixed-use development in which the residential use is to be in a separate building on the property, the residential building may not be constructed behind the business use, and in all cases the residential building shall be afforded clear and unimpeded emergency access.

270-40-40.235.30 The number of dwelling units allowed shall not exceed one (1) per each 3,000 sq. ft. of lot area and shall not exceed a total of two (2) dwelling units, regardless of the lot size, except that nonconforming properties having three (3) or more units may be converted to mixed use provided there is sufficient off-street parking and provided that at least one (1) of the existing residential units is relinquished to allow the business use.

270-40-40-235.40 A reasonable amount of off-street parking shall be provided in general accordance with the provisions of Section 240-30 for both the residential and nonresidential uses on the property, except that with due consideration to the character of the neighborhood and the recommendation of the City Plan Commission, the Zoning Board of Appeals may grant a variance pursuant to Section 270-50-40, making an allowance for the reduction in the business-related portion of the required off-street

parking. As a minimum guideline, there should be enough parking to meet the requirement for the residential portion of the building, and in no case shall there be fewer than five (5) spaces.

270-40-40.240 TECHNOLOGY PARK DISTRICT

[Approved 9-21-84, Item #16395-1]

270-40-40.240.10 In addition to the required site plan, a schematic plan, showing how proposed special exception uses interrelate with and support the Technology Park purpose and intent, shall be presented.

270-40-40.240.20 Retail uses and any parking areas appurtenant to them shall have provided a buffer area at least 50 feet from any residential area appropriately fenced and screened.

270-40-40.250 UI DISTRICT PROVISIONS FOR BUILDINGS OVER 40 FEET HEIGHT. [Approved 2-17-98, Item #23706-1]

270-40-40.250.10 The property shall front on a public street classified as either a major collector or a primary or secondary arterial.

270-40-40.250.20 The building shall not be located within 150 feet of any residentially zoned property.

270-40-40.250.30 The Zoning Board of Appeals shall specifically make the determination that the size and design of the building is compatible in character to its surroundings and that all yard setbacks and accessory parking areas are sufficient for the size of the building and its proposed use.

270-50 VARIANCES.

270-50-10 Grant of Power. Pursuant to Paragraph (3) of Section 3173 of the Charter of the City of New Britain, as amended, and in addition to and apart from the power to grant applications for special exception uses, the Zoning Board of Appeals shall have power, in passing on appeals for variances, to vary or modify the application of the regulations or provisions of this Ordinance relating to the use, construction, structural changes in, equipment or alteration of buildings or structures, or the use of land.

270-50-20 General Principles.

270-50-20.10 Every decision by the Board granting a variance shall clearly set forth the nature and extent of such variance.

270-50-20.20 Every variance granted by the Board shall, in appropriate cases, be made subject to such specific conditions and safeguards as the Board shall deem to be applicable to the particular case.

270-50-20.30 A variance granted by the Board pursuant to the provisions of this Section shall be construed to be a nonconforming use or a nonconforming building or structure.

270-50-30 General Standards.

270-50-30.10 Every variance granted by the Board shall be based upon and accompanied by a specific finding or findings, supported by evidence produced at a public hearing in the manner provided by law, to the effect that the special conditions of the particular case are such to constitute unnecessary hardship in the way of literal enforcement of the provisions of this Ordinance.

270-50-30.20 Such unnecessary hardship shall not be self-imposed by the appellant.

270-50-30.30 Such unnecessary hardship shall be unique, in the sense of not being shared by all properties in the variety.

270-50-30.40 Every variance granted by the Board shall be designed by the Board to safeguard the health, safety, morals, or the general welfare of the community, or the comfort, happiness and prosperity of the inhabitants thereof, and shall be further designed to provide reasonable consideration among other things to the character of the neighborhood or District, the conservation of property values, and the direction of building development in accordance with a comprehensive plan; and shall not involve substantial detriment to the public good nor substantially impair the intent and purpose of the zone plan and of this Ordinance.

270-50-40 Specific Types of Variances.

Zoning Ordinances

City of New Britain, Connecticut

In conformity with its general power to vary or modify the provisions of this ordinance, as provided in Section 270-50-10 and pursuant to the general principles and general standards stated in Sections 270-50-20 and 270-50-30, the Zoning Board of Appeals is hereby specifically empowered:

270-50-40.10 To grant a permit, in appropriate cases, where the lot of the appellant, as such lot existed at the time of the effective date of this ordinance, lies across the boundary of two Districts, for the extension into one District of a lawful conforming use permitted in the other District, but for a distance not exceeding 50 feet measured at right angles to such District boundary.

270-50-40.20 To grant a permit for the enlargement or extension of a nonconforming use, building or structure on the lot occupied by such use, building structure at the effective date of this ordinance, provided such enlargement or extension was arranged, intended or designed for such nonconforming use at the effective date of this ordinance; and further provided that such enlargement or extension shall not exceed in all 50 per cent of the fair market value of such existing use, building or structure at the effective date of this ordinance.

270-50-40.30 To grant a permit for the reconstruction, structural alteration, restoration or repair of a building or structure used for a nonconforming use, to an extent exceeding in aggregate cost 75 per cent of the replacement cost of such building or structure.

270-50-40.40 To grant a certificate of occupancy for a change in a nonconforming use, provided that the Board shall have made a determination that such change will be beneficial to the general neighborhood, and further provided that such change be made subject to such reasonable conditions and safeguards as the Board may stipulate.

270-50-40.50 To grant a variance modifying the side yard requirements on the side street frontage of a corner lot, in cases where such requirements would unduly reduce the buildable width of such corner lot.

270-50-40.60 To waive the requirements of Section 240-30 for accessory parking areas, in whole or in part, in a case involving lack of need for such parking areas, where the lot is within 500 feet of a public parking area owned or operated by the municipality or by a public parking Authority,

measured in a straight line between the nearest point of such parking area and the nearest point of such lot.

270-50-40.70 To waive the requirements of Section 240-30 for accessory parking areas, in whole or in part, after making a finding that the normal application of such requirements is infeasible, because the lot has too restricted an area, unusual dimensions, shape, or topographical character.

270-50-40.80 To permit a reduction in the number of parking spaces in accessory garages or parking areas originally provided and installed pursuant to the requirements of Sections 240-20 or 240-30, in cases where proof is furnished to the Board that, by reason of diminution in number of dwelling units or residents or in floor area, seating capacity or area, number of employees, or change in other factors determining the demand for parking spaces, the proposed reduction will be consistent with the requirements of said Sections 240-20 and 240-30.

270-50-40.90 To grant a temporary Building Permit for a period not to exceed one (1) year for a nonconforming building, structure or use incidental to a building or other construction project, including such uses as the storage of building supplies and machinery, and a real estate office located on a tract of land where individual properties are being offered for sale; provided that such temporary permit shall be issued only upon written agreement by the owner or his agent to remove such building or structure upon expiration of such permit; and further provided that such permit shall be subject to such reasonable conditions as the said Board shall determine to be necessary to protect the health, safety, and general welfare of the community. Such permit may be renewed annually, at the discretion of the Board, over a period not to exceed three (3) years.

Section 280 ADMINISTRATION AND ENFORCEMENT.

280-10 Interpretation.

280-10-10 In applying and interpreting the provisions of this Ordinance, they shall be held to be the minimum requirements adopted for the purpose of promoting health, safety, morals or the general welfare of the community or the comfort, happiness and prosperity of the inhabitants thereof. The following specific regulations shall apply:

280-10-10.10 A minimum required lot or yard size for one building or structure shall not be used as any part of a required lot or yard for a second structure.

280-10-10.20 The required lot or yard for an existing building or structure shall not be diminished below the minimum requirements of this ordinance.

280-10-10.30 The parking spaces required for one building or structure or use shall not be included in the computation of required parking spaces for a second building or structure or use.

280-20 Relation of Zoning Ordinance to Other Provisions of Law, and to Private Covenants and Agreements.

280-20-10 Nothing contained in this ordinance shall be taken to repeal, abrogate, annul or in any way impair or interfere with any provisions of law or ordinance or regulations, existing or as may be adopted in the future. Nor is it intended by this ordinance to interfere with or abrogate or annul any easements, covenants or other agreements between parties; provided however, that where this ordinance imposes a greater restriction upon the use of buildings, structures, premises or lots, or upon the height of buildings or structures, or requires larger lots, yards, courts or other open spaces than imposed or required by such other provisions of law, ordinance or regulation, or by such easements, covenants or agreements, the provisions of this ordinance shall control.

280-20-20 Wherever the provisions of any other law or ordinance or regulations impose a greater restriction than this ordinance, the provisions of such other law or ordinance or regulations shall control.

280-20-30 No provision contained in this ordinance shall be construed as justifying the encroachment of any building or structure within any street lines now or hereafter laid down on the City map, nor within the lines of any stream or channel that receives the runoff of surface drainage.

280-30 Enforcement.

280-30-10 It shall be the duty of the director of licenses, permits and inspections to administer and enforce the provisions of this Ordinance. [Approved 1-13-03, Item #27215]

280-30-20 Should the said director of licenses, permits and inspections be in doubt as to the meaning or intent of any provision of this Ordinance, or as to the location of any district boundary line on the Zoning Map, or as to the propriety of issuing a building permit or a certificate of occupancy in a particular case related to the provisions of this ordinance, it shall appeal the matter to the Zoning Board of Appeals for interpretation and decision. [Approved 1-13-03]

280-30-30 DELETED [Approved 1-13-03, Item #27215]

280-40 Inspection of Premises.

280-40-10 The director of licenses, permits and inspections, the Building Inspector and their deputies and assistants, and the City Engineer, Chief of Police, and Fire Chief, and their authorized agents, shall have the right and authority, at any reasonable hour, to enter any building, structure, premises or lot whether already erected or put into use, or in the course of being erected or put into use, for the purpose of determining whether or not the provisions of this Ordinance are being complied with. [Approved 1-13-03, Item #27215]

280-50 Building Permits-General Procedure.

280-50-10 All procedure with respect to applications for and issuance of building permits shall be in conformity with the provisions of the Building Code. All such applications shall be accompanied by such other information as may be necessary to determine and provide for the enforcement of this Ordinance.

280-50-20 The plot plan shall show a separate lot for each main building, provided however that where a development consists of an integrated arrangement of dwellings, group houses, garden apartments, multifamily houses, or other buildings designed and intended to be maintained in a single ownership, or as residential condominium or common interest ownership community in accordance with applicable state statutes, the director of licenses, permits and inspections may waive the requirement of showing separate lots for each separate main building. [Approved 1-13-03, Item #27215; Approved 2-23-06, Item #28900-2]

280-50-30 No building permit shall be issued for the erection, construction, reconstruction, structural alteration, restoration, repair or moving of any building or structure or part thereof unless the plans and intended use indicate that such building or structure is designed and intended to conform in all respects to the provisions of this Ordinance.

280-50-40 Where a lot is formed from part of an existing lot, whether already improved or not, the separation must be affected in such a manner as not to violate any of the provisions of this Ordinance either with respect to the lot so formed or to the remainder of the former lot, and to any existing or proposed future improvements on either lot.

280-50-50 After completion of footings and establishing of forms on the first course of the foundation walls of a building or structure, the owner shall cause a survey to be made by a licensed land surveyor, showing the true location of such foundation walls with respect to lot lines of the lot and certified to be in strict accordance with the filed plot plan, and a copy of such certified survey shall be filed with the director of licenses, permits and inspections before any further construction is commenced. [Approved 1-13-03, Item #27215]

280-60 Building Permits--Site Plan Procedure, Standards, and Review for Buildings, Structures, or Uses of Land, other than for Dwellings Designed for Less than Six (6) Families and their Accessory Buildings and Structures.

280-60-10 The following site provisions are intended to secure compliance with the requirements and standards set forth in this Ordinance and accepted professional design practice for such site improvements as drainage, sidewalks, curbs, parking, landscaping, screening, fences, driveways and grading.

280-60-20 Building permit applications for any building or structure or use of land, other than for dwellings designed for less than six (6) families and their accessory buildings or structures, shall include five (5) copies of a site plan drawn to scale and showing the following things:

280-60-20.10 Property lines and related street, right-of-way, and easement lines as determined by survey.

280-60-20.20 Location of existing and/or proposed buildings and structures.

280-60-20.30 Layout of existing and proposed off-street parking areas showing the details of aisles, driveways and each parking space.

280-60-20.40 Existing topography of the site and immediately adjacent property as revealed by contours or key elevations as may be required by the City Engineer and any proposed re-grading of the site.

280-60-20.50 Existing and proposed storm water drainage facilities, sidewalks, curbs and curb cuts and similar structures.

280-60-20.60 Existing and proposed street trees, landscaping, screening and fences.

280-60-20.70 Existing and proposed outdoor lighting and sign locations.

280-60-30 Site plan design for any such building or structure or use of land shall be prepared in accordance with good professional practice, and shall at least meet the requirements for improvements established in this Ordinance or by separate ordinances, regulations, or specifications of the City of New Britain or other governmental agency having jurisdiction. Design plans for the following specific items shall be included: grading; drainage; sewerage; parking area pavement; and sidewalks, driveway aprons, curb cuts, landscaping, screening, and street trees along all street frontages.

280-60-30-10 Architectural Review Standards for a Special Residential Design District Designation:

[Approved 2-22-85, Item #16617-1]

280-60-30-10.01 The presence of significant design features such as architectural styles, harmonious use of material, parking areas broken by landscape features, varied use of house types, sitting, circulation patterns, landscaping, etc.

280-60-30-10.02 Total number of dwelling units.

280-60-30-10.03 Number of dwelling units by type of unit (1-bedroom, 2-bedroom, etc.) and the number of rooms within such type of unit.

280-60-30-10.04 Building or structure intensities - including the dimensions, elevations, and gross square foot area by type.

280-60-30-10.05 General architectural design and appearance.

280-60-30-10.06 Relationship between structures and massing of buildings or structures.

280-60-30-10.07 Type and colors of building materials, exterior facade and facing and fenestration and fire retardant characteristics.

280-60-30-10.08 Special architectural features.

280-60-30-10.09 Site identification signs:

280-60-30-10.10 Location, height, size and dimensions for all individual type of signs.

280-60-30-10.11 Design, color(s), lettering, lighting, intensity, and appearance of all signs.

280-60-40 The director of licenses, permits and inspections shall forward one copy each of the required site plan to the Board of Public Works and to the City Plan Commission for approval or recommendations as to amendments necessary before issuance of a building permit. [Approved 1-13-03, Item #27215]

280-60-50 No building permit shall be issued for any such building, structure or use until the director of licenses, permits and inspections has received approval by the Board of Public Works and the City Plan Commission or their representatives, except that if any one of them or both

shall fail to report within thirty days, the proposed site plan shall be considered approved by that body, or bodies, person or persons, failing to report. [Approved 1-13-03, Item #27215]

280-60-60 In the case of any application for a permitted use requiring the submittal of a site plan, such site plan shall be the subject of review by the director of licenses, permits and inspections, the City Engineer, and the Director of Planning, which review shall then be reported in writing to the director of licenses, permits and inspections for its guidance in considering the application. When an applicant for such permitted use questions the interpretation of the site plan requirements by the director of licenses, permits and inspections, he may take an appeal to the Zoning Board of Appeals. [Approved 1-13-03, Item #27215]

280-60-70 In the case of every application for a special exception use, the site plan shall be reviewed by the director of licenses, permits and inspections, the City Engineer, and the Director of Planning, who shall then report their review in writing to the City Plan Commission, for its guidance in considering the application. The City Plan Commission shall then present its report to the Zoning Board of Appeals, for its guidance in considering the application, and for forwarding with the said Board's report to the director of licenses, permits and inspections of the action taken on such application for a special exception use. [Approved 1-13-03, Item #27215]

280-60-80 In the case of every application for a variance requiring the submittal of a site plan, such site plan shall be the subject of review by the director of licenses, permits and inspections, the Board of Public Works and the City Plan Commission, or their representatives, which reviews shall then be reported in writing to the Zoning Board of Appeals for its guidance in considering the application and for forwarding with the said Board's report to the director of licenses, permits and inspections of the action taken on such application for variance. [Approved 1-13-03, Item #27215]

280-70 Completion of Buildings for which Permits Have Been Issued.

280-70-10 Nothing in this Ordinance shall require any change in the plans, construction or designated use of a building or structure for which a lawful building permit has been issued prior to the effective date of this Ordinance or any amendment thereto affecting such building or structure, or the use thereof, provided that:

280-70-10.10 The construction of such building or structure shall have been begun and diligently prosecuted within six (6) months from the date of such permit.

280-70-10.20 The ground story framework, including the second tier of beams, shall have been completed within nine (9) months from the date of such permit.

280-70-10.30 The entire building or structure shall be completed according to such filed and approved plans upon which the issuance of such permit was based, within one (1) year from the effective date of this ordinance or any such amendment thereto.

280-70-10.40 In the event that any one of conditions listed in Sections 280-70-10.10, 280-70-10.20, and 280-70-10.30 is not complied with, such building permit shall be revoked by the director of licenses, permits and inspections, unless an extension of time shall have been granted by the Zoning Board of Appeals. [Approved 1-13-03, Item #27215]

280-80 Certificates of Occupancy.

280-80-10 It shall be unlawful to use or to permit the use of any building, structure, premises, lot or land, or part thereof, hereafter erected or altered, enlarged or moved, in whole or in part, after the effective date of this ordinance, or any building, structure, premises, lot or land, or part thereof of which the use is changed, until a certificate of occupancy has been obtained by the owner, as provided for under the Building Code.

280-80-20 No certificate of occupancy shall be issued for any building, structure, premises, lot or land unless the erection-construction, reconstruction, structural alteration, restoration, repair, or moving of any building or structure or part thereof, and the intended use thereof are in conformity in all respects with the provisions of this Ordinance.

280-80-30 The director of licenses, permits and inspections shall obtain a written order from the Zoning Board of Appeals before issuing a certificate of occupancy in a case involving a special exception use pursuant to Section 270-40 or a variance from the provisions of this Ordinance pursuant to Section 270-50. [Approved 1-13-03, Item #27215]

280-80-40 Upon written application by the owner or his authorized agent, the director of licenses, permits and inspections shall issue a certificate of

occupancy for any building, structure, or lot existing and in use at the effective date of this Ordinance, provided that said Building Commission shall find that such building or structure, lot or land is in conformity with the applicable provisions of this ordinance, or is a nonconforming building or structure as defined in Section 30-20 or a nonconforming use as defined in Section 30-20, and in any case is in conformity with all other ordinances. No person shall be required to obtain any such certificate as of the effective date of this Ordinance. [Approved 1-13-03, Item #27215]

280-80-50 In a case of undue hardship, the director of licenses, permits and inspections may issue a temporary certificate of occupancy good for a period of six (6) months for any building or structure provided that said director of licenses, permits and inspections shall find that: [Approved 1-13-03, Item #27215]

280-80-50.10 Such building or structure is in itself in conformance with the Building Code and all other applicable ordinances or regulations.

280-80-50.20 All site development requirements are essentially completed, but that due to unavoidable delays they cannot be entirely completed as required, in a reasonable time.

280-80-50.30 On investigation, the City Engineer and the Planning Director approve of such temporary certificate of occupancy.

280-80-50.40 A performance bond or money in escrow in an amount established by the City Engineer shall be provided to ensure satisfactory completion of all site development requirements within a period of six (6) months.

280-80-60 No certificate of occupancy (permanent or temporary) shall be issued for any building, structure, premises, lot or land, unless the Bureau of Engineering first issues a statement of clearance that the grade at street line complies with the City of New Britain established street line grade.

280-90 Fees. Fees to be charged by the director of licenses, permits and inspections shall be as follows: [Approved 1-13-03, Item #27215]

280-90-10 For a building permit and for a certificate of occupancy, the fee shall be as provided in the Building Code of the City of New Britain.

Zoning Ordinances

City of New Britain, Connecticut

Fees to be charged by the Department of Municipal Development shall be as follows:

280-90-20 Fees for applications made I thltio(cat)1-26(og)1()1()-2B3(i)pd io()-2A5((7

Zoning Ordinances

City of New Britain, Connecticut

in such violation, or who maintains any building, structure, premises, lot or land in which any such violation shall exist, shall be subject to a fine of not less than twenty-five dollars and not more than fifty dollars and to a further penalty of not less than ten dollars and not more than fifty dollars for each and every day that such violation shall continue, after the owner, agent or contractor of the building, structure, premises, lot or land where such violation occurred has been notified thereof.

Section 290 PUBLIC RECORDS.

Duly certified copies of this Ordinance and of the Zoning Map that forms a part hereof, together with copies of all amendments hereto, shall be filed in the City Clerk's office and in the director of licenses, permits and inspections' office, and shall be open to public inspection. [Approved 1-13-03, Item #27215]

Section 300 PROCEDURE FOR AMENDMENT.

[Deleted 3-15-10, Item #30861]

300-10 These Zoning Ordinances, and the Official Zoning Map may be amended, supplemented, changed, modified or repealed, in part or in whole, but only in accordance with the proper procedures as specified in Article IV Section 4.3 of the City Charter, Article II, Section 2-45 of the City Code of Ordinances and under applicable provisions of the Connecticut General Statutes relating to municipal zoning. [Approved 3-15-10, Item #30861]

300-15 Proposed zoning regulations or boundaries or changes thereof shall be referred to the City Plan Commission for a report at least 35 days prior to the date assigned for a public hearing to be held thereon. The failure of the City Plan Commission to report prior to or at the hearing shall be taken as approval of such proposals. A statement of the vote of the City Plan Commission approving, disapproving or proposing a modification of such proposal shall be publicly read at any public hearing thereon. [Approved 3-15-10, Item #30861]

300-20 The fee charged for a petition requesting an amendment to the Zoning Ordinances or Zoning Map shall be as established by City Ordinance, Article IX, Sec. 19-130 as may be amended from time to time. This said fee shall be waived for all public projects subsidized by the City of New Britain and executed by any department or agency of the City, excluding projects for the consolidated school district and projects executed by City departments but not subsidized by the City of New Britain. [Approved 11-22-93, Item #21265-2] [Approved 4-14-03, Item #27405-2] [Approved 10-19-04, Item #28153-2] [Approved 8-29-06, Item #29134-2] [Approved 3-15-10, Item #30860]

Zoning Ordinances

City of New Britain, Connecticut

300-30 No petition requesting an amendment to the zoning regulations, restrictions and boundaries may be filed for a period of Twelve (12) months following the date on which a petition relating to the same changes in the regulations, restrictions or boundaries of Zoning Districts, or substantially the same changes, was denied by the Common Council. [Approved 3-25-85, Item #16672-1]

300-40 The affidavit of compliance with the provisions of Section 3134 of the Charter shall be filed in the office of the City and Town Clerk not later than fifteen (15) days before the date of the public hearing. [Approved 10-27-87, Item #17895-1]

Zoning Ordinances

City of New Britain, Connecticut

300-50 A protest (remonstrance) shall be filed with the clerk of the zoning committee no later than the time set for the public hearing. No protest (remonstrance) shall be accepted, nor shall names be added to such protest after such public hearing. [Approved 10-27-87, Item #17895-1]

300-60 In the event that the petitioner shall fail to comply with the requirements of Section 3134 of the Charter or shall fail to file the affidavit of compliance in accordance with the provisions of Section 300-30 of this Ordinance, the petitioner shall be deemed to have withdrawn the petition. Any such withdrawal shall be without prejudice and the petitioner shall have the right to submit a new petition at any time. [Approved 10-27-87, Item #17895-1]

300-70 No petitioner having a petition pending before the Zoning Committee of the Common Council shall be granted postponement of action on the petition, where a date for a public hearing on the petition has been set and legally advertised, provided, however, a request to postpone action may be heard by the zoning committee where the petitioner has notified the chairman or the clerk of the committee in writing of his intention to seek to postpone action at least five (5) days before the date set for the public hearing and had, at his/her own expense by legal advertisement in a local newspaper, notified the public not less than five (5) days of the date set for the public hearing of his intention or to seek postponement of action thereon. Failure to comply with the provisions shall operate as a withdrawal of the petition without prejudice and the petitioner shall have the right to submit a new petition at any time. [Approved 10-27-87, Item #17895-1]

Section 310 VALIDITY.

If any article, section, subsection, paragraph, clause, phrase or provision of this Ordinance or the location of any District boundary shown on the Zoning Map that forms a part hereof shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance or Zoning Map as a whole or any part or provisions hereof other than the part so adjudged to be invalid or unconstitutional.

Zoning Ordinances

City of New Britain, Connecticut

Section 320 REPEALER.

An ordinance entitled "ZONING ORDINANCES CITY OF NEW BRITAIN," as adopted by the Common Council on September 16, 1925, and all amendments thereof enacted prior to the passage of this amending ordinance are hereby repealed by the enactment of this "City of New Britain Zoning Ordinance of 1966".

Section 330 WHEN EFFECTIVE.

This ordinance shall take effect upon enactment and publication in the manner provided by law.

AMENDMENTS TO THE ZONING ORDINANCES		
DATE	AMENDMENT NO.	AMENDMENT [Affected Section(s)]
3/17/77	12386	Amendments To Section 170-20 Special Exception Uses in the B-4 district regarding multifamily houses.
9/23/77	12588	Amendment to add to Section 190-40-40; Lot coverage in I-1 (industrial park) district from 30% lot coverage to 40% lot coverage.
1/25/78	12559	Amendments regarding front yard parking in the S-1, S-2, S-3 and T districts. [Section 240-50-40]
1/25/78	12789	Amendment to Section 30-20-210 the "Definition of Family"
1/25/78	12863	Amendment to Section 240-50-40 regarding front yard parking in the S-1, S-2, S-3 and T districts.
1/19/79	13217	Amendments to allow massage establishments as a special exception use in the B-1, B-2 and B-3 zones and related amendments. [Full text of amendments on file in the Clerk's office]
4/18/80	13676/13796	Amendment to delete Section 260-20-40 regarding use of nonconforming lots.
1/17/80	13898	Amendment to repeal Section 235 PRD Planned Residential District in its entirety.
5/21/81	14684	Amendment to amend the maximum building height restrictions in the B-4 district. [Section 170-60-40]
5/21/81	14700	Amendment to delete Section 150-10 regarding maximum floor area
5/21/81	14771	Amendment to change "Bus Passenger Waiting Shelter" from a special exception use to a permitted use in the A-1, A-2; A-3; O-P; B-1; B-2; B-3; B-4; I-1; I-2; I-3 zones. [Full text of amendments on file in the Clerk's office]
10/24/82	15290	Amendment to allow conversion of two-family detached dwelling (attic space) to three-family detached dwelling by special exception in the T zoning district. [Sections 90-20-10; 270-40-40.30]
2/22/83	15666	Amendment to allow restaurants as a permitted use in the I-2 zoning district. [Section 200-10-80.10]

Zoning Ordinances

City of New Britain, Connecticut

6/17/83	15751	Amendments regarding minimum floor area requirements. [Sections 230-90-20 and 230-90-30]
6/21/84	16242	Amendment to add Section 240-70-80 regarding parking for compact cars.
9/21/84	16395	Amendment to add Section 180 TP Technology Park District and related sections
1/21/85	16672	Amendment to add Section 300-30 concerning the refilling of petitions for Zone Changes, Amendments, etc.
2/22/85	16617	Amendments to add Section 125 SRD Special Residential Design District
3/25/85	16613	Amendment to exempt municipal property from Land Use Regulations [Section 40-10-50]
9/15/85	16911	Amendment to incorporate Soil and Sediment Control Regulations for Land Development. [Section 230-145]
2/21/86	17122	Amendment to add Section 100-20-90 et al – “Health, Fitness and Recreational Facility in the A-1 garden apartment zone
2/21/86	17164	Amendment regarding adoption of Section 135 RO Residential and Office District and related amendments.
6/28/86	17123	Amendments to Section 230-20-30 and Section 250-50-10
11/21/86	17459	Amendments to Sections 170-10; 170-20; 230-90; 240-80; 270-40. [Full text of amendments on file in the Clerk’s office]
6/20/88	18284	Amendments regarding multi-family houses. [Sections 170-20-130; 270-40-40.230.50; 270-40-40.230.60; 270-40-40.230.70; 230-40-40.230]
10/26/88	18505	Amendments regarding Multi-family, garden apartments and townhouse developments. [Full text of amendments on file in Clerk’s office]
7/24/89	18904	Amendment to include “Distribution Center and Warehouse” as a permitted use in the B-2 zone. [Section 150-10-140]
5/22/90	19373	Amendment to delete “Distribution Center and Warehouse” as a permitted use in the B-2 zone. [Section 150-10-140 deleted]
11/28/90	19611	Amendment regarding nonconforming lots. [Section 260-20-40]
10/20/91	19951	Amendment to the definition of “Family” [Section 30-20-210]
11/22/93	21265	Amendments to add a definition “Single Family Detached Dwelling” and to increase fees for zoning applications. [Sections 30-20-201 and 300-20]
1/24/95	21923	Amendment to add a definition “Vehicle, Commercial”. [Section 30-20-755]
3/13/98	23533	Amendments relating to adult entertainment and adult oriented establishments. [Sections 30-20; 190-20; 200-20; 270-40-40]
2/17/98	23706	Amendments regarding the adoption of Section 215 – UI Urban Industrial district and related amendments
6/11/99	24426	Amendments to Schedule of Off-street parking requirements for nonresidential uses regarding retail stores [Section 240-30]
3/8/00	24788	Amendments to allow advertising signs as special exception uses in the B-1, B-2, B-3, TP, I-2 and I-3 zones. [Section 250-50-10]
4/12/00	24826	Amendments regarding private garages or off-street parking areas in residence and OP districts [Section 240-50-30]

Zoning Ordinances

City of New Britain, Connecticut

6/21/00	24933	Amendments regarding the adoption of Section 95 – T6 Residential District and related amendments
2/14/01	26231	Amendments regarding business identification signage on storefront awnings [Sections 250-10 and 250-30]
2/14/01	26232	Amendments to permit advertising signage in City-owned sports facilities [Sections 250-10; 250-50-10; 250-50-80]
7/16/01	26484	Amendments to allow bed and breakfast accommodations in the OP and RO zoning districts [Sections 30-20-45; 130-10-120; 135-10-40; 240-30]
5/10/02	26873	Amendments to eliminate provisions which allow, as an accessory use, the leasing of rooms in private homes to roomers in the S-2, S-3, T, A-1, A-2 and A-3 zoning districts. [Sections 70-30-60; 80-30-50; 90-30-50; 100-30-60; 110-30-60; 120-30-60]
4/14/03	27405	Amendments regarding fees for zoning applications [Sections 190-30-20; 300]
4/14/03	27406	Amendments to allow display and sales showrooms as an accessory use in the I-1 and I-2 zoning districts [Sections 190-30-20; 190-30-25]
10/19/04	28153	Amendments regarding fees for zoning applications [Sections 280-90-20; 300]
1/17/05	28230	Amendments to increase the max. height of fences in the A-2 zone from 3' to 4' at the front lot line [Section 230-100.10]
2/23/06	28899	Amendments to create new zoning district "B-1R" [Section 145] and related sections. [Full text of amendments on file in the Clerk's office]
2/23/06	28900	Amendments to update the uses in the A-1 district and to allow single family detached dwellings as part of a condominium or common interest community development [Sections 30-20-201; 30-20-625; 100-10-15; 230-10-20.30; 230-60-10; 230-60-40; 240-30; 280-50-20]
2/23/06	28901	An amendment to add new Section 230-10-40 to allow outdoor dining as an accessory use to a restaurant
8/29/06	29091	An amendment to regulate the parking of large motorhomes, campers or trailers in residential districts [Section 240-50-35]
8/29/06	29132	An amendment to the offstreet parking requirements for places of public assembly, churches & similar uses [Section 240-30]
8/29/06	29133	An amendment to remove special exception provisions allowing 2-family conversions to 3-family in the T zoning district [Sections 90-20-10; 270-40-40.75]
8/29/06	29134	Amendments regarding fees for zoning applications [Sections 280-90-20; 300]
1/17/07	29357	An amendment to add new Section 185 TPC District (technology park/commercial) and related amendments
3/18/08	29947	An amendment to update the requirements of the I-2 (General Industry) Zoning District. [Sections 200-10-1; 200-20-90; 200-30-10; 230-10-10; 230-20-40; 230-20-50; 230-50-10; 230-50-20; 230-50-30; 230-110; 240-60-30; 240-70-30; 240-70-50; 240-70-60; 240-70-70; 260-20-30]

Zoning Ordinances

City of New Britain, Connecticut

3/18/08	29948	An amendment to update requirements for auto repair and motor vehicle sales operations [Sections 160; 170; 190; New Section 230-170; 240-30; New Section 270-40-40.35; 270-40-40.35; 270-40-40.35.10; 270-40-40.35.20; 270-40-40.35.30; 270-40-40.35.40; 270-40-40.35.50; 270-40-40.35.60]
6/18/08	30065	Amendments to revise Section 170: CBD (B-4) District and related subsections; New Section 170-100 (Design Guidelines)
3/15/10	30859	An amendment to increase the length of the timeframe in which building permits authorized by actions of the Zoning Board of Appeals must be sought. [Section 270-20-50]
3/15/10	30860	An amendment regarding fees associated with Zoning Board of Appeals applications and amendments to the Zoning Ordinances and zoning map. [Sections 280-90-20; 300-20]
3/15/10	30861	Amendment to revise Section 300 relating to amendments to the zoning ordinances and changes to the zoning map to be consistent with current City Charter, Code of Ordinances and Connecticut State Statutes. [Section 300]

SUBJECT INDEX

	Sec./Sub. Sec./Par.
A	
Accessory Building	
<i>Defined</i>	30-20-10
<i>Placement of</i>	230-10
Accessory Uses	See Sub-section 30 in Sections 60 through 210
Advertising on Bus Waiting Shelters (Spec. Except.)	270-40-40.30.20
Aisle, Parking	240-70
Alcoholic Liquor Permit Location (Special Excep.)	270-40-40.10
Alteration	
<i>Defined</i>	30-20-20
Apartment	
<i>Defined</i>	30-20-30
Arena, Assembly Hall, (Spec. Excep.)	270-40-40.20
<i>Development Conditions</i>	270-40-40.20.10 270-40-40.20.20

Zoning Ordinances
City of New Britain, Connecticut

270-40-40.20.30
270-40-40.20.40
270-40-40.20.50

B

Basement	
<i>Defined</i>	30-20-40
Boundaries of Zoning Districts	50-20
Buffer	See "Transitional Yards"
Building	
<i>Area of</i>	30-20-70
<i>Defined</i>	30-20-60
Building Permit	
<i>Applications</i>	280-60-20
<i>Fees</i>	280-90-10
<i>Conditions of Issue</i>	280-50-30
	280-50-40
	280-50-50
<i>General Procedure</i>	280-50
	280-60
Bus Passenger Waiting Shelter (Spec. Except.)	270-40-40.30
Business Districts (Also see Sections 130-170)	50-10-20

C

Cellar	
<i>Defined</i>	30-20-90
Cemetery (Special Exception)	270-40-40.40
<i>Site Requirements</i>	270-40-40.40.10
Central Business Districts	170
Certificate of Occupancy	280-80
<i>Temporary</i>	280-80-50
Club, Membership, Non-profit; Political Club	

Zoning Ordinances
City of New Britain, Connecticut

(Special Exception)	270-40-40.50
Club, Residence Membership, Non-profit	270-40-40.60
College	
<i>Site Provisions</i> (Special Exception)	270-40-40.70
Commercial Districts	50-10-20 (also see Sections 130 - 170)
Commercial Public Recreation (Special Exception)	270-40-40.80
<i>Location of Uses</i>	270-40-40.80.10
Commercial Vehicles	240-50-30
Corner Clearance	230-70
Country Club	
<i>Development Provisions</i> (Special Exception)	270-40-40.90
Court (or courtyard)	
<i>Defined</i>	30-20-100
<i>Depth of</i>	30-20-110
<i>Height of</i>	30-20-120
<i>Inner</i>	30-20-130
<i>Outer</i>	30-20-140
<i>Width of</i>	30-20-150
Crematory	
<i>Location of</i> (Special Exception)	270-40-40.100.10
Custom Work, Shop for	
<i>Defined</i>	30-20-160
D	
Day Camp	
<i>Defined</i>	30-20-170
<i>Development Conditions</i> (Special Exception)	270-40-40.110
Definition of Words and Terms	30-10
Density (See Lot Area Minimum Per Dwelling Unit)	
Dimensional Requirements	

Zoning Ordinances
City of New Britain, Connecticut

Application of 40-20
Schedule of 50-10-40
(see also sub-section 40 in Sections 60 - 120)

Driveways 240-60

Dump
Defined 30-20-180

Dwelling
Defined 30-30-190

Dwelling with Partial Basement
Defined 230-90-40

Dwelling Unit
Defined 30-20-200

Dwelling Unit, Single Family, Detached
Defined 30-20-201

E

Enforcement of Ordinance 280-30

F

Family
Defined 30-20-210

Fences 230-100

First Floor Area of a Dwelling
Requirements 230-90-30

Floor Area Ratio 230-80

Floor Area of a Building
Defined 30-20-220

Floor Area Ratio of a Building
Defined 30-20-230

G

Zoning Ordinances
City of New Britain, Connecticut

Garage, Private	
<i>Defined</i>	30-20-240
<i>Placement of</i>	230-10
Garage, Public Parking	
<i>Defined</i>	30-20-250
Garden Apartments	
<i>Defined</i>	30-20-260
<i>District</i>	100
Gas Station	
<i>Defined</i>	30-20-270
<i>Site and Development Requirements (Special Excep.)</i>	270-40-40.120
General Industry	200
Golf Course (Special Exception)	270-40-40.130
Grade	
<i>Defined</i>	30-20-280
Greenhouse (Special Exception)	270-40-40.140

H

Habitable Room	
<i>Defined</i>	30-20-290
Height	
<i>Defined</i>	30-20-300
<i>Provisions</i>	230-20
Home Occupation	
<i>Defined</i>	30-20-310
Hospital	
<i>Defined</i>	30-20-320
<i>Site Requirements (Special Exceptions)</i>	270-40-40.150
Hotel	
<i>Defined</i>	30-20-340
<i>Apartment</i>	30-20-341

Zoning Ordinances
City of New Britain, Connecticut

House Trailer

Defined 30-20-350

I

Incentive and Bonuses

Decrease in Open Space Requirements 230-130-10

Decrease in Spacing Between Buildings 230-60-10

Increase in Floor Area Ratio 230-80-10

Increase in Units for Covered Parking 230-140

Increase in Units for Lot Size 100-40-22

Industrial Districts

50-10-30
(see also Sections 190-210)

Industrial Park District

190

Industry, Non-Nuisance

Defined 30-20-360

**Inspection of Buildings, Premises or Lots
by**

City Officials 280-40

J

Junk Yard

Defined 30-20-370

L

Lighting, Outdoor

Swimming Pools 280-60-20.70

230-120-60

Lot

Area 30-20-390

Area, Minimum per Dwelling Unit (See Sub-section 40-20 in Sections 60 - 120)

Corner 30-20-400

Coverage 30-20-410

Defined 30-20-380

Interior 30-20-420

Line 30-20-430

Zoning Ordinances
City of New Britain, Connecticut

Loud Speakers

<i>Arenas (Special Exception)</i>	270-40-40.20.30
<i>Clubs (Special Exception)</i>	270-40-40.50.10
<i>Swimming Pools</i>	230-120-50

M

Main Use, Building or Structure

<i>Defined</i>	30-20-480
----------------	-----------

Minimum Residential Floor Area

230-90

Membership Club

<i>Defined</i>	30-20-490
----------------	-----------

Mobile Home

<i>Defined</i>	30-20-500
----------------	-----------

Motel

<i>Defined</i>	30-20-510
<i>Development & Dimensional Provisions (Special Exception)</i>	270-40-40.170

Multifamily

<i>Medium Density</i>	110
<i>High Density</i>	

Multifamily House

<i>Defined</i>	30-20-520
----------------	-----------

N

Neighborhood Business District

140

**Neighborhood Business Revitalization
District**

145

Net Floor Area of a Building

<i>Defined</i>	30-20-221
----------------	-----------

Zoning Ordinances
City of New Britain, Connecticut

Nonconforming Building	
<i>Defined</i>	30-20-530
Nonconforming Uses & Buildings or Structures	260
Nonconforming Use	
<i>Abandonment</i>	260-50
<i>Application</i>	40-10-20
<i>Defined</i>	30-20-540
<i>Existence at Date of Ordinance</i>	260-10-10
<i>Extension of</i>	260-30
Notice	
<i>Newspaper Publication</i>	270-20-20.10
<i>Posted Sign Requirements</i>	270-20-20.20
Nursery School	
<i>Defined</i>	30-20-550
<i>Dimensional Regulations (Special Exception)</i>	270-40-40.180.10
Nursing Home	270-40-40.190
<i>Dimensional Regulations (Special Exception)</i>	270-40-40.190.10

O

Occupancy, Certificates of	280-80
<i>Conditions of Issuance</i>	280-80-10
	280-80-20
	280-80-30
	280-80-40
	280-80-60
Occupancy, Temporary Certificate of	280-80-50
<i>Conditions of Issue</i>	280-80-50.10
	280-80-50.20
	280-80-50.30
	280-80-50.40
	280-80-60
Office and Public Buildings	130
Offstreet Parking and Truck Loading Space Requirements and Regulations	240

Zoning Ordinances

City of New Britain, Connecticut

<i>Method of Determining Offstreet Parking Space Requirements</i>	240-10
<i>Schedule of Offstreet Parking Space Requirements for Non-residential Uses</i>	240-30
<i>Schedule of Offstreet Parking Space Requirements for Residential Uses</i>	240-20
Offstreet Truck Loading Space Requirements	240-40
<i>Private Garage or Offstreet Parking Areas in Residence and OP Districts Supplemental Regulations</i>	240-50
<i>Access Driveway Requirements</i>	240-60
<i>Design Requirements for Offstreet Parking and Truck Loading Areas</i>	240-70
<i>Exemptions and Waivers</i>	240-80
<i>Floor Area Requirement</i>	240-40
Open Space	
<i>Definition</i>	30-20-551
<i>General Regulations</i>	230-130
<i>Minimum Per Dwelling Unit</i>	100-40-21 110-40-21 120-40-21 130-40-40
Outdoor Dining Space	230-10-40
Outdoor Storage & Transportation Industry	210

P

Parking	(See "Offstreet Parking")
Parking Area	
<i>Commercial Vehicles</i>	240-50-30
<i>Defined</i>	30-20-560
Parking Space	
<i>Defined</i>	30-20-570

Zoning Ordinances
City of New Britain, Connecticut

Passenger Transportation Terminal (Sp. Excep.)	270-40-40.210
Permitted Uses	(See Subsection 10 in Sections 60 - 210)
Person <i>Defined</i>	30-10-20
Plot Plan	280-50-20
Porch	230-40-10
Professional Offices (Special Exception) <i>Home</i>	270-40-40.150.40 (See Subsection 30 in Sections 60 - 120)
Prohibited Uses	220
Public Records of Ordinance	290
Public or Semi-public Parking <i>Defined</i>	30-20-590
Public Utility Facility <i>Defined</i>	30-20-590-1
<i>Relation to Surrounding Land Use</i> (Special Exception)	270-40-40.220

R

Rear Dwelling <i>Defined</i>	30-20-600
Reinstatement of an Abandoned Nonconforming Use	260-50-20
Research Laboratory <i>Defined</i>	30-20-620
Residence Districts	50-10-10 (See also Sections 60 - 120)
Repair Garage <i>Defined</i>	30-20-610

Zoning Ordinances
City of New Britain, Connecticut

Repairs to Buildings Classed as Nonconforming Use	260-20-20
Repairs to Nonconforming Buildings Not Classed as a Nonconforming Use	260-20-30
Repairs to Buildings of Conforming Use Located on Nonconforming Lots	260-20-50
Repealer to Prior Ordinance	320
Rooming House <i>Defined</i>	30-20-630

S

Sand or Gravel Pit <i>Defined</i>	30-20-640
Secondary Business District	160
Screening	230-110
Shopping Centers, District	150
Sign <i>Advertising</i>	30-20-660
<i>Defined</i>	30-20-650
Sign Ordinance	250
Announcement or Profession	30-20-665
Business or Identification	30-20-670
Directional	30-20-675
Real Estate	30-20-676
Schedule of Permitted Signs	250-10
Temporary	30-20-680
Single Family on 13,5000 sq. ft. Lot Area	60
Single Family on 8,000 sq. ft. Lot Area	70
Single Family on 6,000 sq. ft. Lot Area	80
Site Plan <i>Contents</i>	280-60 280-60-20

Zoning Ordinances

City of New Britain, Connecticut

<i>Design</i>	280-60-30
<i>Review</i>	280-60-40
	280-60-50
	280-60-60

Special Exception Use

<i>Application and Review Procedure</i>	280-60-70
<i>Conditions and Safeguards for Certain Uses</i>	270-40-40
Alcoholic Liquor Permit Location	270-40-40.10
Arena, Assembly Hall	270-40-40.20
Bus Passenger Waiting Shelter	270-40-40.30
Cemetery	270-40-40.40
Club, Membership, Nonprofit, Political Club	270-40-40.50
Club, Residence Membership, Nonprofit	270-40-40.60
College	270-40-40.70
Commercial Public Recreation (Use not otherwise classified)	270-40-40.80
Country Club	270-40-40.90
Crematory	270-40-40.100
Day Camp	270-40-40.110
Gasoline Station	270-40-40.120
Golf Course	270-40-40.130
Greenhouse	270-40-40.140
Hospital	270-40-40.150
Multifamily Houses in an OP District	270-40-40.160
Motel	270-40-40.170
Nursery School	270-40-40.180
Nursing Home, Convalescent Home, Rest Home	270-40-40.190
Parking Garage-Public; Offstreet Parking Area- Public	270-40-40.200
Passenger Transportation Terminal	270-40-40.210
Public Utility Facility	270-40-40.220
Time Limit	270-20-50
<i>Defined</i>	30-20-690
<i>Districts</i>	(See subsection 20 in Sections 60 - 120)
<i>Granting of Permit</i>	270-40-20.30
<i>Guiding Principles</i>	270-40-20
<i>Interpretation of</i>	270-40-20.10

Street

<i>Defined</i>	30-20-700
----------------	-----------

Street Line

<i>Defined</i>	30-20-710
----------------	-----------

Structure

<i>Defined</i>	30-20-720
----------------	-----------

Zoning Ordinances

City of New Britain, Connecticut

Supplemental Use & Dimensional Regulations	230
<i>All Districts Except I-2</i>	230-10-10
<i>Bonus for Reduction of Max. Permitted Lot Coverage</i>	230-80-10
<i>Corner Clearance</i>	230-70
<i>Courts</i>	230-50
Inner	230-50-10
Outer	230-50-20
<i>Dwelling with Partial Basement</i>	230-90-40
<i>First Floor Area of a Dwelling</i>	230-90-30
<i>Floor Area Ratio</i>	230-80
<i>Height</i>	230-30
<i>Lot Area Width and Coverage</i>	230-20
<i>Method of Measuring Height of Fences or Walls</i>	230-100.20
<i>Minimum Residential Floor Area</i>	230-90
<i>Minimum Schedule</i>	230-90-20
<i>Nonresidential Districts</i>	230-10-30
<i>Permitted Fences and Walls</i>	230-100
<i>Placement of Parking</i>	230-10
<i>Required Transitional Yards & Screening Except in the I-2 District</i>	230-110
<i>Residential Districts</i>	230-10-20
<i>Spacing Between Buildings</i>	230-60
<i>Special Residential Design District</i>	125
<i>Statement of Purpose</i>	230-90-10
<i>Yards</i>	230-40
<i>Swimming Pool</i>	
Defined	30-20-730
Site Regulations	230-120-20
	120-30
	120-40

T

Technology Park District	180
Technology Park/Commercial District	185
Transitional Yard Requirements	230-110
Truck Loading	240-40
Two or Single Family on 6,000 sq. ft. Lot Area	90

Zoning Ordinances
City of New Britain, Connecticut

U

Urban Industrial District 215

Use

Accessory (Accessory Use) 30-20-10
Defined 30-10-50
Nonconforming, Controlling Provisions 260
Nonconforming (Defined) 30-20-540
Regulations 40-10

Uses, Permitted (See Subsection 10 in Sections 60 - 210)

V

Variance

Application Review Procedure 280-60-80
Defined 30-20-750
General Principles 270-50-20
General Standards 270-50-30
Grant of Power 270-50-10
Specific Types 270-50-40
Time Limit 270-20-50

Violations, Penalties & Remedies to Ordinance 280-100

Y

Yard, Front

Defined 30-20-760
Dimensional Regulations (See each Zoning District)
Projections into 230-40-10.10
230-40-10.20
230-40-10.30

Yard, Rear

Defined 30-20-770
Dimensional Regulations (See each Zoning District)

Yard, Side

Zoning Ordinances

City of New Britain, Connecticut

Defined 30-20-780
Dimensional Regulations (See each Zoning District)

Yard, Transitional

Defined 30-20-790
Yards and Screening 230-110

Z

Zoning Board of Appeals

Applications to 270-20
Defined 30-20-50
Hearings 270-20-20
270-20-20.10
*Method of Appointment, Terms of Office and
Tenure of Members* 270-10-10
Meetings and Minutes 270-10-40
Organization and General Procedure 270-10
Posting of Appeal Signs 270-20-20.20
Powers of the Board 270-10-20
270-50-40.10 through 270-50-40.90
*Records of Special Exception Uses & Variances
Granted* 270-20-40
Rules of Procedure 270-10-30
Vote of the Board 270-10-50

Zoning Districts

Boundaries on Zoning Map 50-20
Classes of 50-10
A-1, Garden Apartments 100
A-2, Multifamily 110
A-3, Multifamily, high density 120
B-1, Neighborhood Business 140
B-1R, Neighborhood Business Revitalization 145
B-2, Shopping Centers 150
B-3, Secondary Business 160
B-4, Central Business 170
I-1, Industrial Parks 190
I-2, General Industry 200
I-3, Outdoor Storage & Transportation 210
Industry
OP, Office and Public 130
RO, Residential and Office 135
S-1, Single Family on 13,500 sq. ft. lot area 60
S-2, Single Family on 8,000 sq. ft. lot area 70

Zoning Ordinances

City of New Britain, Connecticut

S-3, Single Family on 6,000 sq. ft. lot area	80
SRD, Special Residential Design	125
T, Two or Single Family on 6,000 sq. ft. lot area	90
T-6, Single, Two or Multifamily up to 6 units	95
TP, Technology Park	180
TPC, Technology Park/Commercial	185
UI, Urban Industrial	215
Zoning Ordinance and Map (Adoption)	50-20-70
<i>Administration and Enforcement of</i>	280
<i>Amendments to</i>	300
<i>Declaration of Purpose</i>	20
<i>Misinterpretation of</i>	270-30-10
<i>Relation to Other Laws</i>	280-20
<i>Title</i>	10
<i>Title, Short</i>	10-20
<i>Validity of</i>	310

Zoning Ordinances

City of New Britain, Connecticut

ZONING ORDINANCE CITY OF NEW BRITAIN																				
SCHEDULE OF DIMENSIONAL REQUIREMENTS																				
-----ZONING DISTRICT-----																				
	S-1	S-2	S-3	T	I-6	A-1	A-2	A-3	OP	B-1	B-1R	B-2	B-3	CBD	I-1	I-2	RO	TP	TPC	UI
LOT AREA: MINIMUM SF	13,500	8,000	6,000	6,000	6,000	40,000	7,500	10,000	5,000	5,000	6,000	50,000	5,000	NONE	80,000	10,000	7,000	80,000	80,000	40,000
LOT AREA: MINIMUM PER DU.-SF	13,500	8,000	6,000	3,000	3,000	3,000	2,000	1,750	3,000	NOT PERMITTED	3,000	NOT PERMITTED	1,250**	850	NOT PERMITTED	NOT PERMITTED	3,500	NOT PERMITTED	NOT PERMITTED	n/a
MAX. FLOOR AREA RATIO	0.500	0.625	0.750	0.750	0.750	0.500	1.000	1.600	3.000	0.700	0.750	0.700	1.500	6.500	0.600	NOT REQUIRED	0.750	0.600	0.600	0.600
LOT COVERAGE: %LOT AREA	20	25	30	30	30	25	30	35	35	35	30	35	50	100	40	100	30	30	30	40
LOT WIDTH MIN.FT.	90	75	60	50	50	200	75	75	50	50	50	200	50	NONE	200	NOT REQUIRED	60	200	200	150
HEIGHT MAX. FT.	35	35	30	40	40	30	60	90	90	30	40	40	40	90	40	120	40	60	60	40
FRONT YARD MIN.FT.	50	35	25	25	25	30	25	25	20	40	10	70	NOT REQUIRED	NOT REQUIRED	40	NOT REQUIRED	25	50	50	30
SIDE YARD MIN.FT.	15	7	7	7	7	30	10*	10*	10*	10	7	25	NOT REQUIRED	NOT REQUIRED	25	NOT REQUIRED	5	20	20	25
AGGREGATE FT. SIDE STREET- CORNER LOT	30	17	17	17	17	60	20	20	20	20	17	50	REQUIRED	REQUIRED	50	REQUIRED	15	40	40	50
SIDE YARD ABUTTING CORNER LOT	30	15	12	12	12	30	20*	10*	10*	40	12	70	REQUIRED	REQUIRED	40	REQUIRED	12	40	40	30
REAR YARD MIN.FT.	30	25	25	25	25	30	25	25	25	20	25	50	10	NOT REQUIRED	25	NOT REQUIRED	25	25	25	25
OPEN SPACE SQ. FT. PER DU.	n/a	n/a	n/a	n/a	200	400	300	200	200	NOT PERMITTED	n/a	NOT PERMITTED	N/A	N/A	N/A	NOT PERMITTED	200	NOT PERMITTED	NOT PERMITTED	n/a

* ADDITIONAL SIDE YARD REQUIRED WHEN BUILDING EXCEEDS 2-1/2 STORIES IN HEIGHT

City Planning
Rev. Jan 2008

Zoning Ordinances
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