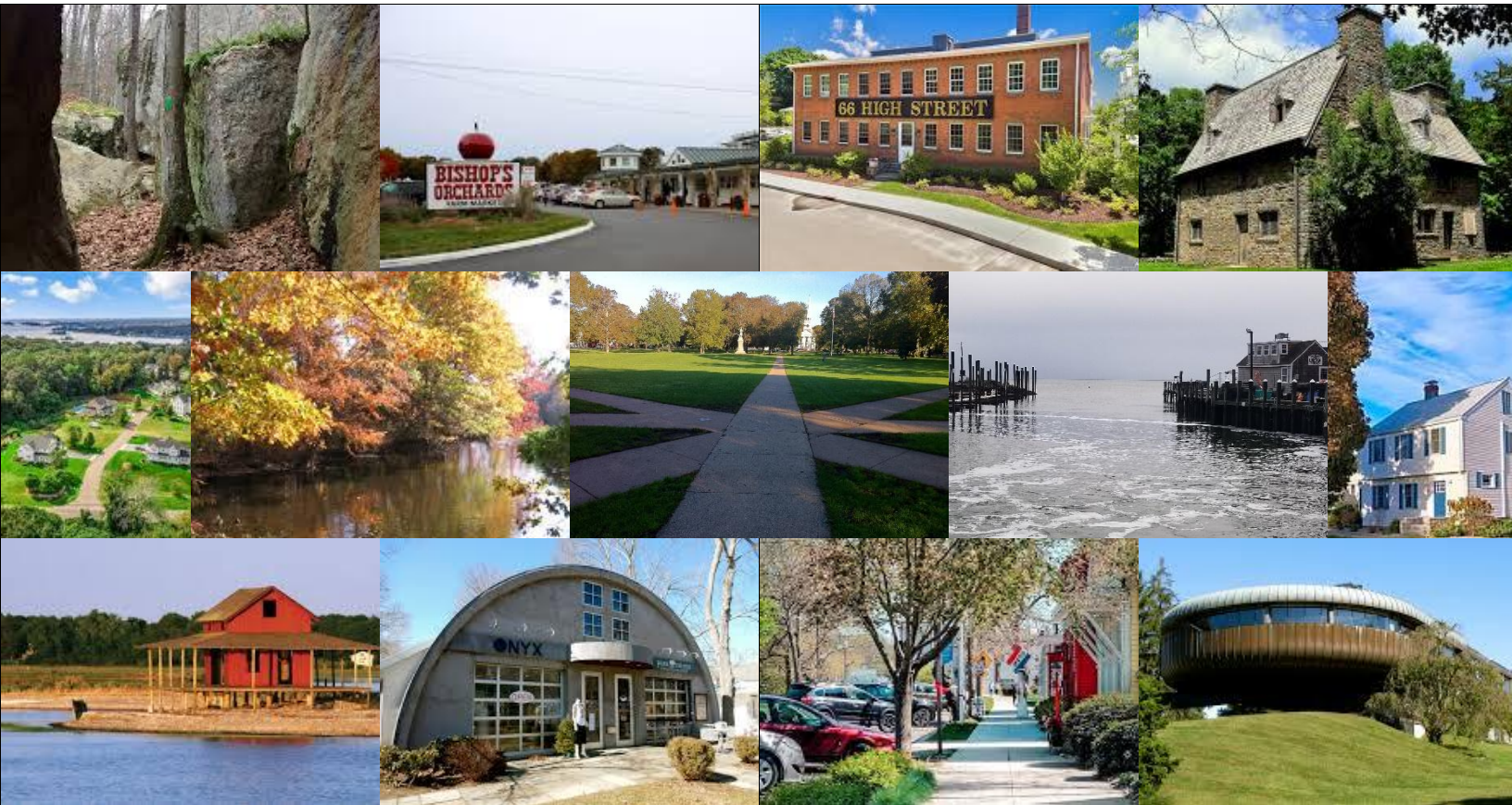


GUILFORD

Zoning Regulations



Planning & Zoning Commission

Effective May 23, 2025

QUICK START GUIDE

1. From the Zoning Map, identify the zoning district for the property you are interested in. The Zoning Map is available online at:
https://www.guilfordct.gov/town_departments/planning_zoning/zoning_maps.php
2. Go to the section of the Zoning Regulations for that type of zoning district to learn about applicable provisions:
[Section 3 = Residential Districts and Uses](#)
[Section 4 = Business Districts and Uses](#)
[Section 5 = Special Districts](#)
3. Check out the use of [words and terms in Section 2](#) to confirm the applicability.
4. [Section 9](#) of the Regulations outlines steps to obtain any required approval(s).

Key Concepts

1. These Zoning Regulations and the accompanying Zoning Map have been adopted by the Planning and Zoning Commission in order to manage the use of land and buildings in the town of Guilford.
2. The Regulations and Map have been adopted to promote the public health, safety, and general welfare of the community and other purposes authorized by State law (CGS Chapter 124 starting with CGS Section 8-1).
3. ***The Regulations are constructed so that, if something is not clearly permitted, it is prohibited.***
4. The Regulations generally establish minimum requirements although they can also establish maximum limitations.
5. If a permit or approval is required, the application requirements can be found in the Procedures section of the Regulations ([Section 9](#)).
6. If there is any question about whether something is permitted, guidance can be obtained from the Planning and Zoning Department during regular working hours (Monday-Friday: 8:30 AM to 4:30 PM)

50 Boston Street, Guilford, CT 06437
Phone: (203) 453-8039
Email: planning.zoning@guilfordct.gov

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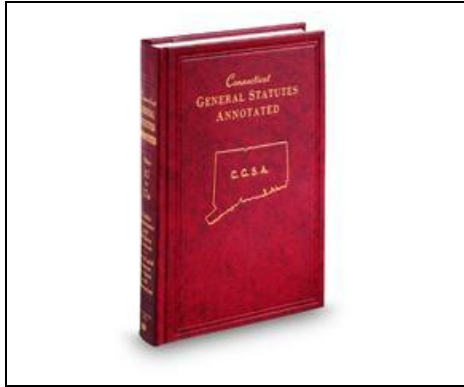
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1. INTRODUCTION

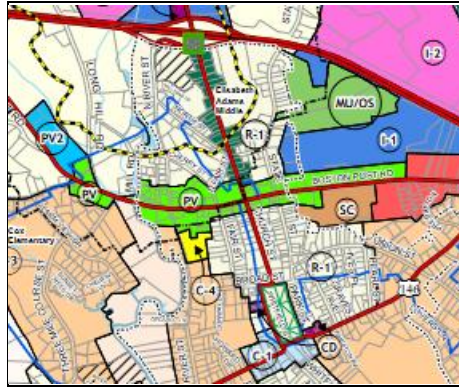
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Authority / Purpose



Zoning Map



Compliance



Enforcement



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1.1. Authority

The Planning and Zoning Commission (“Commission”) of the Town of Guilford has adopted and established the following Zoning Regulations for the Town of Guilford, Connecticut in accordance with the provisions of Chapter 124 of the Connecticut General Statutes (CGS Section 8-1 et seq.), as may be amended.

1.2. Purposes

These Regulations are adopted to accomplish the purposes established in CGS Section 8-2, as may be amended, including but not limited to the following:

1. Protect the public health and safety.
2. Lessen congestion in the streets.
3. Secure safety from fire, panic, flood, and other dangers.
4. Promote health and the general welfare.
5. Provide adequate light and air.
6. Protect the state's historic, tribal, cultural, and environmental resources.
7. Facilitate the adequate provision for transportation, water, sewerage, schools, parks, and other public requirements.
8. Affirmatively further the purposes of the federal Fair Housing Act, address significant disparities in housing needs and access to educational, occupational and other opportunities, and consider the impact of permitted land uses on contiguous municipalities and on the planning region.
9. Encourage the most appropriate use of land throughout Guilford.

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1.3. Zoning Map

1.3.A Zoning Map

1. In order to accomplish the purposes of these Regulations, the Town is divided into districts as enumerated within these Regulations and as shown on the most current Zoning Map(s) adopted by the Commission and on file in the office of the Guilford Town Clerk.
2. Any Zoning Map adopted by the Commission is hereby declared to be a part of these Regulations.
3. The Zoning Map and these Zoning Regulations are hereby declared to be the Comprehensive Zoning Plan of the Town of Guilford.

1.3.B Interpretation Of District Boundaries

1. In the event of any uncertainty with respect to the boundaries of any districts shown on the Zoning Map, the following rules shall apply:
 - a. District boundary lines are generally intended to follow lot lines or center lines of streets, rights of way or watercourses, or to be parallel or perpendicular thereto at a distance determined by the use of the map scale thereon.
 - b. Where a district boundary line divides a lot or is offset from a street centerline or intersection or a physical feature, the location of any such boundary shall be determined by the geographic information system (GIS) delineation of the zoning boundary on the Zoning Map adopted by the Commission.
2. Any further interpretation of the Zoning Map as to zone boundaries or dimensions shall be made by the Commission, by resolution, giving due consideration, among other factors, to the indicated location of the boundary on the Zoning Map, the scale of the Zoning Map and the expressed intent and purpose of these Regulations.

1.4. Application Of Regulations

1.4.A Uses Prohibited If Not Permitted

1. Any use not specifically identified in these Regulations as permitted in a zoning district (i.e., no Zoning Permit required, by Zoning Permit, by Site Plan, by Special Permit, or by other approval) shall be deemed to be prohibited within such district.
2. Where the Zoning Enforcement Officer finds that the permissibility of a proposed use in a zoning district is uncertain, the Zoning Enforcement Officer may refer such matter to the Commission to determine whether the proposed use is permitted or prohibited in that district and, if permitted, what form of approval is required.

1.4.B Minimum Requirement

1. In their interpretation and application, the provisions of these Regulations shall be held to be the minimum requirements adopted for the promotion of the public health, safety, and welfare unless the context clearly indicates that the provision is intended to be a maximum limitation.
2. In cases of uncertainty as to the proper application of any of the requirements of these Regulations to a particular lot because of its peculiar or irregular shape, the Commission shall determine how such Regulations shall be applied.

1.4.C Relationship To Other Regulations

1. These Regulations are not intended to impair or interfere with any duly adopted provisions of law or ordinance nor are these Regulations intended to interfere with or annul any easements, covenants, or other agreement between parties.
2. Where these Regulations impose a greater restriction upon the use or dimensions of buildings or structures than are imposed or required by duly adopted provisions of law or ordinance or by applicable easements, covenants or agreements, the provisions of these Regulations shall control.

1.4.D Permit Required

No land use shall be established or changed, no activity shall be undertaken or modified, and no building or structure shall be used, erected, constructed, moved, enlarged, or altered, in whole or in part, until any approval or permit required by these Regulations has been issued.

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1.5. Compliance With Regulations

1.5.A Use Of Land Or Buildings

Within the Town of Guilford, no building, structure, or land shall be used or occupied, in whole or in part, except in conformity with all applicable Sections of these Regulations.

1.5.B Creation Or Alteration Of Building Or Structure

Within the Town of Guilford, no building, structure, or any part thereof shall be constructed, reconstructed, erected, enlarged, extended, moved, or structurally altered except in conformity with all applicable Sections of these Regulations.

1.5.C Reduction Of Lot Area Or Dimension

- 1. No lot or land shall be subdivided, conveyed, or encumbered so as to:
 - a. Make said lot or land non-conforming (or increase an existing nonconformity),
 - b. Make any use, building or other structure non-conforming or more non-conforming,
 - c. Reduce any setback, yard, court, open space, or parking or loading space to less than is required by these Regulations, or
 - d. Make any non-conforming setback, yard, court, open space, or parking or loading space more non-conforming.

1.5.D Exceptions

- 1. As per CGS Section 8-2h and/or CGS Section 8-3(h), nothing in these Regulations shall be deemed to require any alteration in the plans, construction or designated use of a building, structure, or premises for which:
 - a. A Zoning Permit and building permit shall have been issued prior to the effective date of the relevant regulation, provided that work is completed prior to expiration of the relevant Zoning Permit or building permit or other applicable timeframe.
 - b. A site plan application, Special Permit application, or variance application shall have been received (statutory date of receipt) prior to the effective date of the relevant regulation and such application shall have been approved.
- 2. Nothing in these Regulations shall prevent the strengthening or restoring to a safe condition of any portion of a building or structure declared unsafe by a proper authority.

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1.6. Enforcement

1. The Commission shall have the authority to enforce these Regulations and may adopt administrative rules and procedures necessary to do so.
2. The Commission may designate one or more Zoning Enforcement Officers and/or agents who shall have the responsibility and authority to enforce these Regulations.
3. The Zoning Enforcement Officer is authorized to inspect or cause to be inspected any building, structure, or premises in the Town of Guilford to determine compliance with these Regulations. The Zoning Enforcement Officer shall keep records of all notices of violations, municipal fine citations and all stop orders and permit suspensions issued by him or her and the action taken thereon.
4. The Zoning Enforcement Officer is authorized to issue a cease-and-desist order and/or a stop order if, in his or her judgment, the use of any land, building or other structure or the construction, reconstruction, enlargement, extension, moving or structural alteration of a building or other structure is not being carried out in compliance with these Regulations. The Zoning Enforcement Officer shall withdraw such order when he or she determines that corrective action has been taken to comply with these Regulations.
5. The Zoning Enforcement Officer and/or the Commission shall have the authority to file a cease-and-desist order and/or a stop work order on the land records. Such order shall be rescinded when corrective action has been completed or in the event such action is overturned by a court of competent jurisdiction.
6. If any building or structure has been erected, constructed, altered, converted, or maintained or any building, structure or land has been used in violation of any provision of these Regulations or of Chapter 124 of the Connecticut General Statutes, the Zoning Enforcement Officer or other official acting in the capacity of the Zoning Enforcement Officer may take any action or seek any remedy or penalty provided under:
 - a. Section 8-12 of the Connecticut General Statutes, as it may be amended from time to time,
 - b. Town of Guilford ordinance for “Violation of Zoning Violations” (Ordinance 1-12) as it may be amended from time to time.

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1.7. Severability

1. The invalidity of any section, paragraph or provision of these Regulations shall not invalidate any other section, paragraph, or provision hereof.

1.8. Effective Date

1. Zoning Regulations were originally adopted in Guilford and are now considered to have become effective on June 14, 1953.
2. Any amendment or change to these Regulations shall be in full force and effect from the date established by the Commission in accordance with the General Statutes of the State of Connecticut.

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2. WORDS AND TERMS

Quick Links

- [2.1. Basic Usage](#)
- [2.2. Definitions](#)
- [2.3. Area And Dimensional Provisions](#)
- [2.4. Tabulating Coverage / Floor Area / Setbacks](#)

Basic Usage



Definitions

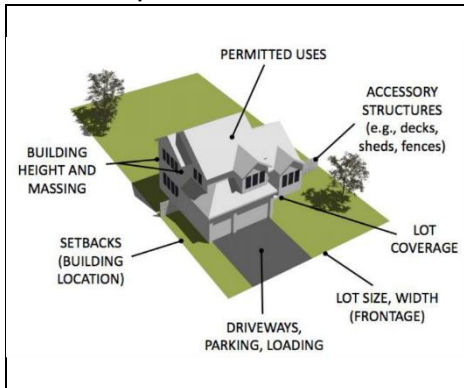
Attached And Detached

ATTACHED – Something joined or integrally connected to something else. In the case of a dwelling or similar, sharing a common vertical wall.

DETACHED – Something not joined or integrally connected to something else. In the case of a dwelling or similar, not sharing a common vertical wall.

| | Examples Of Attached | Examples Of Detached |
|-----------|----------------------|----------------------|
| Sign | | |
| Dwelling | | |
| Structure | | |

Area / Dimensional Provisions



Tabulating Coverage / Floor Area / Setbacks

2.4. Tabulating Coverage / Floor Area / Setbacks

| A. Building / Structure | Counts as Building Coverage | Counts as Floor Area | Minimum Setback, Feet |
|---|-----------------------------|--|-----------------------|
| 1. Main Building(s) | | | |
| a. The surface area covered by all buildings on the lot except those specifically excluded in this table, as measured to the outside surface of the exterior walls. For a garrison colonial or similar cantilevered building, building coverage will be measured to the outermost wall(s) | Yes | Yes, if heated | Yes |
| b. The floor area of all floors of all buildings on the lot, as measured to the outside surface of the exterior walls, except those areas specified below | Included above | Only if heated, and not included above | Yes |
| c. The floor area of a garage | Included above | Only if heated, unless included above | Yes |
| 2. Cellar / Basement | | | |
| a. The floor area of a cellar or basement | Included above | Only if heated | Yes |
| 3. Attic Areas | | | |
| a. The floor area of an attic which is not used for human habitation | Included above | No | Yes |

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2.1. Basic Usage

2.1.A Rules And Terms

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

2.1.B Basic Rules

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

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

2.1.C Common Terms

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

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

2.2. Definitions

Some definitions related to specific sections of the Regulations are located within those Sections.

Abut and Related Terms

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

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

ACCESSORY – See “Principal and Accessory” within this [Section 2.2](#).

ACCESSORY DWELLING UNIT – a separate dwelling unit that (A) is located on the same lot as a principal dwelling unit of greater square footage, (B) has cooking facilities, and (C) complies with or is otherwise exempt from any applicable building code, fire code and health and safety regulations.

ADJOIN – See “Abut and Related Terms” within this [Section 2.2](#).

ACRE – An acre of land is equal to 43,560 square feet (SF).

ACTUAL CONSTRUCTION – The placing of construction materials in a permanent position in or on the land in accordance with the plans for the building or other structure under an authorized building permit, with the intent to complete the construction in an expeditious manner.

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Adult Day Care

ADULT DAY-CARE– The provision of supplementary care for adults outside their own homes for not less than three or more than twelve hours during a twenty-four-hour period and where care is given on a regularly recurring basis.

ADULT FAMILY DAY-CARE HOME – A private family home providing adult day care for not more than six adults.

ADULT GROUP DAY-CARE HOME – A private family home providing adult day care to not less than seven (7) nor more than twelve (12) adults.

ADULT DAY-CARE CENTER – A facility providing adult day care to more than twelve adults outside their own homes on a regular basis.

ADULT ORIENTED FACILITIES – See definition(s) in [Section 8.5](#) of these Regulations.

AFFORDABLE HOUSING – Housing which, for a household receiving 80% or less of area median income, costs no more than 30% of its total household income. Per CGS Section 8-30g, Affordable Housing is subject to deed covenants or deed restrictions and must meet certain conditions.

AGRICULTURE – These regulations will apply the State of Connecticut’s definition of Agriculture as detailed in Connecticut General Statutes, Section 1-1 (q).

ANIMAL BOARDING FACILITY – Premises maintained and operated as a business for the non-permanent overnight boarding and/or training of dogs and cats. *Also see “Animal Day Care Facility” and “Animal grooming Facility”.*

ANIMAL DAY-CARE FACILITY – Premises maintained and operated as a business for the day care and/or training of dogs and cats but not including overnight boarding. *Also see “Animal boarding Facility” and “Animal grooming Facility”.*

ANIMAL GROOMING FACILITY – Premises maintained and operated as a business for the grooming of dogs and cats but not including overnight boarding. *Also see “Animal boarding Facility” and “Animal Day Care Facility”.*

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APPLICANT – Applicant means any person, firm, partnership, association, joint venture, corporation, or any other entity or combination of entities, or affiliated entities and any transferee of all or part of the real property at one location.

At one location means all real property of the applicant if:

1. The properties are contiguous at any point;
2. The properties are separated only by a public or private right-of-way or utility corridor right-of-way, at any point; or
3. The properties are separated only by other real property of the applicant which is not subject to this article at the time of any building permit, site plan, development or subdivision application by the applicant.

AREA MEDIAN INCOME – Household income after adjustments for family size, according to the most recent reported area median income for the New Haven-Meriden Primary Metropolitan Statistical Area or State of Connecticut Median Income, whichever is lower, as determined by the United States Department of Housing and Urban Development.

Attached And Detached

ATTACHED – Something joined or integrally connected to something else. In the case of a dwelling or similar, sharing a common vertical wall.

DETACHED – Something not joined or integrally connected to something else. In the case of a dwelling or similar, not sharing a common vertical wall.

Examples Of Attached

Examples Of Detached

Sign



Dwelling



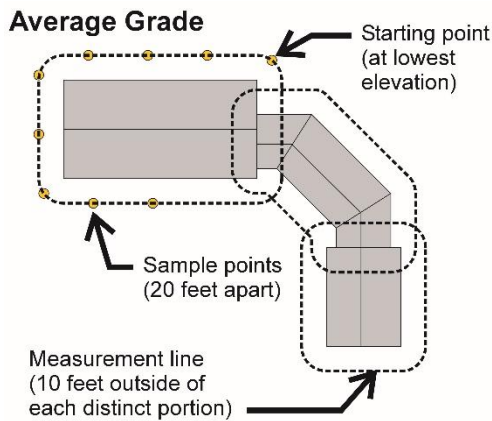
Structure



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AVERAGE FINISHED GRADE – A baseline elevation determined for each building or structure or distinct portion thereof by averaging the finished ground elevations at points situated every 20 feet along an imaginary line located 10 feet outside of wall of the building or structure or distinct portion. The starting location for such measurement points shall be the lowest elevation along the measurement line. Where such elevation points would be on property of others, the ground elevations shall be taken at the property line. Where such elevation points would be inside another distinct portion of such building, the elevation used shall be an average of the grades on the line of each side of such distinct portion.

N.B. – As provided in [Section 8.3.B](#), a change in the average ground elevation within such 10-foot area (from natural grade or pre-existing grade to finished grade) of more than five feet shall require Site Plan approval by the Commission].



BEDROOM – Any room in a dwelling unit designed, intended, furnished, or occupied for sleeping quarters.

BED-AND-BREAKFAST – See “Lodging-Related Terms” within this [Section 2.2](#).

BUILDABLE LAND – The lot area of a parcel, excluding any areas categorized as inland wetland, tidal wetland, or watercourse. Also see “Developable Land” within this [Section 2.2](#). Also see [Section 2.3.A.3](#) of these Regulations.

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BUILDING – A structure having a roof supported by walls or columns and used or intended to be used for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind. Membrane structures, greenhouses and prebuilt or preassembled structures are considered buildings.

BUILDING, ACCESSORY – See “Principal and Accessory” within this [Section 2.2](#).

BUILDING, PRINCIPAL – See “Principal and Accessory” within this [Section 2.2](#).

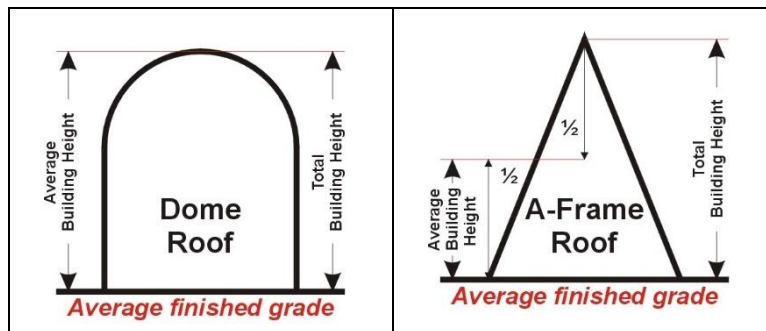
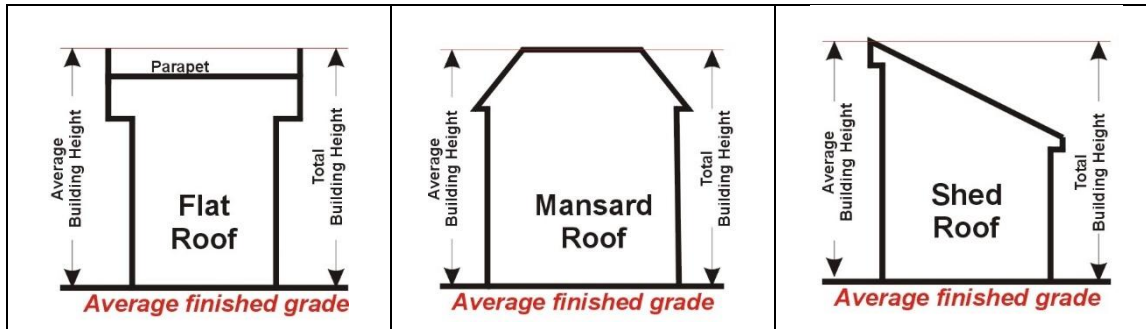
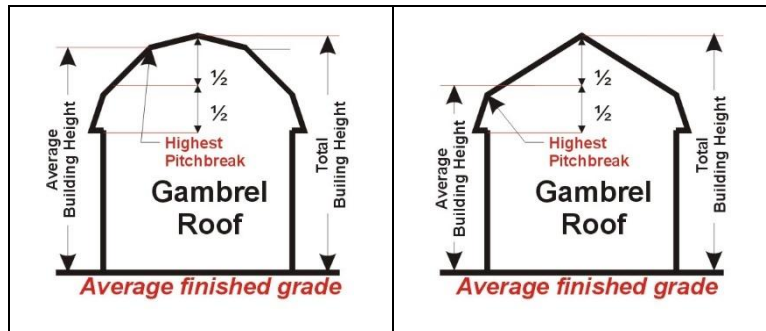
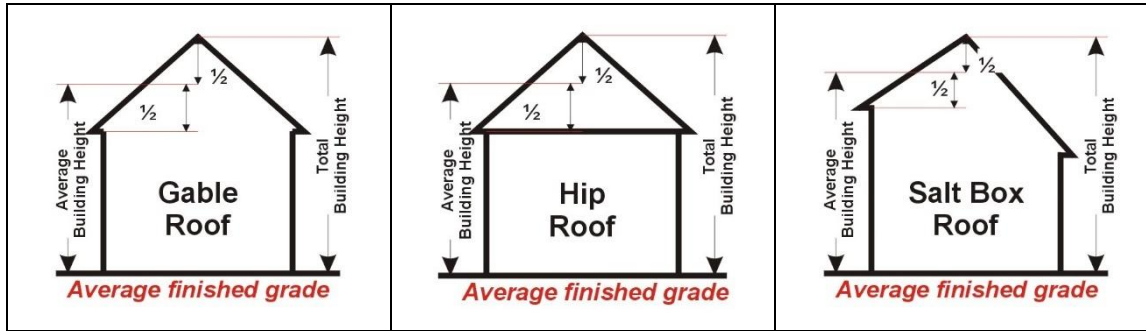
BUILDING COVERAGE – The horizontal area of the building features and site improvements identified in [Section 2.4](#) of these Regulations as “counts to building coverage” (typically expressed as a percentage of lot area). Also see “Impervious Coverage” within this [Section 2.2](#). Also see [Section 2.3.C.1](#) of these Regulations.

BUILDING HEIGHT – The height of a building or other structure as shown on the following diagrams. Building height may be measured separately for each distinct portion of the building. Where different roof types are used on a building or structure or distinct portion, the roof type which results in the greatest building height measurement shall be used for that building or structure or distinct portion. Also see “Dormer” and “Distinct Portion” within this [Section 2.2](#). Also see [Section 2.3.E](#) of these Regulations.

BUILDING HEIGHT, TOTAL – The height of a building or other structure measured from the average finished grade (see also [Section 5.5.C.3](#) for possible exceptions in coastal flood hazard areas) to the highest point of the roof, including the top of any parapet.

BUILDING HEIGHT, AVERAGE – The height of a building or other structure measured from the average finished grade (see also [Section 5.5.C.3](#) for possible exceptions in coastal flood hazard areas) to the appropriate reference point on the structure except that when dormer(s) occupy more than 50% of the width of the façade below the dormers, the building height shall be measured to the highest midpoint elevation between the ridge and the eave whether it be the main roof or any dormer.

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CAM – Coastal Area Management. (See [Section 5.7](#) of these Regulations)

CGS – Connecticut General Statutes. Also see “Connecticut General Statutes Section 8-30g” within this [Section 2.2](#).

Child Care

(also see Adult Day Care”)

CHILD CARE FACILITIES - Facilities providing daytime care for children (as per CGS 19a-77).

FAMILY CHILD CARE HOME - As defined in CGS Section 19a-77, as amended. (also see *Group Child Care Home*).

GROUP CHILD CARE HOME - A private family home which offers or provides a program of supplementary care:

- To not less than seven (7) nor more than twelve (12) related or unrelated children outside their own homes on a regular basis in a private family home, or
- That meets the definition of a family child care home except that it operates in a facility other than a private family home.


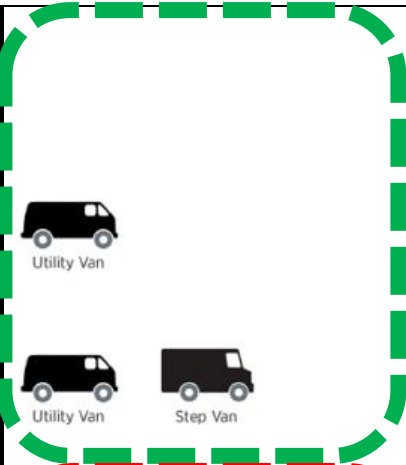



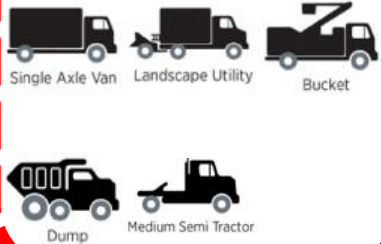

CHILD CARE CENTER - A facility which offers or provides a program of supplementary care to more than twelve related or unrelated children outside their own homes on a regular basis.

CLINICS / FACILITIES (MEDICAL AND DENTAL) – A health care facility providing medical or dental services to outpatients.

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COMMERCIAL VEHICLE – The following matrix of vehicle class and body type shall be used to determine whether a vehicle is a commercial vehicle. Note that:

- Vehicles used on a farm for activities associated with that farm shall not be considered commercial vehicles.
- Special purpose vehicles which are not customary for residential properties (such as a school bus, a public utility emergency vehicle, or earth moving equipment and similar types of construction equipment) will generally be considered commercial.
- The presence of logos or markings identifying a trade, business, service or commodity may be a factor.
- Modifications such as equipment racks, may be a factor.
- The use of a commercial plate or registration may be a factor.

| Type | Generally <u>NOT</u> Considered A Commercial Vehicle | May Be Considered A Commercial Vehicle |
|--------------------------------|---|--|
| Passenger Car |  <p>SEDAN WAGON ROADSTER</p> |  |
| Class 1 Truck (<6,000 GVWR) |  <p>SUV Minivan Full Size Pickup Utility Van</p> | |
| Class 2 Truck (6-10,000 GVWR) |  <p>Minivan Full Size Pickup Utility Van Step Van</p> | |
| Class 3 Truck (10-14,000 GVWR) |  <p>Full Size Pickup City Delivery Walk In Mini Bus</p> | |
| Class 4+ Truck (14,000+ GVWR) |  <p>Single Axle Van Landscape Utility Bucket</p> <p>Dump Medium Semi Tractor</p> |  |

1. Storage of a commercial vehicle inside a building is not restricted.
2. In a residential zone, outside parking of one commercial vehicle (*Class 2 or below*) is permitted as an accessory use. Outside parking of a second commercial vehicle (*Class 2 or below*) may be permitted if screened.
3. In a residential zone, outside parking of *any* commercial vehicle (*Class 3 or higher*) is not permitted unless it is inside a building.

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COMMISSION – The Guilford Planning and Zoning Commission or its lawful successor by whatever title designated.

COVERAGE – See “Building Coverage” and/or “Impervious Coverage” within this [Section 2.2](#).

CRITICAL COASTAL RESOURCES – Tidal wetlands, intertidal flats, coastal bluffs and escarpments, rocky shorefronts, and beaches and dunes.

CONNECTICUT GENERAL STATUTE SECTION 8-30g –CGS Section 8-30-g-2(c) requires that to be counted as affordable housing, (1-A) occupants’ annual income does not exceed 80% of AMI; (1-B) limit maximum household expenditures to 30% of such household’s income; and (2) covenants or restrictions must run with the land and be binding on each subsequent owner of the property throughout the deed restriction’s term.

CUSTOMARY – See “Principal and Accessory” within this [Section 2.2](#).

Deck / Porch / Patio / Terrace-Related Terms

DECK – A raised outdoor platform supported by joists with no roof.

PATIO – An outdoor area surfaced with concrete, brick, slate, or similar material placed directly on the ground.

PORCH – An outdoor area attached to a building or structure typically with a raised platform and with a fixed roof or another platform above (includes a roofed exterior landing).

CLOSED PORCH – A porch with screened-in or glassed-in openings.

OPEN PORCH – A porch that is open to the air without screened-in or glassed-in openings.

TERRACE – An exterior area which is generally level and which has been raised or lowered relative to adjacent grade, often by retaining walls or similar means, in order to create a landscape feature or activity area.

Deck



Patio



Porch



Terrace



DETACHED – See “Attached And Detached” within this [Section 2.2](#).

DEVELOPMENT – Any construction or grading activities to improved or unimproved real estate.

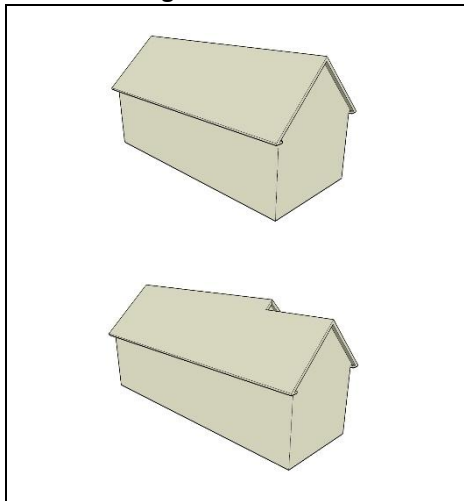
DEVELOPABLE LAND – (Also see “Buildable Land”) The area of a parcel, excluding any areas which are:

- Inland wetland,
- Tidal wetland,
- Watercourse,
- 100-year floodplain (A, AE, V),
- Slopes greater than 25%, and/or
- Subject to an easement or permanent restriction which restricts development.

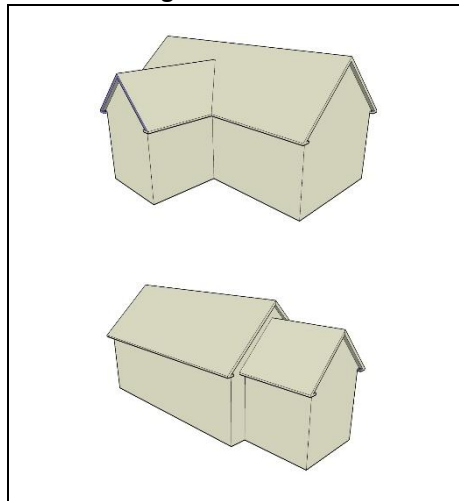
DISTURBED AREA – An area where the ground cover is destroyed or removed, leaving the land subject to accelerated erosion.

DISTINCT PORTION – a portion of a building, defined by its footprint, walls or other feature(s), which is visually discrete from other portions of the same building due to size, height, shape, form, bulk, or other measures of volume, dimension, spatial relationship, or location.

**Buildings Without
 A Wing or Distinct Portion**



**Buildings With
 A Wing or Distinct Portion**

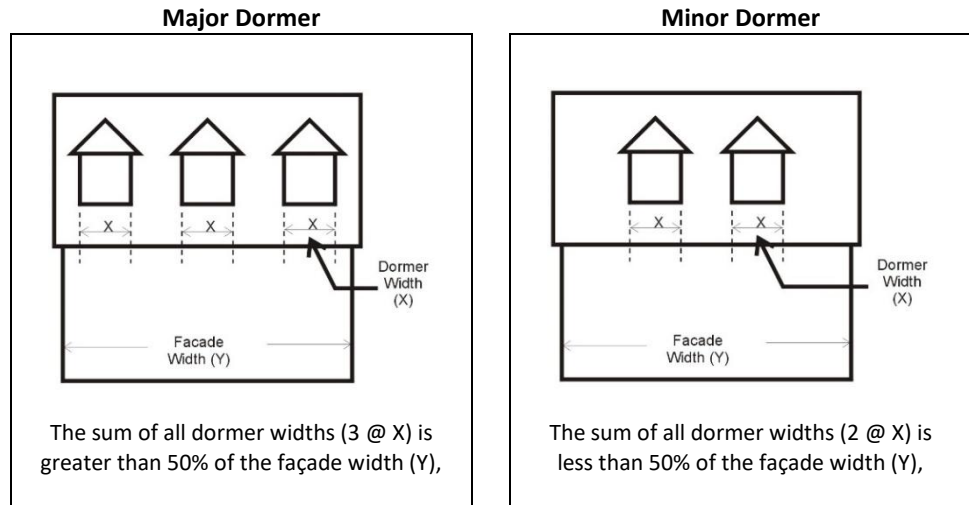


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DORMER: a projection from a sloping roof creating useable Floor Area below or containing a window or a ventilating louver.

DORMER, MAJOR: One or more Dormers that occupy 50 percent or more of the width of the facade below as measured by the walls.

DORMER, MINOR: One or more Dormers that occupy less than 50 percent of the width of the facade below as measured by the walls.



Dwelling-Related Terms

DWELLING – A building designed or used as a residence for occupancy by one or more families.

DWELLING UNIT – Any room or group of rooms devoted to residential use located within a and forming a single, habitable unit with facilities which are used or intended to be used for living, sleeping, cooking, and eating by one family.

DWELLING, SINGLE-FAMILY – A residential structure having only one dwelling unit from ground to roof and having independent outside access.

DWELLING, TWO-FAMILY – A residential structure containing two independent dwelling units, each with independent access, and separate facilities that are used or intended to be used for living, sleeping, and cooking.

DWELLING, MULTIPLE-FAMILY – A residential structure containing three or more independent dwelling units, each with independent access, and separate facilities that are used or intended to be used for living, sleeping, and cooking.

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

FAMILY – Any number of persons residing on the premises and living and cooking together as a single housekeeping unit.

FAMILY CHILD CARE HOME - See “Child Care” within this [Section 2.2](#).

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

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

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

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

FINANCIAL INSTITUTIONS – Banks, savings and loans, credit unions and similar businesses where services are provided relating to money, stocks and bonds, credit, and other financial instruments. Such institution may include drive-through service where allowed within the specific zoning district.

FLOOR AREA – The sum of the gross horizontal areas of the floors of a building or other structure, measured from the exterior faces of the exterior walls or from the center line of party walls, **excluding**:

- garages,
- bay windows,
- utility rooms for heating apparatus,
- cellars with earth floors,
- open porches and unheated enclosed porches, and
- attics and other horizontal areas not accessible by a permanent inside stairway.

Also see [Section 2.3.C.3](#) of these Regulations. Also see [Section 2.4](#) of these Regulations.

FRONTAGE – See “Lot Area And Shape Terms” in this [Section 2.2](#).

GRADE – See “Average Finished Grade” in this [Section 2.2](#).

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

GROSS VEHICLE WEIGHT RATING – The vehicle manufacturer’s specification of the maximum operating weight of a vehicle based on the vehicle's chassis, body, engine, and other factors.

GROUP CHILD CARE HOME - See “Child Care” within this [Section 2.2](#).

HAZARDOUS MATERIAL – Any substance or combination of substances which, because of quantity, concentration or physical, chemical, or infectious characteristics, poses a significant present or potential hazard to water supplies or to human health if disposed of into or on any land or water in the Town.

HEIGHT – The height measured above average finished grade. *For buildings, see definition of “Building Height” within this [Section 2.2](#).*

HOTEL – See “Lodging-Related Terms” within this [Section 2.2](#).

IMPERVIOUS COVERAGE – The horizontal area of a site covered by impervious surfaces, generally expressed as a percent of lot area. *Also see “Building Coverage” within this [Section 2.2](#). Also see [Section 2.3.C.2](#) of these Regulations.*

IMPERVIOUS SURFACE – A surface composed of any material that impedes or prevents natural infiltration of water into the soil.

| Including but not limited to: | Not including: |
|--|---|
| <ul style="list-style-type: none"> • Building components and features (as indicated in Table 2.4), • Solid decks, patios, • Driveways, parking areas, • Sidewalks, • Tennis courts, • Concrete or asphalt streets including the area compacted for pavement or gravel base, • Compacted gravel surfaces and • the water area of swimming pools | <ul style="list-style-type: none"> • Slatted decks with a pervious surface underneath, • Porous paving with runoff coefficients of less than 25%, • Ponds, streams, and other water surfaces |

INCIDENTAL – See “Principal and Accessory” within this [Section 2.2](#).

INN – See “Lodging-Related Terms” within this [Section 2.2](#).

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| <i>Lodging-Related Terms</i> | |
|-------------------------------------|---|
| LODGING | – An establishment that provides temporary accommodations and related accessory services for transient guests for compensation. |
| HOTEL / INN | – A lodging facility, operated as a business, which may include limited in-room cooking facilities and where rooms are accessed directly from inter-connected internal corridors. |
| MOTEL | – A lodging facility, operated as a business, which may include limited in-room cooking facilities and where rooms are accessed directly from outside. |
| BED AND BREAKFAST | – A lodging facility operated as an accessory use in an owner-occupied dwelling, generally for short-term guests, and which may provide breakfast service to lodgers. |
| ROOMS TO LET | – A living arrangement, operated as an accessory use in an owner-occupied dwelling, where rooms are rented with or without table board or sharing of cooking facilities of the dwelling but does not include cooking facilities in rooms. |

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Lot-Related Terms

LOT – A parcel of land:

- which is owned separately from any adjoining land as evidenced by deed or deeds recorded in the land records of the Town of Guilford (land bisected by a private easement or right-of-way may be considered to form a single lot); or
- meeting the requirements of these Regulations and shown on a map filed in the land records of the Town of Guilford.

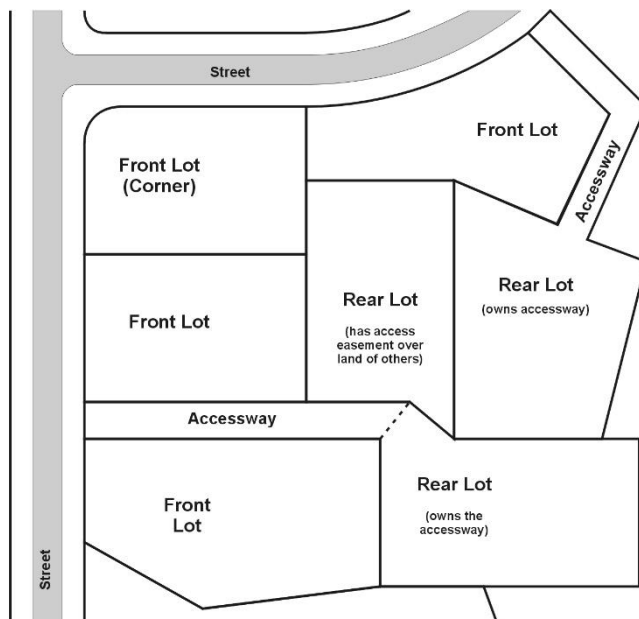
LOT, NON-CONFORMING – See “*Nonconforming-Related Terms*”

LOT, FRONT – A lot which has frontage on a street and either:

- meets the lot frontage requirement of these Regulations, or
- has the usable portion of the lot located near the street.

LOT, REAR – A lot which:

- has less than the required frontage on a street,
- has the usable portion of the lot located generally to the rear of other lots having frontage on the street providing access to said lot, and
- has access to the street via an accessway or a private right-of-way.



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Lot-Area And Shape Terms

LOT AREA – The area of a lot based on a horizontal plane bounded by the front, side and rear lot lines but shall not include land used for or encumbered by:

- Overhead electric power transmission lines (defined by the easement area),
- Any street or highway right-of-way, or
- Any easement for vehicular access or any private right-of-way for vehicles.

Lands subject to easements for drainage facilities or public utilities may be included in the calculation of lot area. *Also see [Section 2.3.A.1](#) of these Regulations.*

LOT AREA PER DWELLING UNIT – The amount of lot area, whether occupied by structures or not, that exists for each dwelling unit located on the lot.

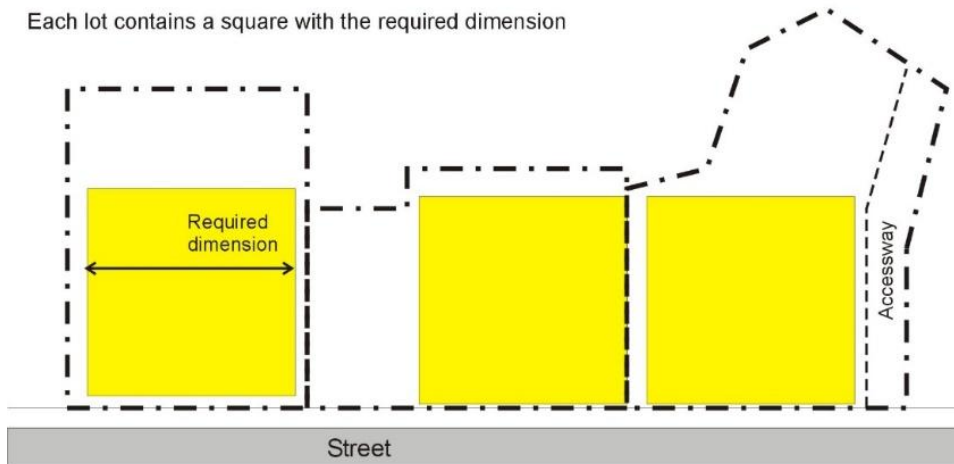
LOT FRONTAGE – The distance along the street line measured between the side lot lines. *Also see [Section 2.3.A.4](#) of these Regulations.*

LOT SHAPE – A requirement for a square area with a specified number of feet on each side be provided on any lot created after February 28, 1969 in order to provide for a useable lot shape but such lot shape area shall not include the following:

- Land encumbered by overhead electric power transmission lines,
- Any street or highway, or
- Any easement for vehicular access or any private right-of-way for vehicles.

Also see [Section 2.3.A.3](#) of these Regulations.

Each lot contains a square with the required dimension



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Lot Line-Related Terms

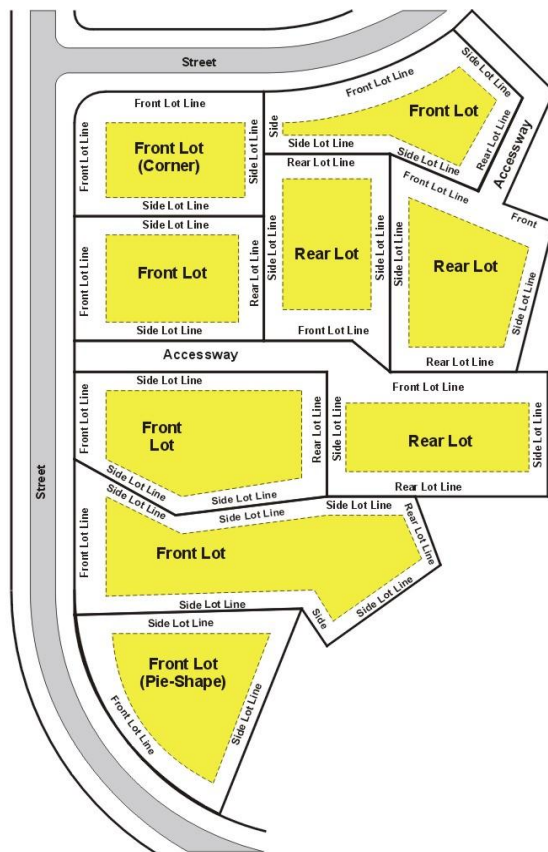
LOT LINE – Any boundary line of a lot.

LOT LINE, FRONT – Any lot line:

- On a front lot which abuts a Town road, a state highway (except a limited access state highway), or any public street shown on a final record subdivision map approved by the Commission and filed in the land records of the Town of Guilford (see “Street Line”),
- On a front lot which abuts a private street, or
- On a rear lot where the accessway or right-of-way providing access leads to.

LOT LINE, SIDE – Any lot line which is adjacent to a front lot line and any other lot line which is not a front lot line or a rear lot line.

LOT LINE, REAR – The lot line which is most opposite the longest front lot line.



LOT SHAPE – See “Lot Area And Shape Terms” within this [Section 2.2](#).

MANUFACTURING – Any establishment, the principal use of which is manufacturing, fabricating, processing, producing, assembling, cleaning, servicing, testing, or repairing of materials or goods.

MEDICAL MARIJUANA DISPENSARY FACILITY – A place of business where medical marijuana may be dispensed and sold at retail to qualifying patients and primary caregivers and for which the State of Connecticut Department of Consumer Protection has issued a dispensary facility permit.

MEDICAL MARIJUANA PRODUCTION FACILITY – A secure, indoor facility where the production of medical marijuana occurs and is operated by a person to whom the State of Connecticut Department of Consumer Protection has issued a production facility permit.

MINIMUM COASTAL SETBACK – Required minimum distance between a proposed structure or impervious surface, and the critical coastal resource.

MINOR ADDITION – An addition not exceeding ten percent of the total floor area or two-hundred SF, whichever is less, and which addition does not require more than a 10% addition to the existing off-street parking area to meet the requirements of [Section 7.3](#) of these Regulations. See [Section 5.7](#) of these Regulations.

MOBILE HOME – A vehicular portable structure built to be moved on wheels and designed for living accommodations of a permanent nature and shall be so considered whether or not it is actually on wheels.

MOTEL – See “Lodging-Related Terms” within this [Section 2.2](#).

MOTOR VEHICLE – As defined in Section 14-1 of the Connecticut General Statutes.

MOTOR VEHICLE, GOOD CONDITION – A motor vehicle having all doors, including the hood and trunk, intact and with no broken or missing windows.

MOTOR VEHICLE REPAIR – As defined by CT General Statutes.

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| <p><i>Non-Conforming Related Terms</i></p> | |
| <p>NON-CONFORMING – A situation where a use, structure or lot does not conform with the regulations for the zone in which it is situated.</p> | |
| <p>NON-CONFORMING USE – The use of land or use of a building or structure which does not conform to the applicable use provisions of these Regulations for the district in which it is located.</p> <p>NON-CONFORMING LOT – A lot which does not conform to the area, shape, frontage, or locational provisions of these Regulations for the district in which it is located.</p> <p>NON-CONFORMING BUILDING OR STRUCTURE – A building or other structure which does not conform to the dimensional or locational or other applicable provisions of these Regulations for the district in which it is located.</p> | |
| <p>LEGAL NON-CONFORMING – A situation where a use, structure, or lot:</p> <ul style="list-style-type: none"> • Was legally existing as of June 1953 or any pertinent amendments hereto and became nonconforming as a result of such adoption. • Had been issued a building permit prior to June 1953 or any pertinent amendments hereto and actual construction (as defined in these Regulations) had lawfully begun. • Was authorized by variance or other legal approval. <p>“GRANDFATHERED” – An informal term used to describe a use, building, structure, dimensional standard or other nonconforming situation that existed legally prior to the adoption of these Regulations or any pertinent amendments hereto and is therefore considered a legal non-conforming situation.</p> | |

NON-PROFIT FACILITIES – Facilities of philanthropic, civic, charitable, agricultural, historical, and/or cultural institutions or societies necessary to the purposes and programs of such nonprofit organization, including dwellings maintained by such institutions or societies as part of their charitable activities, with no more than one dwelling per lot.

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OFFICE – A building, room, or series of rooms in which the affairs of a business, profession, group, or governmental unit are carried on.

OPEN SPACE – Land set aside for conservation, recreation, park or play area.

PARCEL – See “Lot” within this [Section 2.2](#).

PATIO – See “Deck / Porch / Patio / Terrace-Related Terms” within this [Section 2.2](#).

PERSONAL SERVICES – The provision of non-medical services relating to the bodily care of individuals such as hair care, grooming, nail care, fitness center, fitness training, massage therapy, spas, or similar services.

PERSONAL SERVICE ESTABLISHMENT – A business providing personal services.

PORCH – See “Deck / Porch / Patio / Terrace-Related Terms” within this [Section 2.2](#).

PLAN OF CONSERVATION AND DEVELOPMENT – The current Plan of Conservation and Development of the Town of Guilford, Connecticut, as provided in CGS Section 8-23 and as adopted by the Commission.

Principal And Accessory

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

ACCESSORY – That which is customary, subordinate, and incidental to the principal condition.

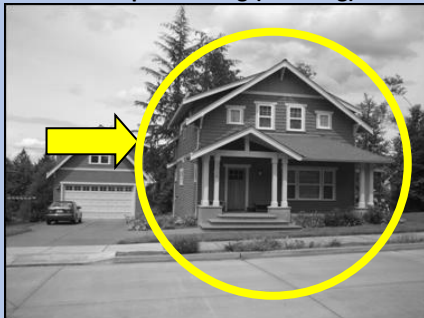
BUILDING – See definition of “Building” within this [Section 2.2](#).

STRUCTURE – See definition of “Structure” within this [Section 2.2](#).

PRINCIPAL BUILDING / STRUCTURE – The primary or predominant building or structure on a lot or a building or structure in which is conducted the principal use of the lot on which it is situated. Any portion of a principal building or structure devoted or intended to be devoted to an accessory use is still part of the principal structure and shall not be considered an accessory structure. See also “Accessory Building”.

ACCESSORY BUILDING / STRUCTURE – A detached building or structure, the size and use of which is subordinate and customarily incidental to the principal building and use on the same lot. See also “Principal Building”, “Customary”, “Subordinate”, and “Incidental.”

Principal Building (Dwelling)



Accessory Building (Detached Garage)



(continued on next page)

(continued from previous page)

USE – See definition of “Use” within this [Section 2.2](#).

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

ACCESSORY USE – A use of a lot, building or other structure or other activity that is subordinate and customarily incidental to a principal use or activity on the same property or on a contiguous lot under the same ownership with the principal use. See also “Principal Use”, “Customary”, “Subordinate”, and “Incidental.”

Principal Use (Residential)



Accessory Use (Vehicle Parking)



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

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

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

PRINTING ESTABLISHMENTS – Businesses involved with the reproduction or copying of printed material serving retail or wholesale customers.

PROJECTION – Any building element attached to a building and extending beyond the face of a building wall including roofs, cornices, chimneys, bay windows, shading devices, areaways, balconies, fire escapes, outside stairways, steps, and open porches.

PROPANE BULK STORAGE – Any facility where the primary function is to store LP-Gas prior to further distribution, where LP gas is received by a cargo tank motor vehicle, railroad tank car or pipeline, and distributed by portable container (package delivery), by cargo tank motor vehicle or through gas piping.

PUBLIC WATER SUPPLY – A water supply system owned and operated by a water company regulated by the Public Utilities Commission and designed as a Class A utility under the Public Utilities Commission Uniform System of Accounts.

RECREATION VEHICLE – A portable vehicle built on a chassis, designed to be used as a temporary dwelling for travel, camping, recreation and vacation uses. The term shall include a travel trailer, pickup camper, motorized camper, or tent trailer.

RESEARCH LABORATORIES – Facilities where experimental development including creative work is conducted on a systematic basis in order to increase basic knowledge, not including the manufacturing of products or provision of services.

ROOMS-TO-LET – See “Lodging-Related Terms” within this [Section 2.2](#).

SEASONAL – Affected by or depending on a time or part of the year during which the specified activity or use occurs.

SELF-STORAGE FACILITIES – Mini warehouses, or similar storage facilities primarily serving retail or individual customers.

SEDIMENT – Solid material, either mineral or organic, that is in suspension, is transported or has been moved from its site of origin by erosion.

SETBACK – The distance that buildings and/or other structures are set back from front, rear or side property lines as required by these Regulations. *Also see [Section 2.3.B](#) of these Regulations.*

SF – Square foot or square feet.

SHOPPING CENTER – A group of stores, not necessarily all attached, but planned, built, or utilized as a common facility on one lot with stores, financial institutions, restaurants, or personal service establishments and with common off-street parking and loading facilities.

SHORELINE FLOOD AND EROSION CONTROL STRUCTURE – Any structure the purpose or effect of which is to control flooding or erosion from tidal, coastal, or navigable waters and includes breakwaters, bulkheads, groins, jetties, revetments, riprap, seawalls and the placement of concrete, rocks, or other significant barriers to the flow of flood waters or the movement of sediments along the shoreline.

SIGN – Any billboard illustration, insignia, lettering, picture, display, banner, pennant, flag, or other device, however made, displayed, painted, printed, supported, or attached, which advertises, announces, directs, identifies, publicizes, notices or warns, when located out of doors and is visible from any street or from any lot other than the lot on which it is located. The term "sign" shall also include any continuous strip lighting. Any such billboard, illustration, insignia, lettering, picture, display, banner, pennant, flag, or other device may be double facing, except that if the two faces are at any point more than two feet from one another, they shall be considered as two signs.

SOIL – Any unconsolidated mineral or organic material of any origin.

STATE HIGHWAY – Any road in Guilford designated as a State highway by the State of Connecticut Department of Transportation.

State Highways

Route 1 (Boston Post Road)
 Route 77 (Durham Road/Church Street/Whitfield Street)
 Route 80
 Route 146 (Leetes Island Road/Boston Street)

STEEP SLOPES – An area with a vertical slope of 25 percent or more (a change in vertical elevation of one foot or more in a four-foot horizontal distance) extending over a horizontal distance of 50 feet or more (measured 90° to the contours at a contour interval of two feet or less).

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STREET – A way (including highways, throughways, thoroughfares, parkways, avenues, roads, lanes, alleys, or other arteries of vehicular traffic, but not private driveways) which is permanently dedicated to movement of vehicles and pedestrians and providing the principal means of access to abutting property and which is:

- A State highway except a limited access state highway,
- A Town street,
- A private street, or
- A street shown on a subdivision plan approved by the Commission.

STREET LINE – The right-of-way easement or taking line of any street, except limited-access state highways. *Also see “Lot Line, Front.”*

STRUCTURE – Anything constructed or erected, including a building, which has a permanent location on a lot or lots or anything attached to something having a permanent location on the ground, excluding sidewalks, parking areas, driveways and patios at grade but including tennis courts and swimming pools.

STRUCTURE, ACCESSORY – See “Principal and Accessory” within this [Section 2.2](#).

SUBORDINATE – See “Principal and Accessory” within this [Section 2.2](#).

TERRACE – See “Deck / Porch / Patio / Terrace-Related Terms” within this [Section 2.2](#).

USE – Any activity, occupation, business, or operation carried on or intended to be carried on in a building or other structure or on a tract of land.

USE, ACCESSORY – See “Principal and Accessory” within this [Section 2.2](#).

USE, PRINCIPAL – See “Principal and Accessory” within this [Section 2.2](#).

VETERINARY FACILITIES – establishments where animals are cared for and animal diseases treated including overnight care.

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WATERCOURSE – As defined in CGS Section 22a-38, as may be amended.

“Watercourses” means rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs, and all other bodies of water, natural or artificial, vernal or intermittent, public or private, which are contained within, flow through or border upon this state or any portion thereof,

Intermittent watercourses shall be delineated by a defined permanent channel and bank and the occurrence of two or more of the following characteristics: (A) Evidence of scour or deposits of recent alluvium or detritus, (B) the presence of standing or flowing water for a duration longer than a particular storm incident, and (C) the presence of hydrophytic vegetation ...

WETLAND, INLAND – As defined in CGS Section 22a-38, as may be amended.

“Inland Wetlands” means land, including submerged land, ... which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial, and floodplain by the National Cooperative Soils Survey, as may be amended from time to time, of the Natural Resources Conservation Service of the United States Department of Agriculture ...

WETLAND, TIDAL – As defined in CGS Section 22a-29, as may be amended.

“Tidal Wetlands” means those areas which border on or lie beneath tidal waters, such as, but not limited to banks, bogs, salt marsh, swamps, meadows, flats, or other lowlands subject to tidal action, including those areas now or formerly connected to tidal waters, and whose surface is at or below an elevation of one foot above local extreme high water; and upon which may grow or be capable of growing some, but not necessarily all, of the following (list in statute) ...

ZEO – The Zoning Enforcement Officer(s) designated by the Commission.

ZBA – The Zoning Board of Appeals of the Town of Guilford.

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2.3. Area And Dimensional Provisions

2.3.A Area-Related Requirements

1. **Minimum Area** – Each lot or parcel shall contain at least the Minimum Lot / Parcel Area specified by these Regulations except that this requirement shall not apply when an exception is specifically provided in these Regulations or to a lot or parcel of land that is reserved for park, playground, conservation, or other open space purposes provided:
 - a. The lot or parcel is or will be owned by the Town of Guilford, State of Connecticut or a nonprofit organization, or the lot or parcel is shown as open space on a subdivision map or a Planned Residential Development approved by the Commission, and
 - b. No building or other structure shall be constructed, reconstructed, enlarged, extended, moved, or structurally altered on such non-compliant lot or parcel unless the lot or parcel:
 - Has a frontage of 20 feet or more on a street, or
 - Has access to a street by means of an unobstructed right-of-way at least 20 feet in width.

2. **Minimum Area** – Any lot created after October 7, 2023 shall contain sufficient area within Guilford to conform with the Guilford Zoning Regulations, as may be amended, except that the Commission may, by Special Permit, allow a lot to cross town boundary lines in order to meet the minimum lot size requirements of the Guilford Zoning Regulations.

3. **Minimum Lot Shape** – Each lot or parcel created by the division or acquisition of land after February 28, 1969 shall be of such shape that a square with the number of feet on each side as specified by these Regulations shall fit within the lot or parcel except that this requirement shall not apply to a lot or parcel of land that is reserved for park, playground, conservation, or other open space purposes provided:
 - a. The lot parcel is or will be owned by the Town of Guilford, State of Connecticut or a nonprofit organization, or the lot or parcel is shown as open space on a subdivision map or a Planned Residential Development approved by the Commission, and
 - b. No building or other structure shall be constructed, reconstructed, enlarged, extended, moved, or structurally altered on such non-compliant lot or parcel unless the lot or parcel:
 - Has a frontage of 20 feet or more on a street, or
 - Has access to a street by means of an unobstructed right-of-way at least 20 feet in width.

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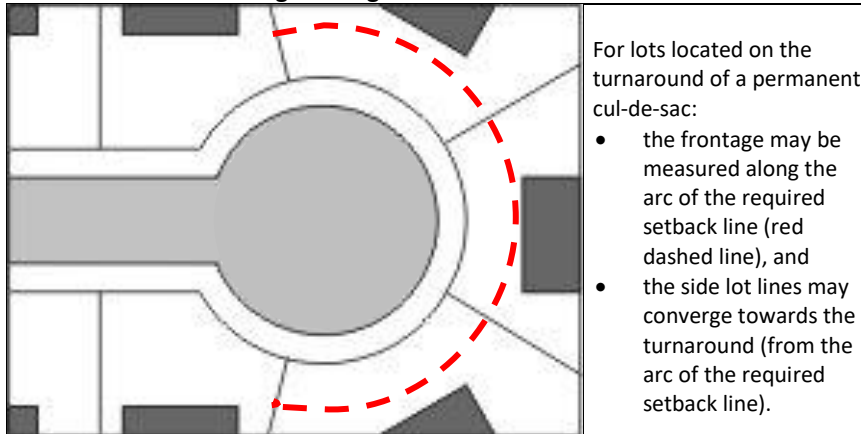
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4. Minimum Lot Frontage –

- a. Each lot or parcel shall have a frontage on a street of at least the number of feet as specified by these Regulations unless the lot or parcel is:
 - Allowed by the Regulations as a rear lot or parcel,
 - Located on the turnaround of a permanent cul-de-sac in which case the frontage may be measured along the arc of the required setback line (see graphic below), or.
 - Reserved for park, playground, conservation, or other open space purposes provided:
 - The lot or parcel is or will be owned by the Town of Guilford, State of Connecticut or a nonprofit organization, or the parcel is shown as open space on a subdivision map or a Planned Residential Development approved by the Commission, and
 - No building or other structure shall be constructed, reconstructed, enlarged, extended, moved, or structurally altered on such non-compliant lot or parcel unless the lot or parcel:
 - Has a frontage of 20 feet or more on a street, or
 - Has access to a street by means of an unobstructed right-of-way at least 20 feet in width.
- b. Any such frontage requirement shall also apply into the lot or parcel for a distance of 50 feet from the street line unless the frontage is measured along the arc of the turnaround of a permanent cul-de-sac in which case the side lot lines may converge towards the turnaround.

Measuring Frontage On A Permanent Cul-De-Sac



2.3.B Setback-Related Requirements

1. **Front Setback** – Unless an exception is identified in [Section 2.3.B.5](#):
 - a. In the case of a *minimum* front setback, any new building, addition, or other structure (including swimming pools, tennis courts and other sports courts) shall be set back at least the required distance as specified by these Regulations from the street line or front lot line.
 - b. In the case of a *maximum* front setback specified in these Regulations, no building or other structure shall be located any further from the front lot line than the maximum setback except that, in a multiple building development, when one or more buildings meet the maximum building setback, other buildings may be allowed which do not meet the maximum building setback.
 - c. When any building or other structure is to be constructed on a lot or parcel bounded on one or both sides by lots with existing structures which are nonconforming as to minimum front setbacks, the minimum front setback may be the average setback of the adjoining structures provided said structures are within 200 feet of the proposed structure.
 - d. A projection as defined in these Regulations may extend from any building wall into the required front setback up to the distance specified in the zoning district.

2. **Side Setback** – Unless an exception is identified in [Section 2.3.B.5](#):
 - a. No building or other structure (including swimming pools, tennis courts and other sports courts) shall be closer than the distance specified by these Regulations from any side lot line except as may be specifically allowed by these Regulations.
 - b. A projection as defined in these Regulations may extend from any building wall into the required side setback up to the distance specified in the zoning district.
 - c. A legal non-conforming lot may use the side setback for the zone closest in area to the actual lot size unless the applicant provides information that a previous approval of the Commission allowed a lesser setback.
 - d. A terrace, patio, or parking area constructed two feet or more above existing grade shall have a minimum side setback from a property line of 8 feet in an R-1, R-2, or R-3 district and 10 feet in an R-4, R-5, R-6, R-7, or R-8 district.

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- e. When a Special Permit use is proposed in a residential district, driveways, parking areas and other impervious surfaces shall meet the minimum side setback requirement for a principal structure for the District in which the Special Permit is proposed and this setback area shall be suitably landscaped to provide privacy for and mitigate adverse impacts such as light or noise on any adjacent residential uses except that this requirement shall not apply:
 - Where the proposed Special Permit use is a conversion to a 2-family dwelling.
 - When the Commission finds that the specific circumstances of the Special Permit application, such as the nature of the use, mitigation measures proposed by the applicant, topography, existing vegetation, or landscaping make its imposition unnecessary in accomplishing the purpose of protecting adjacent residential uses.
 - f. In certain situations, side yard setback requirements may be different in the CAM Overlay District (see [Section 5.7](#) of these Regulations).
 - g. No side setback, other than that required by a railroad, is required from a railroad siding on the side or rear of a building or other structure where a railroad siding is or will be located.
3. **Rear Setback** – Unless an exception is identified in [Section 2.3.B.5](#):
- a. No building or other structure (including swimming pools, tennis courts and other sports courts) shall be closer than the distance specified by these Regulations from any rear lot line except as may be specifically allowed by these Regulations.
 - b. A projection as defined in these Regulations may extend from any building wall into the required rear setback up to the distance specified in the zoning district.
 - c. A legal non-conforming lot may use the rear setback for the zone closest in area to the actual lot size unless the applicant provides information that a previous approval of the Commission allowed a lesser setback.
 - d. A terrace, patio, or parking area constructed two feet or more above existing grade shall have a minimum rear setback from a property line of 8 feet in an R-1, R-2, or R-3 district and 10 feet in an R-4, R-5, R-6, R-7, or R-8 district.
 - e. In certain situations, rear yard setback requirements may be different in the CAM Overlay District (see [Section 5.7](#) of these Regulations).
 - f. No rear setback, other than that required by a railroad, is required from a railroad siding on the side or rear of a building or other structure where a railroad siding is or will be located.

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4. **Setback From Residential District Boundary Line** – Where a setback from a residential district boundary line is specified in these Regulations, no building or other structure shall be closer than the distance specified from any residential district boundary.

5. **Special Setback Exceptions** –
 - a. Exception For Small Residential Accessory Structure – A detached building or structure accessory to a residential use shall have a minimum setback from a property line of 8 feet in an R-1, R-2, or R-3 district and 10 feet in an R-4, R-5, R-6, R-7, or R-8 district when it:
 - Is located at least 60 feet from any street line or front lot line,
 - Has a floor area of 200 square feet or less, and
 - Has a total building height of 10 feet or less.
 - b. Exception For Mobility-Impaired Ramps – Ramps constructed for the purpose of providing access to the mobility impaired are exempt from the setback requirements of these Regulations to the reasonable extent needed to serve their purpose.
 - c. Exception For Marine Facilities – When a site plan therefore has been or will be approved by the Commission, no setback from navigable waters is required for buildings and other structures used for:
 - Marinas including docks, wharves, slip basins, or similar landing facilities for boats both pleasure and commercial.
 - The sale, repair and servicing of boats, sails, marine equipment, and engines.
 - Dry storage and the building and rebuilding of boats.
 - Processing and treatment of shellfish, limited to depuration (expressly excluding cooking and packaging and the temporary water storage of crustaceans).

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2.3.C Coverage-Related Limitations

- 1. **Maximum Building Coverage** – The aggregate building coverage of any lot or parcel by buildings and other structures shall not exceed the percentage of the lot or parcel area as specified by these Regulations except that:
 - a. A legal non-conforming lot or parcel may use the maximum building coverage limitation for the zone closest in area to the actual lot or parcel area provided adequate information is submitted to the Zoning Enforcement Officer to document the legal non-conforming status.
 - b. Ramps constructed for the purpose of providing access to the mobility impaired are exempt from the coverage limitations of these Regulations to the reasonable extent needed to serve their purpose.
- 2. **Maximum Impervious Coverage** –
 - a. The aggregate impervious coverage of any lot or parcel by impervious surfaces shall not exceed the percentage of the lot or parcel area as specified by these Regulations.
 - b. Impervious coverage limitations in non-residential zones may be reduced in the CAM Overlay District (See [Section 5.7.K](#)).
 - c. A legal non-conforming lot may use the maximum impervious coverage limitation for the zone closest in area to the actual lot or parcel area provided adequate information is submitted to the Zoning Enforcement Officer to document the legal non-conforming status.
 - d. Ramps constructed for the purpose of providing access to the mobility impaired are exempt from the coverage limitations of these Regulations to the reasonable extent needed to serve their purpose.

2.3.D Floor Area-Related Limitations

- 1. **Maximum Floor Area** –
 - a. The aggregate floor area of heated space on any lot shall not exceed the percentage of the lot or parcel area as specified by these Regulations.
 - b. A legal non-conforming lot may use the maximum floor area limitation for the zone closest in area to the actual lot or parcel area provided adequate information is submitted to the Zoning Enforcement Officer to document the legal non-conforming status.

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2.3.E Height-Related Limitations

1. **General** – No building or other structure shall exceed the average building height or total building height as specified by these Regulations (see [Section 5.5.C.3](#) for special provisions in coastal flood zones) except that the height limitations shall not apply to the following provided they are not used or intended for or lawfully capable of use for human occupancy:
 - a. Church steeples.
 - b. Water towers.
 - c. Structures housing the elevator, heating, ventilations, air conditioning or similar mechanical equipment located on the roof of a building and not occupying more that 25% of the area of the distinct roof shape that contains the exempt element projected onto a flat horizontal surface.
 - d. Ornamental cupolas and chimneys which do not occupy more than 10% of the area of the distinct roof shape that contains the exempt element projected onto a flat horizontal surface.
 - e. Flagpoles up to 50 feet high.
2. **Barns** – The height limitations of these Regulations shall not prevent barns up to 50 feet high if accessory to a commercial farm provided such structure is not used or intended for or lawfully capable of use for human occupancy.
3. **Silos** – The height limitations of these Regulations shall not prevent silos if accessory to a commercial farm.
4. **Fences** – The height limitations of these Regulations shall not apply to fences at commercial farms when required for protecting crops.

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2.4. Tabulating Coverage / Floor Area / Setbacks

| A. Building / Structure | Counts to Building Coverage | Counts to Floor Area | Minimum Setbacks Apply* |
|---|-----------------------------|--|-------------------------|
| 1. Main Building(s) | | | |
| a. The surface area covered by all buildings on the lot except those specifically excluded in this table, as measured to the outside surface of the exterior walls. For a garrison colonial or similar cantilevered building, building coverage will be measured to the outermost wall(s) | Yes | Yes, if heated | Yes |
| b. The floor area of all floors of all buildings on the lot, as measured to the outside surface of the exterior walls, except those areas specified below | Included above | Only if heated, and not included above | Yes |
| c. The floor area of a garage | Included above | Only if heated, unless included above | Yes |
| 2. Cellar / Basement | | | |
| a. The floor area of a cellar or basement | Included above | Only if heated | Yes |
| 3. Attic Areas | | | |
| a. The floor area of an attic which is not accessible by a permanent inside stairway | Included above | No | Yes |
| b. The floor area of an attic which is accessible by a permanent inside stairway | Included above | Yes | Yes |
| 4. Building Projections | | | |
| a. The following building projections provided no portion projects from the wall of the building further than the distance specified for the zoning district: (1) Roof eaves / overhangs. (2) Chimneys. (3) Balconies. (4) Bow or bay windows. (5) Rain gutters and leaders. (6) Awnings. (7) Columns, brackets, and pilasters. (8) Other minor architectural features. | No | No | No |
| b. For that portion that projects further from the wall of the building than the distance specified for the zoning district | Yes | No | Yes |

| B. Accessory Buildings / Structures | Counts to Building Coverage | Counts to Floor Area | Minimum Setbacks Apply* |
|---|-----------------------------|----------------------|-------------------------|
| 1. Accessory Buildings / Structures | | | |
| a. Accessory building (such as a tool shed or chicken coop) of 200 SF or less in area as measured to the outside surface of the exterior walls (See Section 2.3.B to see if reduced setbacks may apply) | Yes | No | Yes |
| b. Accessory buildings greater than 200 SF in area as measured to the outside surface of the exterior walls | Yes | Yes, if heated | Yes |
| c. Dog houses, playscapes, tree houses, and other minor structures not requiring a zoning permit | No | No | No |
| d. Small accessory or ornamental features such as a bird baths, well casings, etc. | No | No | No |
| e. Any dish antenna mounted off the ground on a base or riser on the ground | No | No | Yes |
| 2. Special Structures | | | |
| a. Above ground propane tanks up to 125 gallons | No | No | No |
| b. Above ground propane tanks more than 125 gallons | No | No | Yes |
| c. Emergency generators, exterior HVAC equipment, pool equipment (See Section 2.3.B to see if reduced setbacks may apply) | No | No | Yes |
| d. Roof-mounted solar arrays | Included above | No | No |
| e. Ground-mounted solar arrays (may be allowed in excess of lot coverage limitation by Special Permit) | Yes | No | Yes |
| f. Wind energy systems | No | No | See Sec. 8.1 |

| | Counts to Building Coverage | Counts to Floor Area | Minimum Setbacks Apply* |
|---|-----------------------------|----------------------|-------------------------|
| C. Exterior Features | | | |
| 1. Drives / Walks: | | | |
| Note that impervious surfaces for Special Permit uses in Residential zones shall comply with setbacks as provided in Section 2.3.B.2.f. | | | ✳ |
| a. Driveways | No | No | No except as above |
| b. Porte cocheres or covered driveways | Yes | No | Yes |
| c. Uncovered walkways | No | No | No except as above |
| d. Covered walkways and breezeways as measured to the outside surface of the exterior walls or columns | Yes | No | Yes |
| e. Parking areas 24" or less in height above grade | No | No | No |
| f. Parking areas 24" or more in height above grade | No | No | Yes |
| 2. Fences / Walls (Also See Section 6.3 And Section 5.7): | | | |
| a. Fences (6 feet or less in height) <i>(also see Section 6.3)</i> | No | No | No |
| b. Fences (more than 6 feet high) <i>(also see Section 6.3)</i> | No | No | Yes |
| c. Freestanding walls (4 feet or less in height) <i>(also see Section 6.3)</i> | No | No | No |
| d. Freestanding walls (more than 4 feet high) <i>(also see Section 6.3)</i> | No | No | Yes |
| 3. Trellises / Pergolas: | | | |
| a. Trellis / pergola / arbor (24 square feet or less in area) | No | No | No |
| b. Trellis / pergola / arbor (more than 24 square feet in area) | No | No | Yes |

| | Counts to Building Coverage | Counts to Floor Area | Minimum Setbacks Apply* |
|--|-----------------------------|----------------------|---|
| 4. Balconies / Decks / Patios: | | | |
| a. Decks or open patios if the deck or patio surface on that side is less than 24” in height above the adjacent grade measured at the edge of the deck and there are no railings | No | No | No |
| b. Decks or open patios if the deck or patio surface on that side is 24” or more in height above the adjacent grade measured at the edge of the deck or there is a deck railing | Yes | No | Yes <small>(see Section 2.3.B.2 and 2.3.B.3)</small> |
| c. Roofed patios | Yes | No | Yes |
| d. Terrace wall if the wall is 4 feet or less in height, and set below a 1:1 incline from the property line <i>(also see Section 6.3)</i> | No | No | No |
| e. Terrace wall if the wall is greater than 4 feet in height or set above a 1:1 incline from the property line <i>(also see Section 6.3)</i> | No | No | Yes <small>(see Section 2.3.B.2 and 2.3.B.3)</small> |
| 5. Porches / Gazebos: | | | |
| a. Open porch | Yes | No | Yes |
| b. Closed porch | Yes | Yes, if heated | Yes |
| c. Gazebos (reduced setbacks may apply) | Yes | No | Yes |
| 6. Steps / Stoops / Entries: | | | |
| a. Unroofed exterior steps, stairs, and landings | No | No | No |
| b. Basement hatchway doors that are no greater than 3 feet above grade nor 9 feet in length | No | No | No |
| 7. Recreation Facilities: | | | |
| a. In-ground swimming pools | No | No | Yes |
| b. Above ground swimming pools | Yes | No | Yes |
| c. At grade tennis courts, basketball courts, sports courts, or similar recreation surfaces | No | No | Yes |
| d. Above grade recreation surfaces | Yes | No | Yes |

| | |
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3. RESIDENTIAL DISTRICTS & USES

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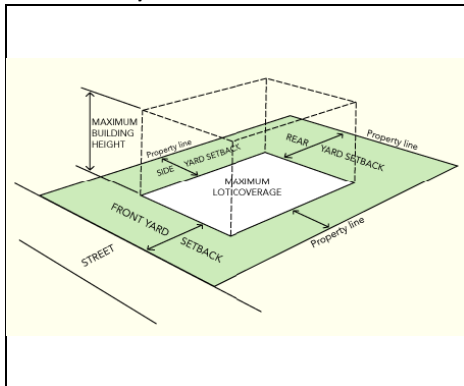
Principal Uses / Structures



Accessory Uses / Structures



Area / Dimensional Provisions



Planned Residential Development



| | |
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Some special residential districts and/or residential uses are located in [Section 5](#) of these Regulations.

3.1. Purposes

1. The various residential zoning districts in Guilford are intended to:
 - a. Divide the municipality into districts of such number, shape and area as may be best suited to carry out the purposes of these Regulations.
 - b. Recognize and support the historic characteristics of the community and the unique attributes of neighborhoods.
 - c. Provide for a variety of housing opportunities and choices consistent with soil types, terrain, and infrastructure capacity.
 - d. Help implement the Plan of Conservation and Development.

2. Certain non-residential uses may be allowed in a residential zoning district (such as by Special Permit) when the Commission finds, based on information presented, that such uses will be appropriate for the proposed location in accordance with the standards contained in these Regulations.

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3.2. Principal Uses and Structures

A lot or parcel in a Residential District shall be limited to one (1) principal use or structure unless specifically approved by the Commission by Special Permit.

| A. Residential Uses | R-1 | R-2 | R-3 | R-4 | R-5 | R-6 | R-7 | R-8 |
|---|-----|-----|-----|-----|-----|-----|-----|-----|
| 1. One single-family dwelling per lot. | ☐ | ☐ | ☐ | ☐ | ☐ | ☐ | ☐ | ☐ |
| 2. One two-family building per lot. | ☐ | x | x | x | x | x | x | x |
| 3. Conversion to 2-family dwelling | x | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ |
| 4. Conservation Development in accordance with Section 3.5 . | x | x | x | x | ⊙ | ⊙ | ⊙ | ⊙ |
| 5. Planned residential development in accordance with Section 3.6 . | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ |
| 6. Incentive housing development in accordance with Section 3.7 . | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ |
| 7. Special housing development in accordance with Section 3.8 . | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ |
| 8. Establishment of a rear lot. | ⊙ | ⊙ | ■ | ■ | ■ | ■ | ■ | ■ |

| B. Farm / Open Space | R-1 | R-2 | R-3 | R-4 | R-5 | R-6 | R-7 | R-8 |
|--|-----|-----|-----|-----|-----|-----|-----|-----|
| 1. Farms. | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| 2. Open space, wildlife sanctuaries, and nature preserves when no buildings are to be constructed. | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |







| C. Business-Type Uses | R-1 | R-2 | R-3 | R-4 | R-5 | R-6 | R-7 | R-8 |
|---|-----|-----|-----|-----|-----|-----|-----|-----|
| 1. Child Care Center or Adult Day Care Center. | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ |
| 2. Cemeteries. | x | x | x | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ |
| 3. Convalescent homes, hospitals, and sanitariums. | x | x | x | x | ⊙ | ⊙ | ⊙ | ⊙ |
| 4. Riding academies and boarding stables on a minimum of 3 acres. | x | x | x | x | ⊙ | ⊙ | ⊙ | ⊙ |

| | | | | | |
|---------------------------|---|--|---|-----------------------------|---------------|
| ■ | ☐ | ⊙ | ⊙ | ⌘ | x |
| No Zoning Permit Required | Zoning Permit Required (Staff) See Sect. 9.1.A | Site Plan (PZC) See Section 9.3 | Special Permit (PZC) See Section 9.4 | Approval Varies (See Staff) | Not Permitted |

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| D. Community / Institutional-Type Uses | R-1 | R-2 | R-3 | R-4 | R-5 | R-6 | R-7 | R-8 |
|---|-----|-----|-----|-----|-----|-----|-----|-----|
| 1. Buildings, uses and facilities of the Town of Guilford. | ● | ● | ● | ● | ● | ● | ● | ● |
| 2. Buildings, uses and facilities of the State and Federal government. | ● | ● | ● | ● | ● | ● | ● | ● |
| 3. General hospitals. | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | x | x |
| 4. Museums. | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ |
| 5. Non-profit facilities as defined in these Regulations. | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ |
| 6. Places of worship and public assembly. | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ |
| 7. Recreation facilities other than facilities of the Town. | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ |
| 8. Schools, colleges, and universities including schools for instruction in music, art, dance, drama, physical education, vocational training and instruction related to the handicapped. | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ |

| E. Other Uses / Activities | R-1 | R-2 | R-3 | R-4 | R-5 | R-6 | R-7 | R-8 |
|--|-----|-----|-----|-----|-----|-----|-----|-----|
| 1. Public utility substations without service yards or outside storage of supplies. | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ |
| 2. Public utility water supply reservoirs, pump stations, water towers, wells, and water treatment facilities. | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ |
| 3. Solar energy system as a principal use in accordance with Section 8.1 . | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ |

| | | | | | |
|---|---|---|---|---|---|
|  |  |  |  |  |  |
| No Zoning Permit Required | Zoning Permit Required (Staff) See Sect. 9.1.A | Site Plan (PZC) See Section 9.3 | Special Permit (PZC) See Section 9.4 | Approval Varies (See Staff) | Not Permitted |







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3.3. Accessory Uses and Structures

3.3.A General Provisions

1. Accessory uses, buildings or structures in residential districts must be located on the same lot as the principal use or on another parcel of land under the same ownership within 100 feet of the property containing the principal use.
2. Uses which are clearly customary, subordinate, and incidental to a permitted principal residential use may be allowed provided they are not otherwise regulated by these Regulations (checking with Staff is recommended).
3. Buildings or structures which are clearly customary, subordinate, and incidental to a permitted principal residential use may be permitted provided they are not otherwise regulated by these Regulations (checking with Staff is recommended). Such buildings or structures may include private garages, boat houses, landings, docks, animal shelters, greenhouses, swimming pools, poolside shelters, terraces, tennis courts and any similar buildings or structures not intended for human habitation but for the exclusive enjoyment of the occupant of the premises, his or her family and his or her guests, provided that such buildings or structures meet all other pertinent requirements as set forth in these Regulations:

| A. Accessory Structures – General | R-1 | R-2 | R-3 | R-4 | R-5 | R-6 | R-7 | R-8 |
|---|-----|-----|-----|-----|-----|-----|-----|-----|
| 1. Accessory structures which are 200 SF or less in building coverage when customary, subordinate, and incidental to a permitted principal residential use. | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| 2. Accessory structures which are more than 200 SF in building coverage and do not exceed 750 SF in building coverage when customary, subordinate, and incidental to a permitted principal residential use. | □ | □ | □ | □ | □ | □ | □ | □ |
| 3. Accessory structures which are more than 750 SF in building coverage when customary and incidental to a permitted principal residential use. For an accessory dwelling unit in excess of 750 SF, see Section 3.9.A , | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ |







| | | | | | |
|---|---|---|---|---|---|
|  |  |  |  |  |  |
| No Zoning Permit Required | Zoning Permit Required (Staff) See Sect. 9.1.A | Site Plan (PZC) See Section 9.3 | Special Permit (PZC) See Section 9.4 | Approval Varies (See Staff) | Not Permitted |

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3.3.B Specific Provisions

| A. Parking / Storage | R-1 | R-2 | R-3 | R-4 | R-5 | R-6 | R-7 | R-8 |
|--|-----|-----|-----|-----|-----|-----|-----|-----|
| 1. Parking of vehicles within a garage or another enclosed structure. | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| 2. Outside parking of one or more operable non-commercial vehicles. | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| 3. Outside parking of one (1) commercial vehicle as defined in these Regulations. | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| 4. Outside parking of a second commercial vehicle as defined in these Regulations with screening to the satisfaction of the ZEO. | □ | □ | □ | □ | □ | □ | □ | □ |
| 5. Storage of recreational vehicles when in accordance with Section 3.9.E . | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| 6. Storage of recreational vehicles when not in accordance with Section 3.9.E . | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ |
| 7. Exterior storage / parking of one unregistered motor vehicle provided such vehicle meets the definition of “motor vehicle, good condition” contained in these Regulations. | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| 8. On a commercial farm, outside storage of: a. Farm equipment, or b. Motorized equipment necessary for the upkeep of the premises and/or designed for use on public highways. | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |

| B. Keeping Of Animals | R-1 | R-2 | R-3 | R-4 | R-5 | R-6 | R-7 | R-8 |
|---|-----|-----|-----|-----|-----|-----|-----|-----|
| 1. Keeping of animals and/or livestock on a commercial farm when in accordance with Section 6.1 . | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| 2. Keeping of animals when in accordance with Section 6.2 . | ⌘ | ⌘ | ⌘ | ⌘ | ⌘ | ⌘ | ⌘ | ⌘ |

| | | | | | |
|---|---|---|---|---|---|
|  |  |  |  |  |  |
| No Zoning Permit Required | Zoning Permit Required (Staff) See Sect. 9.1.A | Site Plan (PZC) See Section 9.3 | Special Permit (PZC) See Section 9.4 | Approval Varies (See Staff) | Not Permitted |

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| C. Accessory Home-Based Businesses | R-1 | R-2 | R-3 | R-4 | R-5 | R-6 | R-7 | R-8 |
|---|-----|-----|-----|-----|-----|-----|-----|-----|
| 1. Home-based business (Minor, Moderate, Major) when in accordance with Section 3.9.B | ⌘ | ⌘ | ⌘ | ⌘ | ⌘ | ⌘ | ⌘ | ⌘ |
| 2. Family Child Care Home. | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| 3. Group Child Care Home. | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| 4. Adult Family Day-Care Home or Adult Group Day-Care Home. | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ |

| D. Housing / Lodging-Related Activities | R-1 | R-2 | R-3 | R-4 | R-5 | R-6 | R-7 | R-8 |
|--|-----|-----|-----|-----|-----|-----|-----|-----|
| 1. Establishment of one accessory dwelling unit when in accordance with Section 3.9.A. | □ | □ | □ | □ | □ | □ | □ | □ |
| 2. A bed and breakfast establishment when in accordance with Section 3.9.C of these Regulations. | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ |
| 3. Up to two rooms-to-let in an owner-occupied dwelling unit when in accordance with Section 3.9.D. | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| 4. Three to six rooms to let in an owner-occupied dwelling unit when in accordance with Section 3.9.D. | ⊙ | x | x | x | x | x | x | x |

| E. Other Accessory Uses / Structures | R-1 | R-2 | R-3 | R-4 | R-5 | R-6 | R-7 | R-8 |
|---|-----|-----|-----|-----|-----|-----|-----|-----|
| 1. HVAC equipment, emergency generator and similar equipment. | □ | □ | □ | □ | □ | □ | □ | □ |
| 2. Satellite dish antenna when in accordance with Section 6.5. | ⌘ | ⌘ | ⌘ | ⌘ | ⌘ | ⌘ | ⌘ | ⌘ |
| 3. Solar energy systems as an accessory use in accordance with Section 8.1. | ⌘ | ⌘ | ⌘ | ⌘ | ⌘ | ⌘ | ⌘ | ⌘ |
| 4. Wind energy systems as an accessory use in accordance with Section 8.1. | ⌘ | ⌘ | ⌘ | ⌘ | ⌘ | ⌘ | ⌘ | ⌘ |

| | | | | | |
|--------------------------------|--|---|--|----------------------------------|--------------------|
| ■ No Zoning Permit Required | □ Zoning Permit Required (Staff) See Sect. 9.1.A | ⊙ Site Plan (PZC) See Section 9.3 | ⊙ Special Permit (PZC) See Section 9.4 | ⌘ Approval Varies (See Staff) | x Not Permitted |
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3.4. Area and Dimensional Requirements

3.4.A R-1 District

| | |
|---|---------|
| 1. Minimum Lot / Parcel Area (square feet) | |
| a. Front lot | 10,000 |
| b. If A Rear lot | 15,000 |
| 2. Minimum Contiguous Area of Buildable Land (square feet) | 10,000 |
| 3. Minimum Lot Shape (feet) | 80 |
| 4. Minimum Lot Frontage (feet) For Front Lot | 80 |
| 5. Minimum Front Setback (feet) | |
| a. Basic Setback | 15 |
| b. If A State Highway | 30 |
| c. If A Collector Road | 25 |
| d. If A Rear Lot (supersedes above setbacks) | 20 |
| 6. Minimum Side Setback (feet) | |
| a. Basic Setback | 8 |
| b. If A Rear Lot (supersedes above setbacks) | 20 |
| 7. Minimum Rear Setback (feet) | |
| a. Basic Setback | 15 |
| b. If An Accessory Building 200 SF In Coverage Or Less | 8 |
| c. If A Rear Lot (supersedes above setbacks) | 20 |
| 8. Maximum Building Projection (feet) | 3 |
| 9. Maximum Building Coverage (see note #2) | 15% |
| 10. Maximum Floor Area | 30% |
| 11. Maximum Impervious Coverage | n/a |
| 12. Building Height (feet) | |
| a. Principal Building (Average / Total) | 32 / 37 |
| b. Accessory Building with Dwelling Unit (Average/Total) | 20 / 25 |
| c. Accessory Building (Average / Total) | 15 / 20 |

Table Notes

1. See [Section 2.3](#) and/or [Section 2.4](#) for possible clarifications / exceptions.
2. The Commission may, by Special Permit, allow an additional 10% of building coverage for swimming pools, decks, tennis courts and similar structures provided the Commission determines that:
 - a. Such additional building coverage will not infringe on the primary sewage system or reserve area for said system, and
 - b. The impact of the proposed construction on views from adjacent public and private property and on the use and enjoyment of said adjacent properties will not be unreasonably affected.

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3.4.B R-2 District

| | |
|---|-------------------|
| 1. Minimum Lot / Parcel Area (square feet) | |
| a. Front lot | 10,000 |
| b. If A Rear lot | 15,000 |
| 2. Minimum Contiguous Area of Buildable Land (square feet) | 10,000 |
| 3. Minimum Lot Shape (feet) | 80 |
| 4. Minimum Lot Frontage (feet) For Front Lot | 80 |
| 5. Minimum Front Setback (feet) | |
| a. Basic Setback | 15 |
| b. If A State Highway | 30 |
| c. If A Collector Road | 25 |
| d. If A Rear Lot (supersedes above setbacks) | 20 |
| 6. Minimum Side Setback (feet) | |
| a. Basic Setback | 8 |
| b. If A Rear Lot (supersedes above setbacks) | 20 |
| 7. Minimum Rear Setback (feet) | |
| a. Basic Setback | 15 |
| b. If An Accessory Building 200 SF In Coverage Or Less | 8 |
| c. If A Rear Lot (supersedes above setbacks) | 20 |
| 8. Maximum Building Projection (feet) | 3 |
| 9. Maximum Building Coverage | (see note #2) 15% |
| 10. Maximum Floor Area | 30% |
| 11. Maximum Impervious Coverage | n/a |
| 12. Building Height (feet) | |
| a. Principal Building (Average / Total) | 32 / 37 |
| b. Accessory Building with Dwelling Unit (Average/Total) | 20 / 25 |
| c. Accessory Building (Average / Total) | 15 / 20 |

Table Notes

1. See [Section 2.3](#) and/or [Section 2.4](#) for possible clarifications / exceptions.
2. The Commission may, by Special Permit, allow an additional 10% of building coverage for swimming pools, decks, tennis courts and similar structures provided the Commission determines that:
 - a. Such additional building coverage will not infringe on the primary sewage system or reserve area for said system, and
 - b. The impact of the proposed construction on views from adjacent public and private property and on the use and enjoyment of said adjacent properties will not be unreasonably affected.

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3.4.C R-3 District

| | |
|--|---------|
| 1. Minimum Lot / Parcel Area (square feet) | |
| a. Front lot | 20,000 |
| b. If A Rear lot | 30,000 |
| 2. Minimum Contiguous Area of Buildable Land (square feet) | 20,000 |
| 3. Minimum Lot Shape (feet) | 100 |
| 4. Minimum Lot Frontage (feet) For Front Lot | 100 |
| 5. Minimum Front Setback (feet) | |
| a. Basic Setback | 20 |
| b. If A State Highway | 35 |
| c. If A Collector Road | 30 |
| d. If A Rear Lot (supersedes above setbacks) | 30 |
| 6. Minimum Side Setback (feet) | |
| a. Basic Setback | 12 |
| b. If An Accessory Building 200 SF In Coverage Or Less | 8 |
| c. If A Rear Lot (supersedes above setbacks) | 30 |
| 7. Minimum Rear Setback (feet) | |
| a. Basic Setback | 20 |
| b. If An Accessory Building 200 SF In Coverage Or Less | 8 |
| c. If A Rear Lot (supersedes above setbacks) | 30 |
| 8. Maximum Building Projection (feet) | 3 |
| 9. Maximum Building Coverage | 20% |
| 10. Maximum Floor Area | 40% |
| 11. Maximum Impervious Coverage | n/a |
| 12. Building Height (feet) | |
| a. Principal Building (Average / Total) | 32 / 37 |
| b. Accessory Building with Accessory Dwelling Unit | 20 / 25 |
| c. Accessory Building (Average / Total) | 15 / 20 |

Table Notes

- See [Section 2.3](#) and/or [Section 2.4](#) for possible clarifications / exceptions.

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3.4.D R-4 District

| | |
|--|---------|
| 1. Minimum Lot / Parcel Area (square feet) | |
| a. Front lot | 30,000 |
| b. If A Rear lot | 45,000 |
| 2. Minimum Contiguous Area of Buildable Land (square feet) | 30,000 |
| 3. Minimum Lot Shape (feet) | 110 |
| 4. Minimum Lot Frontage (feet) For Front Lot | 110 |
| 5. Minimum Front Setback (feet) | |
| a. Basic Setback | 20 |
| b. If A State Highway | 50 |
| c. If A Collector Road | 50 |
| d. If A Rear Lot (supersedes above setbacks) | 30 |
| 6. Minimum Side Setback (feet) | |
| a. Basic Setback | 16 |
| b. If an Accessory Building 200 SF In Coverage Or Less | 10 |
| c. If A Rear Lot (supersedes above setbacks) | 30 |
| 7. Minimum Rear Setback (feet) | |
| a. Basic Setback | 30 |
| b. If An Accessory Building 200 SF In Coverage Or Less | 10 |
| c. If A Rear Lot (supersedes above setbacks) | 30 |
| 8. Maximum Building Projection (feet) | 3 |
| 9. Maximum Building Coverage | 20% |
| 10. Maximum Floor Area | 40% |
| 11. Maximum Impervious Coverage | n/a |
| 12. Building Height (feet) | |
| a. Principal Building (Average / Total) | 32 / 37 |
| b. Accessory Building (Average / Total) | 20 / 25 |

Table Notes

1. See [Section 2.3](#) and/or [Section 2.4](#) for possible clarifications / exceptions.

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3.4.E R-5 District

| | |
|--|---------|
| 1. Minimum Lot / Parcel Area (square feet) | |
| a. Front lot | 40,000 |
| b. If A Rear lot | 60,000 |
| 2. Minimum Contiguous Area of Buildable Land (square feet) | 40,000 |
| 3. Minimum Lot Shape (feet) | 125 |
| 4. Minimum Lot Frontage (feet) For Front Lot | 125 |
| 5. Minimum Front Setback (feet) | |
| a. Basic Setback | 25 |
| b. If A State Highway | 50 |
| c. If A Collector Road | 50 |
| d. If A Rear Lot (supersedes above setbacks) | 50 |
| 6. Minimum Side Setback (feet) | |
| a. Basic Setback | 20 |
| b. If An Accessory Building 200 SF In Coverage Or Less | 10 |
| c. If A Rear Lot (supersedes above setbacks) | 50 |
| 7. Minimum Rear Setback (feet) | |
| a. Basic Setback | 50 |
| b. If An Accessory Building 200 SF In Coverage Or Less | 10 |
| c. If A Rear Lot (supersedes above setbacks) | 50 |
| 8. Maximum Building Projection (feet) | 3 |
| 9. Maximum Building Coverage | 20% |
| 10. Maximum Floor Area | 40% |
| 11. Maximum Impervious Coverage | n/a |
| 12. Building Height (feet) | |
| a. Principal Building (Average / Total) | 32 / 37 |
| b. Accessory Building (Average / Total) | 20 / 25 |

Table Notes

- See [Section 2.3](#) and/or [Section 2.4](#) for possible clarifications / exceptions.

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3.4.F R-6 District

| | |
|---|---------|
| 1. Minimum Lot / Parcel Area (square feet) | |
| a. Front lot | 60,000 |
| b. If A Rear lot | 90,000 |
| 2. Minimum Contiguous Area of Buildable Land (square feet) | 40,000 |
| 3. Minimum Lot Shape (feet) | 150 |
| 4. Minimum Lot Frontage (feet) For Front Lot | 150 |
| 5. Minimum Front Setback (feet) | |
| a. Basic Setback | 30 |
| b. If A State Highway | 50 |
| c. If A Collector Road | 50 |
| d. If A Rear Lot (supersedes above setbacks) | 50 |
| 6. Minimum Side Setback (feet) | |
| a. Basic Setback | 20 |
| b. If An Accessory Building 200 SF In Coverage Or Less | 10 |
| c. If A Rear Lot (supersedes above setbacks) | 50 |
| 7. Minimum Rear Setback (feet) | |
| a. Basic Setback | 50 |
| b. If An Accessory Building 200 SF In Coverage Or Less | 10 |
| c. If A Rear Lot (supersedes above setbacks) | 50 |
| 8. Maximum Building Projection (feet) | 3 |
| 9. Maximum Building Coverage | 15% |
| 10. Maximum Floor Area | 30% |
| 11. Maximum Impervious Coverage | n/a |
| 12. Building Height (feet) | |
| a. Principal Building (Average / Total) | 32 / 37 |
| b. Accessory Building (Average / Total) | 20 / 25 |

Table Notes

1. See [Section 2.3](#) and/or [Section 2.4](#) for possible clarifications / exceptions.

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3.4.G R-7 District

| | |
|--|---------|
| 1. Minimum Lot / Parcel Area (square feet) | |
| a. Front lot | 80,000 |
| b. If A Rear lot | 120,000 |
| 2. Minimum Contiguous Area of Buildable Land (square feet) | 40,000 |
| 3. Minimum Lot Shape (feet) | 200 |
| 4. Minimum Lot Frontage (feet) For Front Lot | 200 |
| 5. Minimum Front Setback (feet) | |
| a. Basic Setback | 30 |
| b. If A State Highway | 50 |
| c. If A Collector Road | 50 |
| d. If A Rear Lot (supersedes above setbacks) | 50 |
| 6. Minimum Side Setback (feet) | |
| a. Basic Setback | 20 |
| b. If An Accessory Building 200 SF In Coverage Or Less | 10 |
| c. If A Rear Lot (supersedes above setbacks) | 50 |
| 7. Minimum Rear Setback (feet) | |
| a. Basic Setback | 50 |
| b. If An Accessory Building 200 SF In Coverage Or Less | 10 |
| c. If A Rear Lot (supersedes above setbacks) | 50 |
| 8. Maximum Building Projection (feet) | 3 |
| 9. Maximum Building Coverage | 10% |
| 10. Maximum Floor Area | 20% |
| 11. Maximum Impervious Coverage | n/a |
| 12. Building Height (feet) | |
| a. Principal Building (Average / Total) | 32 / 37 |
| b. Accessory Building (Average / Total) | 20 / 25 |

Table Notes

1. See [Section 2.3](#) and/or [Section 2.4](#) for possible clarifications / exceptions.

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3.4.H R-8 District

| | | | |
|-----|---|---------------|---------|
| 1. | Minimum Lot / Parcel Area (square feet) | (see note #2) | |
| | a. Front lot | | 160,000 |
| | b. If A Rear lot | | 160,000 |
| 2. | Minimum Contiguous Area of Buildable Land (square feet) | | 40,000 |
| 3. | Minimum Lot Shape (feet) | (see note #2) | 300 |
| 4. | Minimum Lot Frontage (feet) For Front Lot | | 200 |
| 5. | Minimum Front Setback (feet) | | |
| | a. Basic Setback | | 30 |
| | b. If A State Highway | | 50 |
| | c. If A Collector Road | | 50 |
| | d. If A Rear Lot (supersedes above setbacks) | | 50 |
| 6. | Minimum Side Setback (feet) | | |
| | a. Basic Setback | | 20 |
| | b. If An Accessory Building 200 SF In Coverage Or Less | | 10 |
| | c. If A Rear Lot (supersedes above setbacks) | | 50 |
| 7. | Minimum Rear Setback (feet) | | |
| | a. Basic Setback | | 50 |
| | b. If An Accessory Building 200 SF In Coverage Or Less | | 10 |
| | c. If A Rear Lot (supersedes above setbacks) | | 50 |
| 8. | Maximum Building Projection (feet) | | 3 |
| 9. | Maximum Building Coverage | | 5% |
| 10. | Maximum Floor Area | | 10% |
| 11. | Maximum Impervious Coverage | | n/a |
| 12. | Building Height (feet) | | |
| | a. Principal Building (Average / Total) | | |
| | • Lots Less Than 160,000 SF | | 32 / 37 |
| | • Lots Of 160,000 SF or more | | 33 / 40 |
| | b. Accessory Building (Average / Total) | | |
| | • Lots Less Than 160,000 SF | | 20 / 25 |
| | • Lots Of 160,000 SF or more | | 33 / 40 |

Table Notes

1. See [Section 2.3](#) and/or [Section 2.4](#) for possible clarifications / exceptions.
2. In the R-8 District, an undivided parcel of land existing as of July 5, 1985 may subdivide or convey off not more than two lots meeting the R-7 District requirements, provided that:
 - a. Any remaining parcel after the subdivision or conveyance shall conform to the area, shape, and frontage requirements of the R-8 District.
 - b. Such right to subdivide may not be further exercised after two such lots have been subdivided, with respect to each such tract of land.

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3.5. Conservation Development

3.5.A Purpose

This Section is intended to provide an opportunity in certain residential zones in Guilford (R-5, R-6, R-7, and R-8) for the preservation and protection of significant natural and cultural resources by permitting the flexible arrangement of residential lots provided the total number of lots developed under these Regulations does not exceed the number otherwise permitted, except as may be permitted under Section 3.5.B.5 below.



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3.5.B Standards

1. **Maximum Number of Lots** – The maximum number of lots within a Conservation Development shall be determined as follows:
 - a. Multiply the total area of the parcel in acres by the density factor from Column A below for the zoning district.
 - b. Multiply the amount of developable land (as defined in these Regulations) on the parcel, in acres, by the density factor from Column B below for the zoning district:

| Zoning District | Column A: Density Factor (per acre of <u>total</u> land) | Column B: Density Factor (per acre of <u>developable</u> land) |
|-----------------|--|--|
| R-5 | 0.80 lots per total acre | 1.60 lots per developable acre |
| R-6 | 0.50 lots per total acre | 1.00 lots per developable acre |
| R-7 | 0.40 lots per total acre | 0.80 lots per developable acre |
| R-8 | 0.20 lots per total acre | 0.40 lots per developable acre |

- c. Unless modified by the Commission for excellence in site design or open space preservation, the lower number from these calculations shall be the maximum number of lots within a Conservation Development.
2. **Area and Dimensional Requirements** –
 - a. There shall be no Minimum Lot / Parcel Area, minimum contiguous developable land, or minimum lot shape requirements for any lot in a Conservation Development.
 - b. The minimum frontage requirement for any lot in a Conservation Development shall be the minimum frontage requirement for the residential zone with the highest minimum lot size that is still less than the actual size of that lot in the Conservation Subdivision, subject to review and approval by the Commission.
 - c. The minimum setback requirements for any lot in a Conservation Subdivision shall be the minimum setback requirements for the residential zone with the highest minimum lot size that is still less than the actual size of that lot in the Conservation Subdivision, subject to review and approval by the Commission. For example, a front lot created with 39,000 SF in a Conservation Subdivision would follow the setbacks for the R-4 zone (minimum 30,000 SF), rather than R-5 (minimum 40,000 SF) or any other zone.
 - d. The maximum building coverage, maximum floor area, and maximum building height limitations shall be defined by those requirements for the residential zoning district in Guilford where such lot would be a conforming lot.
 - e. Rear lots are strongly discouraged in a Conservation Development unless good cause can be demonstrated to the Commission.

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3. **Open Space Requirement –**
- a. Conservation developments shall provide for the dedication of at least fifty (50) percent of the total area of the parcel to be developed as Open Space except that the Commission may, in its sole discretion, by a separate Special Permit application, allow the provision of less Open Space upon an affirmative finding of the following:
 - No additional lots will be created,
 - Significant open space areas of at least one-third of the total area of the subject parcel will be preserved and/or protected,
 - The allowance will not have a significant adverse impact on adjacent property or on the public health and/or safety, and
 - The granting of such an allowance by the Commission will not cause discordance with the Plan of Conservation and Development, as adopted and amended from time to time.
 - b. Open Space dedication must be in accordance with the Subdivision Regulations, as adopted and amended from time to time.
 - c. Conservation Developments shall be designed so that the Open Space land is contiguous within the subdivision and/or contiguous to other existing or proposed Open Space to the maximum extent practicable and consistent with the purposes of these Regulations.
4. **Perimeter Setbacks And Buffers–**
- a. Buildings within the Conservation Development shall be set back at least 100 feet from the perimeter of the overall parcel.
 - b. The perimeter of the Conservation Subdivision shall have a perimeter buffer at least twenty-five (25) feet deep and the Commission may require a larger buffer or specific screening (including but not limited to existing vegetation, planted vegetation, berms, fences, walls, etc.) where considered necessary to shield adjacent properties.
5. **Potential Density incentive For Open Space Preservation –**
- a. When more than fifty percent (50%) of the land within the proposed subdivision will be designated for public use and/or resource protection, the Commission may grant a lot-density bonus proportionate to the amount of additional open space.
 - b. The Commission may also grant a lot-density bonus for the preservation of Open Space elsewhere in Guilford when it finds that the additional Open Space serves a beneficial natural resource protection or recreational purpose.

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3.5.C Application Process

1. **Design Process** – It is recommended that the design process follow this sequence:
 - a. Delineation of areas of the parcel which are inland wetland, tidal wetland, watercourse, special flood hazard area, steep slopes, or restrictive easements.
 - b. Delineation of all potential Open Space,
 - c. Designation of potential house sites,
 - d. Location and alignment of access road(s), and
 - e. Establishment of lot lines.

2. **Pre-Application Staff Review** – It is strongly recommended that applicants schedule one or more pre-application conference(s) with staff to discuss conceptual aspects of the proposed Conservation Development and the proposed plan.

3. **Informal Commission Consideration** – It is recommended that, prior to submission of a formal application for a Conservation Development, the applicant request an informal meeting with the Planning and Zoning Commission to review and discuss a conceptual Conservation Development design plan.

4. **Formal Application** –
 - a. A Conservation Development application shall involve a Special Permit application and either:
 - A conceptual site development plan demonstrating the feasibility and merits of the Conservation Development approach, or
 - A final Site Plan application or a Subdivision application, whichever is appropriate.
 - b. If the applicant elects to submit a conceptual Site Development plan, the Commission’s approval shall specify that the applicant has 12 months to file a final Site Plan application or subdivision application and eighteen months to obtain approval of such plan or the Special Permit shall become invalid and have no force or effect.

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3.5.D Review Considerations

In evaluating a proposed Conservation Development, the Commission shall consider the subject site’s characteristics with respect to how well the design achieves the following:

1. **Open Space Preservation / Enhancement –**
 - a. Provides meaningful open space areas that protect important resources.
 - b. Provides open space that is reasonably connected and inter-connected with other open space areas.
 - c. Helps create or enhance an overall greenway system with trails.
 - d. Contributes to an overall open space system for the neighborhood and/or the town.

2. **Natural Resource Protection –**
 - a. Minimizes impacts to inland wetlands, tidal wetlands, watercourses, floodplains, and coastal resources from the development area.
 - b. Minimizes the impacts from clearing, grading, filling, or construction.
 - c. Protects and provides for wildlife habitat and corridor areas especially if for species listed as endangered, threatened, or of special concern by the U.S. Environmental Protection Agency and/or by the Connecticut Department of Energy and Environmental Protection.

3. **Farm / Forest Protection –**
 - a. Maintains existing fields, pastures, meadows, orchards, minimizes disturbance of prime agricultural soils, and creates sufficient buffer areas to minimize conflicts between residential and agricultural uses.
 - b. Provides protection for large woodlands (greater than 5 acres) containing many mature trees or a significant wildlife habitat.

4. **Cultural / Scenic Resource Protection –**
 - a. Preserves sites of historic, archeological, or cultural value, such as stonewalls, spring houses, barn foundations, cellar holes, earthworks, and burial grounds and their environs.
 - b. Preserves and protects scenic views and vistas, particularly as seen from public thoroughfares.
 - c. Avoids disturbing prominent hilltops or ridges.
 - d. Preserves areas along Town or State roads that will protect rural appearance.

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3.6. Planned Residential Development (PRD)

3.6.A Purpose

This Section is intended to provide for alternatives forms of residential development (including attached and/or detached dwellings, garden apartments, townhouses, or a combination thereof or alternatives thereto) to help meet the current and future housing needs of the community) in areas that the Commission determines are suitable for such development because of:

- The availability of adequate infrastructure (such as water, wastewater, and/or roadway access),
- Appropriate soil and environmental conditions,
- Opportunities to preserve significant open space, recreational, agricultural, or other valuable land by creative site design, or
- Other relevant factors.

3.6.B Applicability

Planned Residential Development (PRD) applications may be authorized in any Residential District by Special Permit granted by the Commission.

Locations in proximity to existing commercial districts, public transit, and / or along a main roadway are preferred. Adequate access, in the sole discretion of the Commission, is required. Any applicant under this regulation shall have the burden of establishing to the satisfaction of the Commission that any proposed use is consistent with the purposes of the District, the comprehensive zoning plan for the Town, and is compatible with land use patterns on adjoining properties.

3.6.C Permitted Uses

1. Single-family detached dwellings, including multiple such dwellings on one parcel.
2. Two-family dwellings.
3. Multiple-family dwellings.
4. Supporting facilities such as recreation facilities (tennis courts, swimming pools, etc.), meeting rooms, storage buildings, etc.
5. Accessory buildings customary and incidental to the foregoing residential uses.
6. Accessory uses customary and incidental to the foregoing residential uses (such as a home office).

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3.6.D Development Standards

1. **Minimum Parcel Size** – Five times the minimum lot size required for the district where it is proposed unless modified by the Commission as per Section 3.6.D.12 below.
2. **Minimum Parcel Frontage** – 50 feet.
3. **Maximum Density** – Units per acre on the parcel shall not exceed the following:

| Zoning District | Percent Deed Restricted As Affordable In Accordance With Section 6.11 of these Regulations | | | |
|-----------------|--|------------|------------|------------|
| | 12 Percent | 18 Percent | 24 Percent | 30 Percent |
| R-1 | 4.40 | 5.00 | 6.00 | 8.00 |
| R-2 | 4.40 | 5.00 | 6.00 | 8.00 |
| R-3 | 2.20 | 2.50 | 3.00 | 4.00 |
| R-4 | 1.47 | 1.66 | 2.00 | 2.67 |
| R-5 | 1.10 | 1.25 | 1.50 | 2.00 |
| R-6 | 0.74 | 0.83 | 1.00 | 1.33 |
| R-7 | 0.55 | 0.63 | 0.75 | 1.00 |
| R-8 | 0.28 | 0.31 | 0.38 | 0.50 |

4. **Minimum Setbacks** –
 - a. Buildings and parking areas shall be set back from the street line or front property line a distance equal to or greater than the front yard setback requirement in the underlying zone.
 - b. Buildings and parking areas shall be set back from the side and rear property lines a distance equal to or greater than double the yard setback requirements in the underlying zone.
5. **Maximum Impervious Coverage** – 50% unless modified by the commission as part of a separate Special Permit application.
6. **Maximum Building Height** – Building height limitations shall be the same as the underlying zone except that the Commission may, as part of a separate Special Permit application, allow a taller building if the building is set back at least that distance from all property lines.

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7. **Design –**
 - a. Architectural designs and site designs shall be compatible with the neighborhood.
 - b. Buildings shall be designed to harmonize with each other and shall be of such scale and mass that they relate to each other and to the street.
 - c. The placement, size and unit count for all principal buildings shall provide for a safe, efficient, and harmonious grouping, (shall be in harmony with the neighborhood in which it is located), and shall include front, side and rear yard requirements that are sufficient to ensure unit privacy.
 - d. No more than two (2) feet of foundation or other wall above the final grade shall be without some aesthetic texture and/or color treatment or foundation plantings.

8. **Landscaping And Buffers –**
 - a. The PRD shall be suitably landscaped in all areas not covered by impervious surfaces and such suitable landscaping, may include lawns or existing vegetation.
 - b. Existing large trees and stands of mature trees and shrubs should remain undisturbed where practical.
 - c. The PRD shall have a 25-foot minimum vegetated buffer around the perimeter and such buffer shall be landscaped naturally or through plantings and, if necessary, with fencing, walls, and/or berms unless existing vegetation will be retained in order to provide an effective visual buffer.
 - d. The Commission may require larger buffers or specific vegetative screening (such as for parking areas) where necessary to shield adjacent properties.

9. **Open Space or Recreational Areas –**
 - a. Adequate provision shall be made for open space / passive recreation area in locations and configurations acceptable to the Commission and the Commission may require easements or dedication to ensure preservation.
 - b. Open space areas shall encompass land having meaningful ecological, aesthetic and/or recreational characteristics.

10. **Parking Requirements –**
 - a. Parking for dwelling units shall be provided in accordance with [Section 7.3](#) of these Regulations.
 - b. Adequate provision shall be made for parking for guests.

11. **Road Specifications and Layout –** Interior road and driveway construction requirements shall be consistent with the Town of Guilford road and driveway design standards as applicable.

12. **Possible Modifications –** The applicant may propose, and the Commission may consider, a modification of one or more of the Development Standards set forth in this Section 3.6.D if it specifically finds that:
 - a. Such modification will assist in providing affordable housing units; or
 - b. Such modification is reasonably necessary to accommodate an important physical design element of the proposed PRD and such modification would not unreasonably affect the characteristics of the neighborhood or the proposed PRD.

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3.6.E Application Process

1. **Pre-Application Staff Review** – It is strongly recommended that applicants schedule one or more pre-application conference(s) with staff to discuss conceptual aspects of the proposed PRD and the proposed plan.
2. **Informal Commission Consideration** – It is recommended that, prior to submission of a formal application for a PRD, the applicant request an informal meeting with the Planning and Zoning Commission to review and discuss a conceptual PRD design plan.
3. **Formal Application** –
 - a. A PRD application shall involve a Special Permit application and either:
 - A conceptual site plan demonstrating the feasibility and merits of the PRD, or
 - A final Site Plan application.
 - b. If the applicant elects to submit a conceptual site plan, the Commission’s approval of the Special Permit shall specify that the applicant has 12 months to obtain final Site Plan approval and that the Special Permit shall not be signed by the Commission for filing on the land records unless the final Site Plan approval has been granted.
 - c. If the applicant elects to submit a final Site Plan application, such application shall not be approved until the Special Permit application has been approved.
4. **Maps and Plans** – A PRD application shall be accompanied by maps and plans with sufficient information for the Commission to determine the merits of the concept including:
 - a. A site plan showing the layout of proposed buildings and uses, the number and types of dwelling units, the provisions made for water supply, sewage disposal, fire protection, the location of proposed open space, recreational, and/or amenity areas, the access and circulation system, proposed parking areas, proposed landscaping, etc.
 - b. Conceptual architectural drawings prepared by a registered architect illustrating the type of buildings proposed in the PRD including floor plans, building elevations, proposed building materials, and overall perspective drawings of proposed structures.
 - c. A sanitation report prepared by a qualified professional engineer describing the proposed provisions for water supply and sewage disposal.
 - d. An “affordability plan” for any deed-restricted affordable units.

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3.7. Incentive Housing Development (IHD)

3.7.A Purpose

As authorized by CGS Section 8-2i, this Section of the Regulations is intended to provide for affordable housing in certain zoning districts that have the transportation connections, access to nearby amenities and services, adequate infrastructure, and on-site septic capacity necessary to support higher density residential development than would be allowed in the underlying district.

3.7.B Eligible Locations

1. Any location proposed for an IHD shall meet at least one of the following criteria:
 - a. An area within 1 mile of the train station.
 - b. An area within ¼-mile of regularly scheduled bus service.
 - c. An area of already concentrated development such as the Town Center.
2. Any location proposed for an IHD shall be consistent with the State and local Plans of Conservation and Development.

3.7.C Affordability Requirement

Any Incentive Housing Development shall designate at least twenty percent (20%) of the dwelling units to be rented or conveyed subject to a restriction in accordance with [Section 6.11](#) of these Regulations (note that this exceeds the 12 percent set-aside required by Section 6.11).

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3.7.D Uses Permitted

1. Single-family detached dwelling, including multiple such dwellings on one parcel.
2. Two-family dwellings.
3. Single-family attached dwellings (townhouses).
4. Multiple-family dwellings.
5. Mixed-use buildings and/or mixed-use sites provided non-residential uses are in accordance with requirements of the district.
6. Supporting facilities such as recreation facilities (tennis courts, swimming pools, etc.), meeting rooms, storage buildings, etc.
7. Accessory buildings customary and incidental to the foregoing uses.
8. Accessory uses customary and incidental to the foregoing uses (such as a home office).

3.7.E Development Standards

1. **Maximum Density** – In accordance with CGS Section 8-2i, while the maximum density achieved will depend on site conditions and the quality of the overall design, the overall density shall not exceed the following unless specifically authorized by the Commission for good cause shown:

| Option | Density Factor |
|---|---|
| a. Single-family detached dwellings. | Up to 6.0 units per acre |
| b. Two-family dwellings. | Up to 10.0 units per acre |
| c. Single-family attached dwellings (townhouses). | Up to 10.0 units per acre |
| d. Multiple-family dwellings. | Up to 20.0 units per acre |
| e. Mixed-use buildings containing multiple residential units and/or mixed-use sites with multiple-family dwellings. | Up to 20.0 units per acre plus the non-residential use(s) |

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2. **Minimum Frontage** – minimum 50 ft.
3. **Area And Dimensional Requirements** – Minimum setback requirements, maximum building coverage, maximum height, and other area and dimensional requirements for the underlying zoning district shall apply (including, in a mixed-use development, the bulk requirements for non-residential uses) unless otherwise approved by the Commission. In granting any reductions in these area and dimensional requirements of the underlying zone, the Commission may consider:
 - a. Whether of a pedestrian-friendly streetscape is appropriate for the location and desired by the Commission,
 - b. Whether buffering provided by natural changes in topography, existing treed areas to remain, proposed landscaping, and other measures ameliorates potential impacts,
 - c. Whether easing of requirements in one area of the site will aid in the protection of, or lessen any potential impact on, environmental, habitat, scenic, historic, or other values or resources,
 - d. Whether the design features of the development ameliorate and/or reduce the perception of mass or scale.
 - e. Whether the Commission finds the modifications will achieve a harmonious plan.
4. **Additional Setback Requirements** –
 - a. No building, structure, paved parking areas or septic systems shall be erected or placed within 50 feet of any tidal wetlands.
 - b. No building, structure or paved parking area shall be located within 50 feet of the center line of a railroad track.
5. **Buffers** –
 - a. A suitably landscaped buffer at least 15 feet in width, which may include solid fencing or a combination of planting and fencing, shall generally be provided along the property line where any Incentive Housing Development abuts any other property line.
 - b. Buffer areas shall be planted or preserved in a natural state in a mixture of evergreen and deciduous trees and shrubs and shall be maintained in proper order so as to protect adjacent properties and present a reasonably opaque, natural barrier.
 - c. The buffer requirements may be modified using the same considerations as outlined in Section 3.7.E.3 above.

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6. **Open Space** –
 - a. Land for parks, playgrounds, recreation areas or open spaces may be required by the Commission in each incentive housing development as deemed appropriate by the Commission.
 - b. In determining the need for the reservation of open space, the Commission will be guided by, but not limited to, a standard of ten percent (10%) of the land area of the incentive housing development.
 - c. In determining the sufficiency of the reservation of open space, the Commission may find that the need for such open space within the incentive housing development will be satisfied by a lesser area, that an alternative arrangement is preferable, or that open space is not necessary because:
 - Adequate existing parks, playgrounds, recreation areas or open space areas are available in the neighborhood; and/or
 - There is no land in the incentive housing development suitable for such reservation.

3.7.F Application Process

1. **Pre-Application Staff Review** – It is strongly recommended that applicants schedule one or more pre-application conference(s) with staff to discuss conceptual aspects of the proposed IHD and the proposed plan.
2. **Informal Commission Consideration** – It is recommended that, prior to submission of a formal application for an IHD, the applicant request an informal meeting with the Planning and Zoning Commission to review and discuss a conceptual IHD design plan.
3. **Formal Application** –
 - a. An IHD application shall involve a Special Permit application and either:
 - A conceptual site plan demonstrating the feasibility and merits of the IHD, or
 - A final Site Plan application.
 - b. If the applicant elects to submit a conceptual site plan, the Commission’s approval of the Special Permit shall specify that the applicant has 12 months to obtain final Site Plan approval and that the Special Permit shall not be signed by the Commission for filing on the land records unless the final Site Plan approval has been granted.
 - c. If the applicant elects to submit a final Site Plan application, such application shall not be approved until the Special Permit application has been approved.
 - d. An application shall not be considered complete unless accompanied by evidence that any common elements of the IHD will be appropriately constructed and maintained.

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Section 3.7
RESIDENTIAL DISTRICTS & USES
Incentive Housing Development (IHD)

4. **Maps and Plans** – An IHD application shall be accompanied by maps and plans with sufficient information for the Commission to determine the merits of the concept including:
- a. A site plan showing the layout of proposed buildings and uses, the number and types of dwelling units, the provisions made for water supply and sewage disposal, the location of proposed open space, recreational, and/or amenity areas, the access and circulation system, proposed parking areas, proposed landscaping, etc.
 - b. Conceptual architectural drawings prepared by a registered architect illustrating the type of buildings proposed in the IHD including floor plans, building elevations, proposed building materials, and overall perspective drawings of proposed structures.
 - c. A sanitation report prepared by a qualified professional engineer describing the proposed provisions for water supply and sewage disposal.

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3.8. Special Housing Developments

3.8.A Purpose

As authorized by CGS Section 8-2i, this Section of the Regulations is intended to allow for assisted housing (as defined in CGS Section 8-30g) and other forms of affordable housing as may be proposed by the Guilford Housing Authority or other non-profit organization in order to meet the housing needs of the community.

3.8.B Parameters

1. **Number of Units** – The number of dwelling units permitted in housing constructed and maintained by the Housing Authority of the Town of Guilford (or by a not-for-profit corporation under Section 5011(3) of the Internal Revenue Code) shall be established on an individual project basis by the Commission, taking into account the nature of the units to be housed, the characteristics and location of the site to be utilized, the comments of the Director of Health as to sewage and the availability and quality of water and the purposes and intent of these Regulations.

2. **Area and Dimensional Standards** –
 - a. As authorized by CGS Section 8-2i, the Commission may, by Special Permit, modify or waive any area or dimensional standard in the underlying zoning district.
 - b. If not waived or modified by the Commission, the area and dimensional standards in the underlying zoning district shall remain in force and effect.
 - c. In granting any modification or waiver to the area and/or dimensional requirements of the underlying zone, the Commission shall consider the Special Permit criteria contained in [Section 9.4.E](#) and may also consider:
 - Whether such modification is needed to enable a development configured to meet the housing needs of the community.
 - Whether such modification will have a negative impact on adjacent properties or the neighborhood.
 - Whether the design features of the development ameliorate potential impacts.
 - Whether buffering provided ameliorates potential impacts,
 - Whether easing of requirements in one area of the site will aid in the protection of, or lessen any potential impact on, environmental, habitat, scenic, historic, or other values or resources.
 - Whether the Commission finds the modifications will achieve a harmonious plan.

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3.9. Other Regulations

3.9.A Apartment Accessory To Single-Family Dwelling

An accessory dwelling unit may be established in accordance with the requirements of this Section in order to help address current and future housing needs in Guilford while protecting public health, safety, and welfare. The review process for approval of an accessory apartment shall be completed not later than sixty-five (65) days after receipt of a complete application by the Zoning Enforcement Official, except that an applicant may consent to one or more extensions of not more than an additional sixty-five days or may withdraw such application.

1. **Within/Attached To A Single-Family House** – One (1) accessory dwelling unit may, with a Zoning Permit, be provided within a single-family dwelling or attached to a single-family dwelling provided:
 - a. Only one (1) accessory apartment shall be located on any property.
 - b. The accessory unit shall not exceed 50 percent of the total interior finished floor area of the primary dwelling unit or 1,200 square feet, whichever is less.
 - c. The principal dwelling and the accessory dwelling unit may be served by a common water supply and a common sewage disposal system approved by the Health Director.
 - d. At least one (1) additional off-street parking space shall be provided on the property for the occupant(s) of the accessory unit.
 - e. Modifications of these provisions may be granted by the Commission upon processing of a Special Permit application as provided in [Section 9.4](#) of these Regulations.

2. **Detached From A Single-Family House** – Notwithstanding [Section 3.3.A](#), one (1) accessory dwelling unit may be provided in a detached structure accessory to a single-family dwelling, with a Zoning Permit, provided:
 - The provisions of Section 3.9.A.1 above shall apply except that the Zoning Enforcement Official may allow a separate septic system if approved by the Health Director.
 - The detached accessory dwelling unit shall not be located in the existing front yard (between the principal dwelling unit and the street) unless reasonably screened from the street and specifically approved by the Commission as part of a Special Permit application as provided in [Section 9.4](#) of these Regulations.
 - The detached accessory dwelling unit shall be served by the existing driveway unless a second driveway is permitted via Site Plan review.
 - In the R-1, R-2, and R-3 residential zones, accessory dwelling units built on top of another detached structure, such as a garage, may go beyond the regular accessory structure height maximum provided:
 - The structure is not taller than the primary structure on the lot.
 - The structure is 25 feet tall or less.

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3.9.B Home-Based Business

Home-based business operations may be established in accordance with the requirements of this Section in order to help address changing economic circumstances while protecting the public health, safety, and welfare.

| | Minor / Home Office | Moderate | Major |
|---|--------------------------------------|--|--|
| | No Zoning Permit Required | Zoning Permit Required (ZEO) | Special Permit Required (PZC) |
| Business Conducted By | Resident(s) | Resident(s) | If Not A-Resident |
| On Premises Employees | Residents Only | Residents Plus Up To Two Non-Resident Employees | If No Resident Employees Or More Than Two Non-Resident Employees |
| Related Visits (By Other Than Employees) | Up To 3/Day Up To 10/Week | Up To 8/Day Up To 25/Week | If More Than 8/Day If More Than 25/Week |
| Retail Sales | Not Allowed | Not Allowed | Only Allowed By Special Permit Approval |
| Personal Services | Not Allowed | Not Allowed | Not Allowed |
| Location | Entirely Within An Existing Building | Entirely Within An Existing Building, An Addition, Or A New Building | If Any Portion Outside Of A Building |
| Visibility From Off-Premises | Very Limited | Limited | If Visible From Off-Premises |
| Signage Allowed | Up To 2 SF | Up To 2 SF | If More Than 2 SF |
| Floor Area Limit | Up To 25% Of Dwelling Floor Area | Up To 35% Of Dwelling Floor Area | If More Than 35% Of Dwelling Floor Area |
| Noise, Smell, Vibration, Or Other Off-Site Impacts | None | None | If Any |
| Parking | As Needed For Residents | As Needed For Residents And Any Employees With Employee Parking Screened | If Not Provided Or If Not Screened |

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3.9.C Bed-And-Breakfasts

1. **Purpose** – The purpose of this Section is to provide a procedure where bed-and-breakfast facilities can be created as uses accessory to single-family dwellings to satisfy a need for economic development and tourism in the Town of Guilford.

2. **Standards** – Bed-and-breakfast facilities shall meet the following standards:
 - a. The bed-and-breakfast facility shall be located within a detached, single-family dwelling.
 - b. The structure shall be owner-occupied.
 - c. Meals may be served only to the occupants of the dwelling and guests at the bed-and-breakfast.
 - d. Parking shall be provided, with a minimum of two spaces for the owner and one space for each guest room and such parking areas shall be landscaped so as to minimize their impact on adjoining properties.

3. **Procedures** –
 - a. As part of the Special Permit application, the applicant shall, evidenced by Certificates of Mailing, notify all adjacent property owners of the pending application.
 - b. In reviewing the application for a Special Permit, the Commission shall consider the following:
 - The impact of the facility on the residential quality of the adjacent neighborhood.
 - The significance of the proposed use in terms of the Town’s interest in encouraging tourism.
 - The adequacy of the sewage disposal system to accommodate the proposed use.
 - The impact of the proposal on the architectural characteristics of the building or neighborhood.
 - The impact of the proposal on historic resources, including historic buildings or districts.
 - c. In granting a Special Permit for a bed-and-breakfast facility, the Commission may limit its size (number of guest rooms) after considering the standards described above.

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3.9.D Rooms-To-Let

Rooms-to-let in a dwelling unit are permitted as an accessory use in all residential zones with no Zoning Permit required (two rooms or less) or by Special Permit (if three to six rooms) provided that:

1. The person or persons letting the rooms shall reside in the dwelling unit.
2. The dwelling unit shall contain at least 200 square feet of floor area for the total number of occupants of the dwelling unit.
3. In no event shall more than two persons occupy any room being let.
4. At least one off-street parking space shall be available for each room being let.

3.9.E Storage Of Recreational Vehicles

1. One recreational vehicle may be parked or stored on a lot in a Residential District except that the Commission may, by Special Permit, authorize the parking of a second recreational vehicle.
2. Any parked or stored recreational vehicle shall be located so as not to obstruct sight lines on adjoining streets or substantially obstruct the view, light, or air from an adjoining residential structure.
3. No recreational vehicle shall be occupied while parked or stored on any lot in any district, except temporarily in connection with travel away from said lot or unless approved by the Commission by Special Permit Approval.

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4. BUSINESS DISTRICTS AND USES

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| | 4.11. Shopping Center District (SC) |

Guilford Green



Marine Commercial



Shopping Center



Post Road Business



| | |
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4.1. Guilford Green Business District (GGB)

4.1.A Purpose

The Guilford Green Business District (GGB) is intended to maintain and enhance the historic and pedestrian friendly characteristics of the Guilford Green area; to aid in the preservation and restoration of its architectural assets; and to maintain Guilford Green Center as a focal point for civic and commercial activities.

4.1.B Principal Uses / Structures

A lot or parcel in the GGB District may have more than one (1) principal use or structure provided such uses and/or structures comply with these Regulations.

1. **No Zoning Permit Required**

- a. Farming.
- b. Open space.

2. **With Zoning Permit (Staff)**

- a. Farm-related buildings.
- b. Change of use within an existing building provided the new use:
 - Is allowed in the GGB District (provided no Special Permit required), and
 - Complies with the parking requirements.

3. **With Site Plan Approval (PZC)**

- a. Artist studio/galleries and other establishments where art or craft merchandise is created, displayed, and sold.
- b. Buildings, uses and facilities of the Town, State, and/or Federal Government.
- c. Business and professional offices.
- d. Child Day Care Center or Adult Day Care Center.
- e. Financial institutions.
- f. Lodging facilities including conference centers.
- g. Medical and dental clinics / facilities.
- h. Museums.
- i. Personal service establishments.
- j. Residential development in a mixed-use building, as a mixed-use site, or as a residential development up to a maximum density of 6 units per acre.
- k. Restaurants and other food and beverage service establishments.
- l. Retail dry cleaning and laundering establishments.
- m. Retail stores except for garden supply stores / greenhouses and sales / storage of lumber and building materials.
- n. Studios for dance, musical and theatrical instruction.
- o. Urgent medical care facilities.

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4. With Special Permit Approval (PZC)

- a. Entertainment facilities, including movie theaters and playhouses.
- b. Places of worship.
- c. Schools, colleges, and universities.
- d. Adaptive re-use of an existing building to residential with an affordable set aside may exceed density maximums if Local Health Department requirements can be satisfied.

4.1.C Accessory Uses / Structures

| | |
|---|--|
| 1. Accessory Uses | |
| a. Accessory use(s) customary, subordinate, and incidental to a permitted principal use (check with Staff). | No Zoning Permit Required |
| b. Accessory use(s) NOT customary, subordinate, and incidental to a permitted principal use. | Approval varies—see Regulations for more information |
| c. Accessory manufacture, processing or assembling of goods subordinate, and incidental to a permitted principal use in accordance with Section 6.7 . | Special Permit (PZC) |
| 2. Accessory Structures | |
| a. Accessory building or structure customary, subordinate, and incidental to a permitted principal use subject to any requirements of Section 6 of these Regulations. | Approval varies—see Regulations for more information |
| b. Accessory building or structure NOT customary, subordinate, and incidental to a permitted principal use. | Special Permit (PZC) |
| c. A drive-through facility of any kind. | Not Permitted |
| d. Accessory solar / wind energy systems in accordance with Section 8.1 . | Zoning Permit (Staff) |
| e. Electric Vehicle Charging Facilities in accordance with Section 7.3.G . | See Section 7.3.G |
| f. Satellite dish antenna in accordance with Section 6.5 . | No Zoning Permit Required |
| g. Outside dining accessory to a restaurant in accordance with Section 6.9.A . | Zoning Permit (Staff) |
| h. Outside music accessory to a restaurant in accordance with Section 6.9.B . | Special Permit (PZC) |

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4.1.D Area and Dimensional Requirements

| | |
|---|-------------------------|
| Minimum Lot / Parcel Area (square feet) | 5,000 |
| Minimum Contiguous Area of Buildable Land (square feet) | 5,000 |
| Minimum Lot Shape (feet) | 50 |
| Minimum Lot Frontage (feet) | 50 |
| Minimum Front Setback (feet) | 5 |
| Maximum Front Setback (feet) | (see note #2) n/a |
| Minimum Side Setback (feet) | (see note #3) 10 |
| Minimum Rear Setback (feet) | (see note #3) 10 |
| Minimum Setback To Residential District (feet) | 10 |
| Maximum Building Projection (feet) | 2 |
| Maximum Building Coverage | 50% |
| Maximum Impervious Coverage | (see note #4) 70% / 60% |
| Maximum Floor Area (heated space) | 100% |
| Total Building Height (feet) | |
| • Principal Building | 40 |
| • Accessory Building | 25 |

Table Notes

1. See [Section 2.3](#) and/or [Section 2.4](#) for possible clarifications / exceptions.
2. Notwithstanding any other setback requirement contained in these Regulations, no building or other structure which fronts the Guilford Green need observe a setback from the street line greater than the setback observed by any building or structure on any adjoining lot fronting on the Guilford Green.
3. The Commission may, by separate Special Permit, reduce a required side or rear setback by up to five feet provided each of the property owners agrees to such reduction on one or both properties and an agreement to such is recorded in the office of the Guilford Town Clerk.
4. Impervious coverage for that portion of a site within the CAM Overlay District is limited to 60% (see [Section 5.7.C.3](#)) except that the Commission may, by separate Special Permit, increase the permitted amount of impervious coverage to 70 percent upon appropriate use of LID techniques, demonstration of environmental protection, appropriate buffering, and other considerations.

4.1.E Additional Provisions

1. **Historic District Review** – No building or structure within the Guilford Historic District may be expanded, altered, or created except with approval of the Historic District Commission.
2. **Design Review** – In areas outside the Guilford Historic District, no building or structure may be expanded, altered, or created except in conformance with [Section 7.1](#), Design Review.

4.2. Commercial District I

4.2.A Purpose

The Commercial I District is intended to provide opportunities for retail, service, hospitality, and other uses that will provide goods and services and help meet other needs in the community. These areas are intended to provide an attractive, coherent environment that blends permitted uses with buildings exhibiting high architectural standards and with consistent signage, landscaping, and design.

4.2.B Principal Uses / Structures

A lot or parcel in the C District may have more than one (1) principal use or structure provided such uses and/or structures comply with these Regulations.

1. No Zoning Permit Required

- a. Farming.
- b. Open space.

2. With Zoning Permit (Staff)

- a. Farm-related buildings.
- b. Change of use within an existing building provided the new use:
 - Is allowed in the C District (provided no Special Permit required), and
 - Complies with the parking requirements.

3. With Site Plan Approval (PZC)

- a. Artist studio/galleries and other establishments where art or craft merchandise is created, displayed, and sold.
- b. Buildings, uses and facilities of the Town, State, and/or Federal Government.
- c. Business and professional offices.
- d. Child Day Care Center or Adult Day Care Center.
- e. Financial institutions.
- f. Funeral homes.
- g. Hospitals and skilled nursing facilities.
- h. Lodging facilities including conference centers.
- i. Medical and dental clinics / facilities.
- j. Museums.
- k. Personal service establishments.
- l. Physical fitness establishments, gymnasiums, and similar recreational facilities.
- m. Research laboratories.

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- o. Residential development in a mixed-use building, as a mixed-use site, or as a residential development up to a maximum density of 6 units per acre.
- p. Restaurants and other food and beverage service establishments.
- q. Retail stores other than garden supply stores / lumber and building materials (see [Section 4.2.B.4](#)).
- r. Retail dry cleaning and laundering establishments.
- s. Studios for dance, musical, and theatrical instruction.
- t. Urgent medical care facilities.
- u. Veterinary clinics / facilities.

4. With Special Permit Approval (PZC)

- a. Bulk storage and distribution of heating fuels.
- b. Entertainment facilities, including movie theaters and playhouses.
- c. Garden supply stores and greenhouses.
- d. Laundromats.
- e. Manufacturing.
- f. Animal grooming and/or animal day care facilities in accordance with [Section 6.2.E](#).
- g. Places of worship.
- h. Printing establishments.
- i. Sales and/or storage of lumber and building materials.
- j. Schools, colleges, and universities.
- k. Self-storage facilities.
- l. Adaptive re-use of an existing building to residential with an affordable set aside may exceed density maximums if Local Health Department requirements can be satisfied.

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4.2.C Accessory Uses / Structures

| | |
|---|--|
| 1. Accessory Uses | |
| a. Accessory use(s) customary, subordinate, and incidental to a permitted principal use (check with Staff). | Allowed –No Zoning Permit Required |
| b. Accessory use(s) NOT customary, subordinate, and incidental to a permitted principal use. | Approval varies–see Regulations for more information |
| c. Accessory manufacture, processing or assembling of goods subordinate, and incidental to a permitted principal use in accordance with Section 6.7 . | Special Permit (PZC) |
| 2. Accessory Structures | |
| a. Accessory building or structure customary, subordinate, and incidental to a permitted principal use subject to any requirements of Section 6 of these Regulations. | Approval varies–see Regulations for more information |
| b. Accessory building or structure NOT customary, subordinate, and incidental to a permitted principal use. | Special Permit (PZC) |
| c. A drive-through facility accessory to a permitted use | Not Permitted |
| d. Accessory solar / wind energy systems in accordance with Section 8.1 . | Zoning Permit (Staff) |
| e. Satellite dish antenna in accordance with Section 6.5 . | Allowed – No Zoning Permit Required |
| f. Outside dining accessory to a restaurant in accordance with Section 6.9.A . | Zoning Permit (Staff) |
| g. Outside music accessory to a restaurant in accordance with Section 6.9.B . | Special Permit (PZC) |

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4.2.D Area and Dimensional Requirements

| | | |
|---|---------------|-----------|
| Minimum Lot / Parcel Area (square feet) | | 10,000 |
| Minimum Contiguous Area of Buildable Land (square feet) | | 10,000 |
| Minimum Lot Shape (feet) | | 80 |
| Minimum Lot Frontage (feet) | | 80 |
| Minimum Front Setback (feet) | | 20 |
| Maximum Front Setback (feet) | | n/a |
| Minimum Side Setback (feet) | (see note #2) | 10 |
| Minimum Rear Setback (feet) | (see note #2) | 10 |
| Minimum Setback To Residential District (feet) | (see note #3) | 20 |
| Maximum Building Projection (feet) | | 3 |
| Maximum Building Coverage | | 25% |
| Maximum Impervious Coverage | (see note #4) | 75% / 65% |
| Maximum Floor Area (heated space) | | 50% |
| Total Building Height (feet) | (see note #3) | |
| • Principal Building | | 40 |
| • Accessory Building | | 25 |

Table Notes

- See [Section 2.3](#) and/or [Section 2.4](#) for possible clarifications / exceptions.
- The Commission may, by separate Special Permit, reduce a required side or rear setback by up to six feet provided each of the property owners agrees to such reduction on one or both properties and an agreement to such is recorded in the office of the Guilford Town Clerk.
- Any building or other structure exceeding a height of 30 feet shall be set back at least the height of the building from any adjoining residential district boundary line.
- Impervious coverage for that portion of a site within the CAM Overlay District is limited to 65% (see [Section 5.7.C.3](#)) except that the Commission may, by separate Special Permit, increase the permitted amount of impervious coverage to 75 percent upon appropriate use of LID techniques, demonstration of environmental protection, appropriate buffering, and other considerations.

4.2.E Additional Provisions

- Design Review** – No building or structure may be expanded, altered, or created except in conformance with [Section 7.1](#), Design Review.

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4.3. Industrial District (I)

4.3.A Purpose

The Industrial (I) District is intended to provide a location for technology and industrial uses in appropriate areas and to provide employment and an appropriate tax base for the Town of Guilford.

4.3.B Principal Uses / Structures

A lot or parcel in the I District may have more than one (1) principal use or structure provided such uses and/or structures comply with these Regulations.

1. No Zoning Permit Required

- a. Farming.
- b. Open Space.

2. With Zoning Permit (Staff)

- a. Farm-related buildings.
- b. Change of use within an existing building provided the new use:
 - Is allowed in the I District (provided no Special Permit required), and
 - Complies with the parking requirements.

3. With Site Plan Approval (PZC)

- a. Adult Oriented Facilities (see also [Section 8.5](#)).
- b. Artist studio/galleries and other establishments where art or craft merchandise is created, displayed, and sold.
- c. Building contractors’ and landscape contractors’ facilities, including yards with vehicle and material storage.
- d. Buildings, uses and facilities of the Town, State, and/or Federal Government.
- e. Business and professional offices.
- f. Dry storage and the building and rebuilding of boats.
- g. Financial institutions.
- h. Funeral homes.
- i. Garden supply stores including greenhouses.
- j. Hospitals and skilled nursing facilities.
- k. Lodging facilities including conference centers.
- l. Manufacturing.
- m. Marine research laboratories and marine related education facilities.
- n. Medical and dental clinics / facilities.
- o. Museums.

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- p. Metalworking and millwork facilities.
- q. Printing establishments.
- r. Processing and treatment of shellfish, limited to depuration (expressly excluding cooking and packaging and the temporary water storage of crustaceans).
- s. Public utility substations storage and maintenance facilities.
- t. Research laboratories.
- u. Retail sales and/or storage of lumber and building materials, except heavy construction materials.
- v. Sale, repair and servicing of boats, sails, marine equipment, and engines.
- w. Self-storage facilities.
- x. Trade shops, machine shops, and painting shops.
- y. Urgent medical care facilities.
- z. Veterinary facilities.

4. With Special Permit Approval (PZC)

- a. Bulk storage and distribution of heating fuels.
- b. Child Day Care Center or Adult Day Care Center.
- c. Entertainment facilities, including movie theaters and playhouses.
- d. Motor vehicle repair facilities when in accordance with [Section 6.4.A.](#)
- e. Motor vehicle washing establishments.
- f. Animal boarding facilities in accordance with [Section 6.2.D.](#)
- g. Animal grooming and/or animal day care facilities in accordance with [Section 6.2.E.](#)
- h. Physical fitness establishments, gymnasiums, and similar recreational facilities.
- i. Places of worship.
- j. Restaurants and other food and beverage service establishments.
- k. Retail sales of new and/or used motor vehicles, including motorcycles, trucks, trailers or farm equipment and the rental thereof in accordance with [Section 6.5.](#)
- l. Schools, colleges, and universities.
- m. Studios for dance, musical and theatrical instruction.
- n. Warehouses excluding trucking terminals.

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4.3.C Accessory Uses / Structures

| | |
|---|--|
| 1. Accessory Uses | |
| a. Accessory use(s) customary, subordinate, and incidental to a permitted principal use (check with Staff). | No Zoning Permit Required |
| b. Accessory use(s) NOT customary, subordinate, and incidental to a permitted principal use. | Approval varies—see Regulations for more information |
| c. Accessory manufacture, processing or assembling of goods subordinate, and incidental to a permitted principal use in accordance with Section 6.7 . | Special Permit (PZC) |
| 1. Accessory Structures | |
| a. Accessory building or structure customary, subordinate, and incidental to a permitted principal use subject to any requirements of Section 6 of these Regulations. | Approval varies—see Regulations for more information |
| b. Accessory building or structure NOT customary, subordinate, and incidental to a permitted principal use. | Special Permit (PZC) |
| c. A drive-through facility accessory to a permitted use | Not Permitted |
| d. Accessory solar / wind energy systems in accordance with Section 8.1 . | Zoning Permit (Staff) |
| e. Satellite dish antenna in accordance with Section 6.5 . | No Zoning Permit Required |
| f. Outside dining accessory to a restaurant in accordance with Section 6.9.A . | Zoning Permit (Staff) |
| g. Outside music accessory to a restaurant in accordance with Section 6.9.B . | Special Permit (PZC) |

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4.3.D Area and Dimensional Requirements

| | |
|---|--------|
| Minimum Lot / Parcel Area (square feet) | 40,000 |
| Minimum Contiguous Area of Buildable Land (square feet) | 40,000 |
| Minimum Lot Shape (feet) | 125 |
| Minimum Lot Frontage (feet) | 125 |
| Minimum Front Setback (feet) | 50 |
| Maximum Front Setback (feet) | n/a |
| Minimum Side Setback (feet) | 30 |
| Minimum Rear Setback (feet) | 30 |
| Minimum Setback To Residential District (feet) | 50 |
| Maximum Building Projection (feet) | 5 |
| Maximum Building Coverage | 35% |
| Maximum Impervious Coverage (see note #2) | |
| • Of Total Site Area | 40% |
| • Within CAM Overlay Zone | 30% |
| Maximum Floor Area (heated space) | 60% |
| Total Building Height (feet) | |
| • Principal Building | 40 |
| • Accessory Building | 25 |

Table Notes

1. See [Section 2.3](#) and/or [Section 2.4](#) for possible clarifications / exceptions.
2. Impervious coverage for that portion of a site within the CAM Overlay District is limited to 30% of total site area (see [Section 5.7.C.3](#)) except that the Commission may, by separate Special Permit, increase the permitted amount of impervious coverage to 40% of total site area upon appropriate use of LID techniques, demonstration of environmental protection, appropriate buffering, and other considerations.

4.3.E Additional Provisions

1. **Design Review** – No building or structure may be expanded, altered, or created except in conformance with [Section 7.1](#), Design Review.

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4.4. Marine Commercial District (MC)

4.4.A Purpose

The Marine Commercial District (MC) is intended to establish a zone that permits marine commercial and related uses appropriate for a coastal community.

4.4.B Principal Uses / Structures

A lot or parcel in the MC District may have more than one (1) principal use or structure provided such uses and/or structures comply with these Regulations.

1. No Zoning Permit Required

- a. Farming.
- b. Open Space.

2. With Zoning Permit (Staff)

- a. Farm-related buildings.
- b. Change of use within an existing building provided the new use:
 - Is not proposed on a waterfront site and/or within FEMA-designated coastal flood hazard area (in which case PZC approval is required),
 - Is allowed in the MC District (provided no Special Permit required), and
 - Complies with the parking requirements.

3. With Site Plan Approval (PZC)

- a. Uses permitted by Section 4.4.B.2 if proposed on a waterfront site or within a FEMA-designated coastal flood hazard area.
- b. Dry storage and the building and rebuilding of boats.
- c. Marinas including docks, wharves, slip basins, or similar landing facilities for boats both pleasure and commercial.
- d. Marine research laboratories and marine related education facilities.
- e. Museums.
- f. Processing and treatment of shellfish, limited to depuration (expressly excluding cooking and packaging and the temporary water storage of crustaceans).
- g. Sale, repair and servicing of boats, sails, marine equipment, and engines.

4. With Special Permit Approval (PZC)

- a. Buildings, uses and facilities of the Town, State, and/or Federal Government.
- b. Restaurants and other food and beverage service establishments.
- c. Residential development in a mixed-use building, as a mixed-use site, or as a residential development up to a maximum density of 6 units per acre except that adaptive re-use of an existing building to residential with an affordable set aside may exceed density maximums if Local Health Department requirements can be satisfied.

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4.4.C Accessory Uses / Structures

| | |
|---|--|
| 1. Accessory Uses | |
| a. Accessory use(s) customary, subordinate, and incidental to a permitted principal use (check with Staff). | No Zoning Permit Required |
| b. Accessory use(s) NOT customary, subordinate, and incidental to a permitted principal use. | Approval varies—see Regulations for more information |
| c. Accessory manufacture, processing or assembling of goods subordinate, and incidental to a permitted principal use in accordance with Section 6.7 . | Special Permit (PZC) |
| 2. Accessory Structures | |
| a. Accessory building or structure customary, subordinate, and incidental to a permitted principal use subject to any requirements of Section 6 of these Regulations. | Approval varies—see Regulations for more information |
| b. Accessory building or structure NOT customary, subordinate, and incidental to a permitted principal use. | Special Permit (PZC) |
| c. A drive-through facility accessory to a permitted use | Not Permitted |
| d. Accessory solar / wind energy systems in accordance with Section 8.1 . | Zoning Permit (Staff) |
| e. A clubhouse (including sale of food and beverages), swimming pool, and other recreation facilities when accessory to a marina. (also see Section 5.7) | Special Permit (PZC) |
| f. Satellite dish antenna in accordance with Section 6.5 . | No Zoning Permit Required |
| g. Outside dining accessory to a restaurant in accordance with Section 6.9.A . (also see Section 5.7) | Special Permit (PZC) |
| h. Outside music accessory to a restaurant in accordance with Section 6.9.B . | Special Permit (PZC) |

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4.4.D Area and Dimensional Requirements

| | |
|---|-------------------------|
| Minimum Lot / Parcel Area (square feet) | 10,000 |
| Minimum Contiguous Area of Buildable Land (square feet) | 10,000 |
| Minimum Lot Shape (feet) | 80 |
| Minimum Lot Frontage (feet) | 80 |
| Minimum Front Setback (feet) | 20 |
| Maximum Front Setback (feet) | n/a |
| Minimum Side Setback (feet) | (see note #2) 10 |
| Minimum Rear Setback (feet) | (see note #2) 10 |
| Minimum Setback To Residential District (feet) | 20 |
| Maximum Building Projection (feet) | 3 |
| Maximum Building Coverage | 25% |
| Maximum Impervious Coverage | (see note #3) 60% / 40% |
| Maximum Floor Area (heated space) | 25% |
| Total Building Height (feet) | |
| • Principal Building | 40 |
| • Accessory Building | 25 |

Table Notes

1. See [Section 2.3](#) and/or [Section 2.4](#) for possible clarifications / exceptions.
2. The Commission may, by separate Special Permit, reduce a required side or rear setback by up to six feet provided each of the property owners agrees to such reduction on one or both properties and an agreement to such is recorded in the office of the Guilford Town Clerk.
3. Impervious coverage for that portion of a site within the CAM Overlay District limited to 40% (see [Section 5.7.C.3](#)) except that the Commission may, by separate Special Permit, increase the permitted amount of impervious coverage to 60% upon appropriate use of LID techniques, demonstration of environmental protection, appropriate buffering, and other considerations.

4.4.E Additional Provisions

1. **Design Review** – No building or structure may be expanded, altered, or created except in conformance with [Section 7.1](#), Design Review.

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4.5. Business / Mixed Use District (BMU)

4.5.A Purpose

The Business / Mixed Use District (BMU) District intended to permit a variety of uses (including certain types of business uses and residential uses) in order to promote economic development while preserving open space and environmentally sensitive lands. Buildings with high architectural standards and consistent signage, landscaping, and design are promoted.

4.5.B Principal Uses / Structures

A lot or parcel in the Business / Mixed Use District (BMU) District may have more than one (1) principal use or structure provided such uses and/or structures comply with these Regulations.

1. No Zoning Permit Required

- a. Farming.
- b. Open Space.

2. With Zoning Permit (Staff)

- a. Farm-related buildings.
- b. Change of use within an existing building provided the new use:
 - Is allowed in the Business / Mixed Use District (BMU) District (provided no Special Permit required), and
 - Complies with the parking requirements.

3. With Site Plan Approval (PZC)

- a. Artist studio/galleries and other establishments where art or craft merchandise is created, displayed, and sold.
- b. Buildings, uses and facilities of the Town, State, and/or Federal Government.
- c. Business and professional offices.
- d. Child Day Care Center or Adult Day Care Center.
- e. Garden supply stores including greenhouses.
- f. Financial Institutions.
- g. Funeral homes.
- h. Indoor and outdoor recreation facilities.
- i. Laundromats.
- j. Marine research laboratories and marine-related education facilities.
- k. Medical and dental clinics / facilities.

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- l. Museums.
 - m. Personal service establishments.
 - n. Physical fitness establishments, gymnasiums, and similar recreational facilities.
 - o. Research laboratories.
 - p. Residential development in a mixed-use building, as a mixed-use site, or as a residential development up to a maximum density of 6 units per total acre.
 - q. Restaurants and other food and beverage service establishments.
 - r. Retail dry cleaning and laundering establishments.
 - s. Retail sales of lumber and building materials (except heavy construction materials) including storage of same.
 - t. Retail stores.
 - u. Studios for dance, musical and theatrical instruction.
 - v. Urgent medical care facilities.
 - w. Veterinary facilities.
- 4. With Special Permit Approval (PZC)**
- a. Assisted living facilities, congregate living, and nursing homes.
 - b. Dry storage and the building and rebuilding of boats.
 - c. Entertainment facilities, including movie theaters and playhouses.
 - d. Hospitals and skilled nursing facilities.
 - e. Lodging facilities including conference centers.
 - f. Manufacturing.
 - g. Motor vehicle repair when in accordance with [Section 6.4.B.](#)
 - h. Motor vehicle washing establishments.
 - i. Animal grooming and/or animal daycare facilities when in accordance with [Section 6.2.E.](#)
 - j. Places of worship.
 - k. Printing establishments.
 - l. Retail sales of new or used motor vehicles, including motorcycles, trucks, trailers, or farm equipment, and the rental thereof.
 - m. Sale, repair, and servicing of boats, sails, and marine equipment and engines.
 - n. Schools, colleges, and universities.
 - o. Self-storage facilities.
 - p. Adaptive re-use of an existing building to residential with an affordable set aside may exceed density maximums if Local Health Department requirements can be satisfied.

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4.5.C Accessory Uses / Structures

| | | |
|--------------------------------|---|--|
| 1. Accessory Uses | | |
| a. | Accessory use(s) customary, subordinate, and incidental to a permitted principal use (check with Staff). | No Zoning Permit Required |
| b. | Accessory use(s) NOT customary, subordinate, and incidental to a permitted principal use. | Approval varies—see Regulations for more information |
| c. | Restaurants when accessory to a permitted use and located in the same building as a permitted use, not to exceed 10% of the floor area of the permitted use except when part of a lodging facility/conference center. | Zoning Permit (Staff) |
| 2. Accessory Structures | | |
| a. | Accessory building or structure customary, subordinate, and incidental to a permitted principal use subject to any requirements of Section 6 of these Regulations. | Approval varies—see Regulations for more information |
| b. | Accessory building or structure NOT customary, subordinate, and incidental to a permitted principal use. | Special Permit (PZC) |
| c. | A drive-through facility accessory to a permitted use. | Not Permitted |
| d. | Accessory solar / wind energy systems in accordance with Section 8.1 . | Zoning Permit (Staff) |
| e. | Satellite dish antenna in accordance with Section 6.5 . | No Zoning Permit Required |
| f. | Outside dining accessory to a restaurant in accordance with Section 6.9.A . | Zoning Permit (Staff) |
| g. | Outside music accessory to a restaurant in accordance with Section 6.9.B . | Special Permit (PZC) |
| h. | A retail propane filling station as an accessory use excluding bulk storage and retail storage, not to exceed 1,000 gallons. | Site Plan (PZC) |

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4.5.D Area and Dimensional Requirements

| | |
|--|---------|
| Minimum Lot / Parcel Area (square feet) | 160,000 |
| Minimum Contiguous Area of Buildable Land (square feet) | 40,000 |
| Minimum Lot Shape (feet) | 150 |
| Minimum Lot Frontage (feet) | 100 |
| Minimum Front Setback (feet) | |
| • Route 1 (building and parking) (see note #2) | 100 |
| • Any other street line | 50 |
| Maximum Front Setback (feet) | n/a |
| Minimum Side Setback (feet) | 20 |
| Minimum Rear Setback (feet) | 50 |
| Minimum Setback To Residential District (feet) | |
| • For Non-Residential Use | 100 |
| • For Residential Use | 75 |
| Maximum Building Projection (feet) | 3 |
| Maximum Building Coverage | 25% |
| Maximum Impervious Coverage | 40% |
| Maximum Floor Area (heated space) (see note #3) | 15% |
| Total Building Height (feet) (see note #4) | |
| • Principal Building | 40 |
| • Accessory Building | 25 |

Table Notes

1. See [Section 2.3](#) and/or [Section 2.4](#) for possible clarifications / exceptions.
2. A lesser setback may be allowed by separate Special Permit when it is determined by the Commission that excellence in landscaping will provide for the roadside buffer desired, that such lesser setback will not adversely affect adjoining property, and when the architecture of the proposed buildings support and enhance the purposes of the district.
3. A greater amount of floor area (up to 25%) may be allowed by separate Special Permit when it is determined by the Commission that such additional floor area will not adversely affect adjoining property and when the architecture of the proposed building supports and enhances the purposes of the district.
4. Buildings of greater height may be allowed by separate Special Permit when it is determined by the Commission that such additional height will not adversely affect adjoining property and when the architecture of the proposed building supports and enhances the purposes of the district.

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4.5.E Additional Provisions

1. **Design Review** – No building or structure may be expanded, altered, or created except in conformance with [Section 7.1](#), Design Review.
2. **Context Plan Required** – In order to ensure efficient and orderly development of the district, development plans in the Business / Mixed Use District (BMU) District submitted to the Commission for approval shall include a conceptual plan showing how the ultimate potential development of the property relates to the ultimate potential development of other properties in the area (approximate buildings / sizes / uses, vehicular circulation systems, parking areas, and generalized landscaping plans, including designation of land to remain undeveloped).
3. **Buffering To Residential District** – As part of any application, the Commission will pay particular attention to setbacks and buffering between residential district boundary lines and buildings, roadways, driveways, parking areas, and signs.

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4.6. State Street North (SSN) District

4.6.A Purpose

The State Street North (SSN) District is intended to permit low intensity commercial uses and high-quality residential uses integrated with the neighboring properties. It is intended to promote economic development and preserve open space and to protect significant inland wetlands. The district should promote buildings with high architecture standards, substantial landscaping and internal roads that reflect neighborhood road patterns.

4.6.B Principal Uses / Structures

A lot or parcel in the SSN District may have more than one (1) principal use or structure provided such uses and/or structures comply with these Regulations.

1. No Zoning Permit Required

- a. Farming.
- b. Open Space.

2. With Zoning Permit (Staff)

- a. One single-family dwelling per lot.
- b. Farm-related buildings.
- c. Change of use within an existing building provided the new use:
 - Is allowed in the SSN District (provided no Special Permit required), and
 - Complies with the parking requirements.

3. With Site Plan Approval (PZC)

(reserved for possible future use)

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4. With Special Permit Approval (PZC)

- a. Artist studio/galleries and other establishments where art or craft merchandise is created, displayed, and sold.
- b. Assisted living facilities, congregate living, and nursing homes.
- c. Buildings, uses, and facilities of the Town, State, and/or Federal Government.
- d. Business and professional offices.
- e. Child Day Care Center or Adult Day Care Center.
- f. Financial institutions.
- g. Hospitals and skilled nursing facilities.
- h. Lodging facilities including conference centers.
- i. Manufacturing.
- j. Medical and dental clinics / facilities.
- k. Museums.
- l. Personal service establishments.
- m. Physical fitness establishments, gymnasiums, and similar recreational facilities.
- n. Places of worship.
- o. Research laboratories.
- p. Residential development in a mixed-use building, as a mixed-use site, or as a residential development up to a maximum density of 6 units per total acre except that adaptive re-use of an existing building to residential with an affordable set aside may exceed density maximums if Local Health Department requirements can be satisfied.
- q. Schools, colleges, and universities.
- r. Studios for dance, musical, and theatrical instruction.
- s. Urgent medical care facilities.

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4.6.C Accessory Uses / Structures

| | |
|--|--|
| 1. Accessory Uses | |
| a. Accessory use(s) customary, subordinate, and incidental to a permitted principal use (check with Staff). | No Zoning Permit Required |
| b. Accessory use(s) NOT customary, subordinate, and incidental to a permitted principal use. | Approval varies—see Regulations for more information |
| c. Retail stores when accessory to a permitted use and located in the same building as a permitted use, not to exceed 10% of the floor area of the primary permitted use. | Zoning Permit (Staff) |
| d. Restaurants when accessory to a permitted use and located in the same building as a permitted use, not to exceed 10% of the floor area of the permitted use except when part of a lodging facility/conference center. | Zoning Permit (Staff) |
| 2. Accessory Structures | |
| a. Accessory building or structure customary, subordinate, and incidental to a permitted principal use subject to any requirements of Section 6 of these Regulations. | Approval varies—see Regulations for more information |
| b. Accessory building or structure NOT customary, subordinate, and incidental to a permitted principal use. | Special Permit (PZC) |
| c. A drive-through facility accessory to a permitted use | Not Permitted |
| d. Accessory solar / wind energy systems in accordance with Section 8.1 . | Zoning Permit (Staff) |
| e. Satellite dish antenna in accordance with Section 6.5 . | Allowed – No Zoning Permit Required |
| f. Outside dining accessory to a restaurant in accordance with Section 6.9.A . | Zoning Permit (Staff) |
| g. Outside music accessory to a restaurant in accordance with Section 6.9.B . | Special Permit (PZC) |

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4.6.D Area and Dimensional Requirements

| | |
|---|-------------------|
| Minimum Lot / Parcel Area (square feet) | 200,000 |
| Minimum Contiguous Area of Buildable Land (square feet) | 40,000 |
| Minimum Lot Shape (feet) | 200 |
| Minimum Lot Frontage (feet) | 200 |
| Minimum Front Setback (feet) | |
| • If across the street from a residential zone or use | 50 |
| • Otherwise | 20 |
| Maximum Front Setback (feet) | n/a |
| Minimum Side Setback (feet) | |
| • If abutting a residential zone or use | 50 |
| • Otherwise | 20 |
| Minimum Rear Setback (feet) | |
| • If abutting a residential zone or use | 50 |
| • Otherwise | 20 |
| Minimum Setback To Residential District (feet) | |
| • For Non-Residential Use | 100 |
| • For Residential Use | 75 |
| Maximum Building Projection (feet) | 3 |
| Maximum Building Coverage | 25% |
| Maximum Impervious Coverage | 40% |
| Maximum Floor Area (heated space) | (see note #2) 25% |
| Total Building Height (feet) | (see note #3) |
| • Principal Building | 40 |
| • Accessory Building | 25 |

Table Notes

1. See [Section 2.3](#) and/or [Section 2.4](#) for possible clarifications / exceptions.
2. No building shall exceed 75,000 SF of floor area (heated or unheated) unless a separate Special Permit therefore has been approved by the Commission after considering the Special Permit criteria in [Section 9.4.E](#).
3. Buildings of greater height may be allowed by a separate Special Permit when it is determined by the Commission that such additional height will not adversely affect adjoining property and when the architecture of the proposed building supports and enhances the purposes of the district.

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4.6.E Additional Provisions

1. **Design Review** – No building or structure may be expanded, altered, or created except in conformance with [Section 7.1](#), Design Review.
2. **Concept Plan Required** – In order to ensure efficient and orderly development of the district, development plans in the SSN District submitted to the Commission for approval shall include a conceptual plan showing how the ultimate potential development of the property relates to the ultimate potential development of other properties in the area (approximate buildings / sizes / uses, vehicular circulation systems, parking areas, and generalized landscaping plans, including designation of land to remain undeveloped).
3. **Road / Sidewalk / Path Planning Standards** – In accordance with [Section 7.8](#) and [Section 7.9](#) of these Regulations:
 - a. Where a site is identified in the Town of Guilford Transportation Plan as the potential location of a town road, an easement for a public street may be required, provided the easement is necessary to carry out the aforesaid Plan and is located as close to a site boundary as practicable for purposes of future road construction by the Town. The location of such an easement shall provide for safe and convenient travel and not adversely impact the design characteristics and economical use of the subject site.
 - b. New developments shall be integrated into the surrounding street and neighborhood patterns. Such integrations may include connecting to local streets with sidewalks, walkways and bike paths, streets and through visual connections.
4. **Buffering To Residential District** – As part of any application, the Commission will pay particular attention to setbacks and buffering between residential district boundary lines and buildings, roadways, driveways, parking areas, and signs.

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4.7. Post Road Business 1 District (PRB-1)

4.7.A Purpose

The Post Road Business 1 District (PRB-1) is a commercial zoning district designed to permit a variety of small-scale commercial uses. The district should establish a sense of entry to Guilford, and foster preservation of historic properties and development that emphasizes traditional building form with consistent signage, landscaping, and building design. It should further foster site planning that encourages pedestrian amenities and streetscape treatments compatible with the Town’s planning and design guidelines established for the district.

4.7.B Principal Uses / Structures

A lot or parcel in the PRB-1 District may have more than one (1) principal use or structure provided such uses and/or structures comply with these Regulations.

1. No Zoning Permit Required

- a. Farming.
- b. Open Space.

2. With Zoning Permit (Staff)

- a. Farm-related buildings.
- b. Change of use within an existing building provided the new use:
 - Is allowed in the PRB-1 District (provided no Special Permit required), and
 - Complies with the parking requirements.

3. With Site Plan Approval (PZC)

- a. Artist studio/galleries and other establishments where art or craft merchandise is created, displayed, and sold.
- b. Buildings, uses and facilities of the Town, State, and/or Federal Government.
- c. Business and professional offices.
- d. Child Day Care Center or Adult Day Care Center.
- e. Financial institutions.
- f. Funeral homes.
- g. Garden supply stores including greenhouses.
- h. Indoor and outdoor recreation facilities.
- i. Laundromats.
- j. Marine research laboratories and marine-related education facilities.
- k. Medical and dental clinics / facilities.

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- l. Museums.
 - m. Personal service establishments.
 - n. Physical fitness establishments, gymnasiums, and similar recreational facilities.
 - o. Research laboratories.
 - p. Residential development in a mixed-use building, as a mixed-use site, or as a residential development up to a maximum density of 6 units per total acre.
 - q. Restaurants and other food and beverage service establishments.
 - r. Retail dry cleaning and laundering establishments.
 - s. Retail sales and/or storage of lumber and building materials, except heavy construction materials.
 - t. Retail stores.
 - u. Studios for dance, musical and theatrical instruction.
 - v. Urgent medical care facilities.
 - w. Veterinary facilities.
- 4. With Special Permit Approval (PZC)**
- a. Assisted living facilities, congregate living, and nursing homes.
 - b. Dry storage and the building and rebuilding of boats.
 - c. Entertainment facilities, including movie theaters and playhouses.
 - d. Hospitals and skilled nursing facilities.
 - e. Lodging facilities including conference centers.
 - f. Manufacturing.
 - g. Motor vehicle repair when in accordance with [Section 6.4.B.](#)
 - h. Motor vehicle washing establishments.
 - i. Animal grooming and/or animal daycare facilities in accordance with [Section 6.2.E.](#)
 - j. Places of worship.
 - k. Printing establishments.
 - l. Retail sales of new or used motor vehicles, including motorcycles, trucks, trailers, or farm equipment, and the rental thereof.
 - m. Sale, repair, and servicing of boats, sails, and marine equipment and engines.
 - n. Schools, colleges, and universities.
 - o. Self-storage facilities.
 - p. Adaptive re-use of an existing building to residential with an affordable set aside may exceed density maximums if Local Health Department requirements can be satisfied.

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4.7.C Accessory Uses / Structures

| | |
|---|--|
| 1. Accessory Uses | |
| a. Accessory use(s) customary, subordinate, and incidental to a permitted principal use (check with Staff). | No Zoning Permit Required |
| b. Accessory use(s) NOT customary, subordinate, and incidental to a permitted principal use. | Approval varies—see Regulations for more information |
| 2. Accessory Structures | |
| a. Accessory building or structure customary, subordinate, and incidental to a permitted principal use subject to any requirements of Section 6 of these Regulations. | Approval varies—see Regulations for more information |
| b. Accessory building or structure NOT customary, subordinate, and incidental to a permitted principal use. | Special Permit (PZC) |
| c. A drive-through facility accessory to a permitted use. | Not Permitted |
| d. Accessory solar / wind energy systems in accordance with Section 8.1 . | Zoning Permit (Staff) |
| e. Satellite dish antenna in accordance with Section 6.5 . | No Zoning Permit Required |
| f. Outside dining accessory to a restaurant in accordance with Section 6.9.A . | Zoning Permit (Staff) |
| g. Outside music accessory to a restaurant in accordance with Section 6.9.B . | Special Permit (PZC) |
| h. A retail propane filling station as an accessory use excluding bulk storage and retail storage, not to exceed 1,000 gallons. | Site Plan (PZC) |

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4.7.D Area and Dimensional Requirements

| | |
|---|----------------------------|
| Minimum Lot / Parcel Area (square feet) | 10,000 |
| Minimum Contiguous Area of Buildable Land (square feet) | 10,000 |
| Minimum Lot Shape (feet) | 80 |
| Minimum Lot Frontage (feet) | 80 |
| Minimum Front Setback (feet) | 20 |
| Maximum Front Setback (feet) | 30 |
| Minimum Side Setback (feet) | (see note #2) 10 |
| Minimum Rear Setback (feet) | (see note #2) 10 |
| Minimum Setback To Residential District (feet) | |
| • For Non-Residential Use | 20 |
| • For Residential Use | 20 |
| Maximum Building Projection (feet) | 3 |
| Maximum Building Coverage | (see note #3) 25% / 35% |
| Maximum Impervious Coverage | (see note #4) 60% / 50% |
| Maximum Floor Area (heated space) | (see note #5/#6) 65% / 50% |
| Total Building Height (feet) | |
| • Principal Building | 35 |
| • Accessory Building | 25 |

Table Notes

1. See [Section 2.3](#) and/or [Section 2.4](#) for possible clarifications / exceptions.
2. The Commission may, by separate Special Permit, reduce a required side or rear setback by up to six feet provided each of the property owners agrees to such reduction on one or both properties and an agreement to such is recorded in the office of the Guilford Town Clerk.
3. Maximum building coverage may be increased to 35% with a separate Special Permit and satisfaction of the Special Permit criteria in [Section 9.4.E](#).
4. Impervious coverage for that portion of a site within the CAM Overlay District is limited to 50% (see [Section 5.7.C.3](#)) except that the Commission may, by separate Special Permit, increase the permitted amount of impervious coverage to 60% upon appropriate use of LID techniques, demonstration of environmental protection, appropriate buffering, and other considerations.
5. Total floor area may be increased to 65% with approval of a separate Special Permit after considering the Special Permit criteria in [Section 9.4.E](#).
6. With regard to building floor area:
 - a. No individual building or other structure shall exceed a total floor area of 20,000 square feet except that, subject to a separate Special Permit approval by the Commission, the maximum floor area of an individual building may be increased to 25,000 square feet.
 - b. No freestanding retail building or complex (separately or cumulatively) shall exceed a total floor area of 15,000 square feet.

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4.7.E Additional Provisions

1. **Historic District Review** – No building or structure within the Guilford Historic District may be expanded, altered, or created except with approval of the Historic District Commission.
2. **Design Review** – In areas outside the Guilford Historic District, no building or structure may be expanded, altered, or created except in conformance with [Section 7.1](#), Design Review. Plans shall be reviewed for conformance with the design criteria specified in Planning and Design Guidelines Route 1 East-Boston Post Road, dated August 2000, prepared by ICON Architecture and Community Planning Solutions (see pages 6-13, Design Principles and Design Guidelines).

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4.8. Post Road Business 2 District (PRB-2)

4.8.A Purpose

The PRB-2 District is a commercial zoning district designed to permit a variety of small- and medium-scale commercial uses. The district should establish a sense of entry into Guilford and promote buildings with high architectural standards, with consistent signage, landscaping, and design. It is intended to be an attractive, coherent environment that blends permitted uses.

4.8.B Principal Uses / Structures

A lot or parcel in the PRB-2 District may have more than one (1) principal use or structure provided such uses and/or structures comply with these Regulations.

1. **No Zoning Permit Required**
 - a. Farming.
 - b. Open Space.

2. **With Zoning Permit (Staff)**
 - a. Farm-related buildings.
 - b. Change of use within an existing building provided the new use:
 - Is allowed in the PRB-2 District (no Special Permit required), and
 - Complies with the parking requirements.

3. **With Site Plan Approval (PZC)**
 - a. Artist studio/galleries and other establishments where art or craft merchandise is created, displayed, and sold.
 - b. Buildings, uses and facilities of the Town, State, and/or Federal Government.
 - c. Business and professional offices.
 - d. Child Day Care Center or Adult Day Care Center.
 - e. Financial institutions.
 - f. Funeral homes.
 - g. Garden supply stores including greenhouses.
 - h. Indoor and outdoor recreation facilities.
 - i. Laundromats.
 - j. Lodging facilities including conference centers.
 - k. Marine research laboratories and marine-related education facilities.
 - l. Medical and dental clinics / facilities.
 - m. Museums.
 - n. Personal service establishments.
 - o. Physical fitness establishments, gymnasiums, and similar recreational facilities.

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- p. Research laboratories.
- q. Residential development in a mixed-use building, as a mixed-use site, or as a residential development up to a maximum density of 6 units per total acre.
- r. Restaurants and other food and beverage service establishments.
- s. Retail dry cleaning and laundering establishments.
- t. Retail sales and/or storage of lumber and building materials, except heavy construction materials.
- u. Retail stores.
- v. Studios for dance, musical, and theatrical instruction.
- w. Urgent medical care facilities.
- x. Veterinary facilities.

4. With Special Permit Approval (PZC)

- a. Assisted living facilities, congregate living, and nursing homes.
- b. Dry storage and the building and rebuilding of boats.
- c. Entertainment facilities, including movie theaters, playhouses.
- d. Hospitals and skilled nursing facilities.
- e. Lodging facilities including conference centers.
- f. Manufacturing.
- g. Motor vehicle refueling stations in accordance with [Section 6.4.C](#) of these Regulations provided:
 - Such station shall only be operated in combination with a retail store on the same site or a contiguous site, and
 - Only one motor vehicle refueling station shall be permitted within the entire PRB-2 District.
- h. Motor vehicle repair when in accordance with [Section 6.4.B](#).
- i. Motor vehicle washing establishments.
- j. Animal grooming and/or animal daycare facilities in accordance with [Section 6.2.E](#).
- k. Places of worship.
- l. Printing establishments.
- m. Retail sales of new or used motor vehicles, including motorcycles, trucks, trailers, or farm equipment, and the rental thereof.
- n. Sale, repair, and servicing of boats, sails, and marine equipment and engines.
- o. Schools, colleges, and universities.
- p. Self-storage facilities.
- q. Adaptive re-use of an existing building to residential with an affordable set aside may exceed density maximums if Local Health Department requirements can be satisfied.

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4.8.C Accessory Uses / Structures

| | |
|---|--|
| 1. Accessory Uses | |
| a. Accessory use(s) customary, subordinate, and incidental to a permitted principal use (check with Staff). | No Zoning Permit Required |
| b. Accessory use(s) NOT customary, subordinate, and incidental to a permitted principal use. | Approval varies—see Regulations for more information |
| 2. Accessory Structures | |
| a. Accessory building or structure customary, subordinate, and incidental to a permitted principal use subject to any requirements of Section 6 of these Regulations. | Approval varies—see Regulations for more information |
| b. Accessory building or structure NOT customary, subordinate, and incidental to a permitted principal use. | Special Permit (PZC) |
| c. A drive-through facility accessory to a permitted use in accordance with Section 6.8 . | Special Permit (PZC) |
| d. Accessory solar / wind energy systems in accordance with Section 8.1 . | Zoning Permit (Staff) |
| e. Satellite dish antenna in accordance with Section 6.5 . | No Zoning Permit Required |
| f. Outside dining accessory to a restaurant in accordance with Section 6.9.A . | Zoning Permit (Staff) |
| g. Outside music accessory to a restaurant in accordance with Section 6.9.B . | Special Permit (PZC) |
| h. A retail propane filling station as an accessory use excluding bulk storage and retail storage, not to exceed 1,000 gallons. | Site Plan (PZC) |

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4.8.D Area and Dimensional Requirements

| | |
|---|--------------------------------|
| Minimum Lot / Parcel Area (square feet) | 20,000 |
| Minimum Contiguous Area of Buildable Land (square feet) | 20,000 |
| Minimum Lot Shape (feet) | 100 |
| Minimum Lot Frontage (feet) | 100 |
| Minimum Front Setback (feet) | 30 |
| Maximum Front Setback (feet) | n/a |
| Minimum Side Setback (feet) | 12 |
| Minimum Rear Setback (feet) | 12 |
| Minimum Setback To Residential District (feet) | |
| • For Non-Residential Use | 30 |
| • For Residential Use | 30 |
| Maximum Building Projection (feet) | 3 |
| Maximum Building Coverage | (see note #1) 25% / 35% |
| Maximum Impervious Coverage | 55% |
| Maximum Floor Area (heated space) | (see note #2 and #3) 50% / 65% |
| Total Building Height (feet) | |
| • Principal Building | 40 |
| • Accessory Building | 25 |

Table Notes

1. See [Section 2.3](#) and/or [Section 2.4](#) for possible clarifications / exceptions.
2. Maximum building coverage may be increased to 35% with a separate Special Permit demonstrating compliance with the Special Permit criteria and appropriate use of LID techniques, environmental protection, appropriate buffering, and other considerations.
3. Total floor area may be increased to 65% with approval of a separate Special Permit by the Commission after considering the Special Permit criteria in [Section 9.4.E](#).
4. With regard to building floor area:
 - a. No building or other structure shall exceed a total floor area of 30,000 square feet except as may otherwise be permitted within this Section.
 - b. For farm markets, no building shall exceed 50,000 square feet, and within said building, the area devoted to retail sales shall not exceed 20,000 square feet.
 - c. No single, related, or integrated retail use shall exceed 20,000 square feet cumulatively, except this limitation shall not apply to area devoted to outdoor display and sales of agricultural products.

4.8.E Additional Provisions

1. **Design Review** – No building or structure may be expanded, altered, or created except in conformance with [Section 7.1](#), Design Review.

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4.9. Post Road Business 3 District (PRB-3)

4.9.A Purpose

The Post Road Business 3 District (PRB-3) is intended to permit business uses to serve the local community in ways which also respect surrounding residential uses. It is intended to be an attractive, coherent environment with a consistent street edge, high quality landscaping, reduced curb cuts, shared parking, sidewalks, and a mixture of land uses that blend with the adjacent residential and natural landscape.

4.9.B Principal Uses / Structures

A lot or parcel in the Post Road Business 3 District (PRB-3) may have more than one (1) principal use or structure provided such uses and/or structures comply with these Regulations.

1. No Zoning Permit Required

- a. Farming.
- b. Open Space.

2. With Zoning Permit (Staff)

- a. Farm-related buildings.
- b. Change of use within an existing building provided the new use:
 - Is allowed in the PRB-3 District (no Special Permit required), and
 - Complies with the parking requirements.

3. With Site Plan Approval (PZC)

- a. Artist studio/galleries and other establishments where art or craft merchandise is created, displayed, and sold.
- b. Buildings, uses and facilities of the Town, State, and/or Federal Government.
- c. Business and professional offices.
- d. Child Day Care Center or Adult Day Care Center.
- e. Financial institutions.
- f. Funeral homes.
- g. Garden supply stores including greenhouses.
- h. Hospitals and skilled nursing facilities.
- i. Indoor and outdoor recreation facilities.
- j. Laundromats.
- k. Marine research laboratories and marine-related education facilities.
- l. Medical and dental clinics / facilities.
- m. Museums.

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- n. Personal service establishments.
- o. Physical fitness establishments, gymnasiums, and similar recreational facilities.
- p. Research laboratories.
- q. Residential development in a mixed-use building, as a mixed-use site, or as a residential development up to a maximum density of 6 units per total acre.
- r. Restaurants and other food and beverage service establishments.
- s. Retail dry cleaning and laundering establishments.
- t. Retail sales and/or storage of lumber and building materials, except heavy construction materials.
- u. Retail stores.
- v. Studios for dance, musical, or theatrical instruction.
- w. Urgent medical care facilities.
- x. Veterinary facilities.

4. With Special Permit Approval (PZC)

- a. Assisted living facilities, congregate living, and nursing homes.
- b. Dry storage and the building and rebuilding of boats.
- c. Entertainment facilities, including movie theaters and playhouses.
- d. Lodging facilities including conference centers.
- e. Manufacturing.
- f. Motor vehicle refueling stations when in accordance with [Section 6.4.C](#) of these Regulations provided:
 - Such station shall only be operated in combination with a retail store on the same site or a contiguous site, and
 - Only one motor vehicle refueling station shall be permitted within each separate portion of the PRB-3 district.
- g. Motor vehicle repair facility when in accordance with [Section 6.4.B](#) of these Regulations.
- h. Motor vehicle washing establishment.
- i. Animal grooming and/or animal day care facilities in accordance with [Section 6.2.E](#).
- j. Places of worship.
- k. Printing establishments.
- l. Retail sales of new and/or used motor vehicles, including motorcycles, trucks, trailers, or farm equipment and the rental thereof in accordance with [Section 6.4.A](#).
- m. Sale, repair, and servicing of boats, sails, marine equipment, and engines.
- n. Self-storage facilities.
- o. Schools, colleges, and universities.
- p. Adaptive re-use of an existing building to residential with an affordable set aside may exceed density maximums if Local Health Department requirements can be satisfied.

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4.9.C Accessory Uses / Structures

| | |
|---|--|
| 1. Accessory Uses | |
| a. Accessory use(s) customary, subordinate, and incidental to a permitted principal use (check with Staff). | No Zoning Permit Required |
| b. Accessory use(s) NOT customary, subordinate, and incidental to a permitted principal use. | Approval varies—see Regulations for more information |
| 2. Accessory Structures | |
| a. Accessory building or structure customary, subordinate, and incidental to a permitted principal use subject to any requirements of Section 6 of these Regulations. | Approval varies—see Regulations for more information |
| b. Accessory building or structure NOT customary, subordinate, and incidental to a permitted principal use. | Special Permit (PZC) |
| c. A drive-through facility. Accessory to a permitted use in accordance with Section 6.8 . | Not Permitted |
| d. Accessory solar / wind energy systems in accordance with Section 8.1 . | Zoning Permit (Staff) |
| e. Satellite dish antenna in accordance with Section 6.5 . | No Zoning Permit Required |
| f. Outside dining accessory to a restaurant in accordance with Section 6.9.A . | Special Permit (PZC) |
| g. Outside music accessory to a restaurant in accordance with Section 6.9.B . | Special Permit (PZC) |
| h. A retail propane filling station as an accessory use excluding bulk storage and retail storage in excess of 1,000 gallons. | Site Plan (PZC) |

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4.9.D Area and Dimensional Requirements

| | | |
|---|---------------|-----------|
| Minimum Lot / Parcel Area (square feet) | | 20,000 |
| Minimum Contiguous Area of Buildable Land (square feet) | | 20,000 |
| Minimum Lot Shape (feet) | | 100 |
| Minimum Lot Frontage (feet) | | 100 |
| Minimum Front Setback (feet) | | 30 |
| Maximum Front Setback (feet) | | 50 |
| Minimum Side Setback (feet) | | 12 |
| Minimum Rear Setback (feet) | | 12 |
| Minimum Setback To Residential District (feet) | | 30 |
| Maximum Building Projection (feet) | | 3 |
| Maximum Building Coverage | (see note #2) | 25% / 35% |
| Maximum Impervious Coverage | | 60% |
| Maximum Floor Area (heated space) | (see note #3) | 50% / 65% |
| Building Height (feet) | (see note #4) | |
| • Principal Building | | 40 |
| • Accessory Building | | 25 |

Table Notes

1. See [Section 2.3](#) and/or [Section 2.4](#) for possible clarifications / exceptions.
2. Maximum building coverage may be increased to 35% with a separate Special Permit approval by the Commission after considering the Special Permit criteria in [Section 9.4.E](#).
3. Total floor area may be increased to 65% with a separate Special Permit approval by the Commission after considering the Special Permit criteria in [Section 9.4.E](#).
4. Maximum building height may be increased up to 40 feet with a separate Special Permit approval by the Commission after considering the Special Permit criteria in [Section 9.4.E](#).

4.9.E Additional Provisions

1. **Design Review** – No building or structure may be expanded, altered, or created except in conformance with [Section 7.1](#), Design Review.

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4.10. Post Road Business 4 District (PRB-4)

4.10.A Purpose

The Post Road Business 4 District (PRB-4) is intended to permit commercial use and medium density residential uses which maintain the rural characteristics of the district in terms of their building and site design and which are compatible with adjacent areas. The development of the uses permitted in this zone should preserve and create the rural gateway environment of the Rt. 1 West area in accordance with the Rt. 1 West Final Report dated May 19, 2015.

4.10.B Principal Uses / Structures

A lot or parcel in the Post Road Business 4 District (PRB-4) may have more than one (1) principal use or structure provided such uses and/or structures comply with these Regulations.

1. No Zoning Permit Required

- a. Farming.
- b. Open Space.

2. With Zoning Permit (Staff)

- a. Farm-related buildings.
- b. Change of use within an existing building provided the new use:
 - Is allowed in the Post Road Business 4 District (PRB-4) (no Special Permit required), and
 - Complies with the parking requirements.

3. With Site Plan Approval (PZC)

- a. Artist studio/galleries and other establishments where art or craft merchandise is created, displayed, and sold.
- b. Buildings, uses and facilities of the Town, State, and/or Federal Government.
- c. Business and professional offices.
- d. Child Day Care Center or Adult Day Care Center.
- e. Financial institutions.
- f. Funeral homes.
- g. Garden supply stores including greenhouses.
- h. Hospitals and/or skilled nursing facilities.
- i. Indoor and outdoor recreation facilities.
- j. Laundromats.
- k. Marine research laboratories and marine-related education facilities.

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- l. Medical and dental clinics.
 - m. Museums.
 - n. Personal service establishments.
 - o. Physical fitness establishments, gymnasiums, and similar recreational facilities.
 - p. Research laboratories.
 - q. Residential development in a mixed-use building, as a mixed-use site, or as a residential development up to a maximum density of 6 units per total acre.
 - r. Restaurants and other food and beverage service establishments.
 - s. Retail dry cleaning and laundering establishments.
 - t. Retail sales and/or storage of lumber and building materials, except heavy construction materials.
 - u. Retail stores.
 - v. Studios for dance, musical, and theatrical instruction.
 - w. Urgent medical care facilities.
 - x. Veterinary facilities.
- 4. With Special Permit Approval (PZC)**
- a. Dry storage and the building and rebuilding of boats.
 - b. Entertainment facilities, including movie theaters and playhouses.
 - c. Lodging establishments not to exceed 15 rooms.
 - d. Manufacturing.
 - e. Motor vehicle repair facility when in accordance with [Section 6.4.B](#) of these Regulations.
 - f. Motor vehicle washing establishments.
 - g. Animal grooming and/or animal day care facilities in accordance with [Section 6.2.E](#).
 - h. Places of worship.
 - i. Printing establishments.
 - j. Retail sales of new or used motor vehicles, including motorcycles, trucks, trailers or farm equipment and the rental thereof in accordance with [Section 6.4.A](#).
 - k. Sale, repair, and servicing of boats, sails, and marine equipment and engines.
 - l. Schools, colleges, and universities.
 - m. Self-storage facilities.
 - n. Adaptive re-use of an existing building to residential with an affordable set aside may exceed density maximums if Local Health Department requirements can be satisfied.

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4.10.C Accessory Uses / Structures

| | |
|---|--|
| 1. Accessory Uses | |
| a. Accessory use(s) customary, subordinate, and incidental to a permitted principal use (check with Staff). | No Zoning Permit Required |
| b. Accessory use(s) NOT customary, subordinate, and incidental to a permitted principal use. | Approval varies—see Regulations for more information |
| 2. Accessory Structures | |
| a. Accessory building or structure customary, subordinate, and incidental to a permitted principal use subject to any requirements of Section 6 of these Regulations. | Approval varies—see Regulations for more information |
| b. Accessory building or structure NOT customary, subordinate, and incidental to a permitted principal use. | Special Permit (PZC) |
| c. A drive-through facility. Accessory to a permitted use. | Not Permitted |
| d. Accessory solar / wind energy systems in accordance with Section 8.1 . | Zoning Permit (Staff) |
| e. Satellite dish antenna in accordance with Section 6.5 . | No Zoning Permit Required |
| f. Outside dining accessory to a restaurant in accordance with Section 6.9.A . | Zoning Permit (Staff) |
| g. Outside music accessory to a restaurant in accordance with Section 6.9.B . | Special Permit (PZC) |
| h. A retail propane filling station as an accessory use excluding bulk storage and retail storage in excess of 1,000 gallons. | Site Plan (PZC) |

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4.10.D Area and Dimensional Requirements

| | |
|---|-------------------|
| Minimum Lot / Parcel Area (square feet) | 20,000 |
| Minimum Contiguous Area of Buildable Land (square feet) | 20,000 |
| Minimum Lot Shape (feet) | 100 |
| Minimum Lot Frontage (feet) | (see note #2) 100 |
| Minimum Front Setback (feet) | 30 |
| Maximum Front Setback (feet) | n/a |
| Minimum Side Setback (feet) | 15 |
| Minimum Rear Setback (feet) | 25 |
| Minimum Setback To Residential District (feet) | 50 |
| Maximum Building Projection (feet) | 3 |
| Maximum Building Coverage | 25% |
| Maximum Impervious Coverage | 45% |
| Maximum Floor Area (heated space) | 40% |
| Building Height (feet) | |
| • Principal Building | 40 |
| • Accessory Building | 25 |

Table Notes

1. See [Section 2.3](#) and/or [Section 2.4](#) for possible clarifications / exceptions.
2. With the approval of a separate Special Permit by the Commission, a rear lot with less than 100 feet of frontage on a public street may be created provided it contains a minimum of 30,000 square feet.

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4.10.E Additional Provisions

1. **Design Review** – No building or structure may be expanded, altered, or created except in conformance with [Section 7.1](#) (Design Review) and, in reviewing such plans, the Design Review Committee shall consider the following:
 - a. Whether the development is designed in such a manner as to preserve, to the extent possible, the rural, gateway characteristics of the area.
 - b. Whether parking is designed so as to maintain the rural gateway characteristics of this area with parking located in the side or rear of buildings and effectively screened from the road.
 - c. Whether shared parking between lots and between uses on the same lot is provided.
 - d. Whether signs maintain the rural characteristics of the district in terms of being made of natural materials and being illuminated, if any, by indirect sources of light.
 - e. Whether building materials are natural products and materials where possible.
 - f. Whether landscaping will provide adequate screening of vehicles, equipment, and utilities.
 - g. Whether planting of street trees will be provided to improve appearance and provide screening of parking areas, when desirable.
 - h. Whether stone walls and fences, if any, made of natural materials will enhance the rural environment.
 - i. Whether outdoor lighting will be fully dark sky compliant and be reduced after the close of business except for lighting for security purposes.

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4.11. Shopping Center District (SC)

4.11.A Purpose

The Shopping Center (SC) District is a commercial zoning district designed to permit larger business facilities in the context of planned development. Facilities are to be designed to provide a variety of services in an attractive, planned environment with buildings of high architectural standards and landscape design.

4.11.B Principal Uses / Structures

A lot or parcel in the SC District may have more than one (1) principal use or structure provided such uses and/or structures comply with these Regulations.

1. **No Zoning Permit Required**
 - a. Farming.
 - b. Open Space.

2. **With Zoning Permit (Staff)**
 - a. Farm-related buildings.
 - b. Change of use within an existing building provided the new use:
 - Is allowed in the SC District (no Special Permit required), and
 - Complies with the parking requirements.

3. **With Site Plan Approval (PZC)**
 - a. Artist studio/galleries and other establishments where art or craft merchandise is created, displayed, and sold.
 - b. Buildings, uses and facilities of the Town, State, and/or Federal Government.
 - c. Business and professional offices.
 - d. Day-care facilities.
 - e. Financial institutions.
 - f. Funeral homes.
 - g. Garden supply stores including greenhouses.
 - h. Indoor and outdoor recreation facilities.
 - i. Laundromats.
 - j. Lodging facilities including conference centers.
 - k. Marine research laboratories and marine-related education facilities.
 - l. Medical and dental clinics / facilities.
 - m. Museums.
 - n. Personal service establishments.

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- o. Physical fitness establishments, gymnasiums, and similar recreational facilities.
- p. Printing establishments.
- q. Research laboratories.
- r. Residential development in a mixed-use building, as a mixed-use site, or as a residential development up to a maximum density of 6 units per total acre.
- s. Restaurants and other food and beverage service establishments.
- t. Retail dry cleaning and laundering establishments.
- u. Retail sales and/or storage of lumber and building materials, except heavy construction materials.
- v. Retail stores.
- w. Studios for dance, musical, and theatrical instruction.
- x. Urgent medical care facilities.
- y. Veterinary facilities.

4. With Special Permit Approval (PZC)

- a. Assisted living facilities, congregate living, and nursing homes.
- b. Dry storage and the building and rebuilding of boats.
- c. Entertainment facilities, including movie theaters and playhouses.
- d. Hospitals and skilled nursing facilities.
- e. Lodging facilities including conference centers.
- f. Manufacturing.
- g. Motor vehicle repair when in accordance with [Section 6.4.B.](#)
- h. Motor vehicle washing establishments.
- i. Animal grooming and daycare facilities in accordance with [Section 6.2.E.](#)
- j. Places of worship.
- k. Printing establishments.
- l. Retail sales of new or used motor vehicles, including motorcycles, trucks, trailers, or farm equipment, and the rental thereof.
- m. Sale, repair, and servicing of boats, sails, and marine equipment and engines.
- n. Schools, colleges, and universities.
- o. Self-storage facilities.
- p. Adaptive re-use of an existing building to residential with an affordable set aside may exceed density maximums if Local Health Department requirements can be satisfied.

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4.11.C Accessory Uses / Structures

| | |
|---|--|
| 1. Accessory Uses | |
| a. Accessory use(s) customary, subordinate, and incidental to a permitted principal use (check with Staff). | No Zoning Permit Required |
| b. Accessory use(s) NOT customary, subordinate, and incidental to a permitted principal use. | Approval varies—see Regulations for more information |
| 2. Accessory Structures | |
| a. Accessory building or structure customary, subordinate, and incidental to a permitted principal use subject to any requirements of Section 6 of these Regulations. | Approval varies—see Regulations for more information |
| b. Accessory building or structure NOT customary, subordinate, and incidental to a permitted principal use. | Special Permit (PZC) |
| c. A drive-through facility accessory to a permitted use in accordance with Section 6.8 . | Special Permit (PZC) |
| d. Accessory solar / wind energy systems in accordance with Section 8.1 . | Zoning Permit (Staff) |
| e. Satellite dish antenna in accordance with Section 6.5 . | No Zoning Permit Required |
| f. Outside dining accessory to a restaurant in accordance with Section 6.9.A . | Zoning Permit (Staff) |
| g. Outside music accessory to a restaurant in accordance with Section 6.9.B . | No Zoning Permit Required |

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4.11.D Area and Dimensional Requirements

| | |
|---|-----------------------------|
| Minimum Lot / Parcel Area (square feet) | 120,000 |
| Minimum Contiguous Area of Buildable Land (square feet) | 40,000 |
| Minimum Lot Shape (feet) | 300 |
| Minimum Lot Frontage (feet) | 300 |
| Minimum Front Setback (feet) | (see note #2) 30 |
| Maximum Front Setback (feet) | 50 |
| Minimum Side Setback (feet) | 15 |
| Minimum Rear Setback (feet) | 20 |
| Minimum Setback To Residential District (feet) | 30 |
| Maximum Building Projection (feet) | 3 |
| Maximum Building Coverage | (see note #3) 25% / 35% |
| Maximum Impervious Coverage | (see note #4) 60% |
| Maximum Floor Area (heated space) | (see note #4/ #5) 50% / 65% |
| Total Building Height (feet) | (see note #6) |
| • Principal Building | 40 / 55 |
| • Accessory Building | 25 |

Table Notes

1. See [Section 2.3](#) and/or [Section 2.4](#) for possible clarifications / exceptions.
2. The minimum front setback may, by separate Special Permit, be reduced to 20 feet, provided:
 - a. The aggregate length of all portions of all structures on the lot built within 30 feet of the street line shall be less than 200 feet in length.
 - b. The maximum height of any structure(s) built within 30 feet of the street line shall not exceed 30 feet.
3. Maximum building coverage may be increased to 35% with a separate Special Permit approval by the Commission after considering the Special Permit criteria in [Section 9.4.E](#).
4. Total floor area may be increased to 65% with a separate Special Permit approval by the Commission after considering the Special Permit criteria in [Section 9.4.E](#).
5. The maximum floor area of all buildings on a parcel shall not exceed 150,000 square feet unless approved by the Commission by separate Special Permit.
6. Building height may, by separate Special Permit, be increased up to 55 feet when it is determined by the Commission that such additional height will have no adverse impact on adjoining property and when the architecture of the proposed building supports the purposes of the district.

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4.11.E Additional Provisions

1. **Design Review** – No building or structure may be expanded, altered, or created except in conformance with [Section 7.1](#), Design Review.
2. **Expansion Of Non-Conforming Building** – No building, existing as of August 18, 2004, which is non-conforming with respect to maximum building size, maximum building coverage, or maximum floor area may expand except by separate Special Permit, and no such expansion shall exceed five percent (5%) of the total floor area of the building.

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- [5.4. Town Center South Overlay District](#)
- [5.5. Floodplain Overlay District](#)
- [5.6. Aquifer Protection Overlay District](#)
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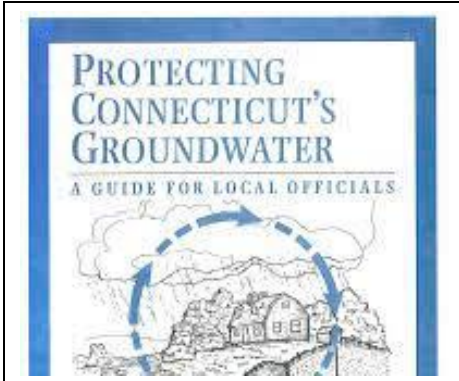
Town Center South Overlay



Floodplain Overlay



Aquifer Protection Overlay



Coastal Area Management Overlay



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5.1. RS-1 District

5.1.A Purpose

The RS-1 Summer Cottage District is established to provide special guidance for an area containing seasonal cottages which generally predated the adoption of Zoning Regulations in Guilford.

5.1.B Permitted Uses / Structures

1. Single-family detached dwellings subject to the provisions in Section 5.1.C below related to seasonal use and conversion from seasonal use to year-round use.
2. Uses accessory to a permitted principal residential use are permitted provided they are clearly customary, subordinate, and incidental and further provided they are located on the same lot as the principal use or on another parcel of land under the same ownership within 100 feet of the property containing the principal use.
3. Buildings or structures accessory to a permitted principal residential use are permitted provide they are clearly customary, subordinate, and incidental and further provided that such buildings or structures meet all other pertinent requirements as set forth in these Regulations.

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5.1.C Use Limitations

1. **Seasonal Use Limitation** – Unless a legal non-conforming use as defined in these Regulations, properties in the RS-1 District are limited to “seasonal use” where overnight occupancy between December 1 of one year and March 15 of the following year is limited to no more than 14 days.

2. **Conversion From Seasonal To Year-Round Use** – Single-family detached dwellings in the RS-1 District may, by Special Permit, be converted from seasonal use to year-round use provided that:
 - a. The owners of the land indicate, in writing, their approval.
 - b. The proposed conversion complies with the Health Code with regard to water supply and sewage disposal.
 - c. The lot for the dwelling shall be shown on an A-2 survey filed with the land records of the Town of Guilford.
 - d. The dwelling and the delineated lot on which it is situated shall conform in all respects to the requirements of the Residential R-2 District regarding lot area, lot shape, building height, setbacks, projections, building coverage and total floor area.

3. **Addition / Alteration to Seasonal Use Cottage** – Additions and/or alterations may, with issuance of a Zoning Permit, be made to existing single-family detached seasonal-use dwellings in the RS-1 District provided that:
 - a. The owners of the land indicate, in writing, their approval.
 - b. The existing dwelling and the proposed alteration or addition shall comply with the Health Code with regard to water supply and sewage disposal.
 - c. A plot plan based on an A-2 survey, drawn to a scale of 20 feet to the inch, shall be submitted to the Zoning Enforcement Officer:
 - Showing all existing and proposed buildings, structures, sewage disposal systems, wells, roads, and rock outcroppings within 150 feet of the dwelling.
 - Demonstrating that the proposed addition or alteration shall conform in all respects to the requirements of the Residential R-2 District regarding lot area, lot shape, building height, setbacks, projections, building coverage and total floor area.
 - d. The house reference number relating to the Town’s Street Number Map shall be shown on the aforesaid plot plan.
 - e. A Special Permit shall be required if the addition is located:
 - Within 100 feet of the rear of an existing dwelling,
 - Within 40 feet of the side of an existing dwelling, or
 - Between an existing structure and the street or private right-of-way such existing structure uses as its primary vehicular access.

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5.2. Church Street Overlay District (CSO)

5.2.A Purpose

This district is created in order to protect the distinctive characteristics, landscape and historic structures of the Church Street neighborhood generally bounded by I-95 and Rt. 1.

5.2.B Village District Declared

The Church Street Overlay District (CSO) is a “village district” created pursuant to the enabling legislation of the State of Connecticut (CGS Sec. 8-2j).

5.2.C Permitted Uses

1. Principal uses and accessory uses shall be the same as the R-1 District.
2. Business and professional offices shall be permitted when the building housing said uses also contains at least 1 dwelling unit containing a minimum of 750 SF.

5.2.D Area and Dimensional Standards

1. Area and dimensional standards shall be the same as the R-1 District.

5.2.E Special Standards

1. All applications for new construction, additions and substantial rehabilitation within the district shall be subject to Site Plan review as provided in [Section 9.3](#) and village district review as provided in [Section 9.8.P](#).
2. New development including alterations, improvements, and substantial reconstruction and rehabilitation of property shall conform with the standards and design criteria described in CGS Section 8-2j.
3. All such applications shall be referred to the Design Review Committee for review and recommendation and said Design Review Committee shall be considered the village district consultant as required in CGS Section 8-2j.
4. No more than three (3) dwelling units per lot may be allowed.
5. Signs are limited to 10 SF with 1 sign per lot allowed.
6. Impervious surface is limited to 65% of lot area.

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5.3. Gateway Overlay District

5.3.A Purpose

The Gateway Overlay District is an overlay zoning district which permits additional uses of property within the district while maintaining the rural gateway characteristics of the neighborhood.

5.3.B Permitted Uses

In addition to uses permitted by the underlying zone, the following uses are allowed by Special Permit in principal buildings and/or accessory buildings which existed on a lot as of March 11, 2016:

1. Two family dwellings.
2. Offices with the preservation of at least one dwelling unit provided that additions to said buildings are limited to not more than 20% of the floor area of the existing building.
3. Personal service establishments with the preservation of at least one dwelling unit provided that additions to said buildings are limited to not more than 20% of the floor area of the existing building.
4. Retail stores selling antiques, consignment furniture or related goods, art, craft goods, and similar products, with the preservation of at least one dwelling unit provided that additions to said buildings are limited to not more than 20% of the floor area of the existing building.

5.3.C Design Criteria

Within the Gateway Overlay District:

1. To the extent possible, parking areas shall be located to the rear or side of the building and shall be landscaped so as to minimize visibility from the road. The use of gravel or stone surfaces for parking areas is encouraged. In no case shall any lot have more than 50% impervious coverage.
2. Signs shall not exceed 20 SF and shall have a rural appearance. Internally illuminated signs are prohibited.
3. New buildings and uses established under this Section should be designed in such a manner as to preserve, to the extent possible, the rural gateway characteristics of the area.

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5.4. Town Center South Overlay District

5.4.A Purpose

1. The purpose of the Town Center South Overlay District (TCSOD) is to encourage the development of a mixed-use, higher density, transit-oriented neighborhood in proximity to the train station and in accordance with the Town Center South Plan (January 2007).

5.4.B Uses Allowed by Special Permit

1. Housing, retail, office, and mixed-use development may be allowed, by Special Permit, on any lot in an underlying non-residential district in accordance with the standards of this Section.
2. Housing, retail, office, and mixed-use development may be allowed, by Special Permit, on any lot in an underlying residential district in accordance with the standards of this Section provided:
 - a. Such development is part of a development which is located in an adjacent non-residential district,
 - b. The primary development is located in the non-residential district, and
 - c. The use of the residentially zoned property is necessary in order to facilitate a successful project and meet the purposes of this Section.

| Land Use Concepts - Key North Side Properties | Land Use Concepts - Key South Side Properties | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|--|---|----------|---|---|----------|---|---|---|----------|--|--|----------|----------------------------------|---|----------|---|--|----------|---|--|----------|------------------------------------|---|
| <table border="1"> <tr> <td>1</td> <td>Stone House Lane at Old Whitfield Street (Woodruff property)</td> <td>Rezone the Woodruff property for public uses (such as a park), but the site plan should accommodate possible underground sanitary systems to support compatible, village type development on adjacent properties.</td> </tr> <tr> <td>2</td> <td>Drive Way (multiple owners including Public Works Garage)</td> <td>Evaluate the potential for development as a 'village area' with attractive mixed residential and small commercial buildings (businesses on the lower level separated from residential units).</td> </tr> <tr> <td>3</td> <td>North Side of Stone House Lane (Agricultural Society)</td> <td>Work with the Agricultural Society to explore their interest in allowing the purchase of the right to install a sanitary system under some part of their property to support development elsewhere in the neighborhood (such as Drive Way).</td> </tr> </table> <p>North Side Opportunity Areas</p>  | 1 | Stone House Lane at Old Whitfield Street (Woodruff property) | Rezone the Woodruff property for public uses (such as a park), but the site plan should accommodate possible underground sanitary systems to support compatible, village type development on adjacent properties. | 2 | Drive Way (multiple owners including Public Works Garage) | Evaluate the potential for development as a 'village area' with attractive mixed residential and small commercial buildings (businesses on the lower level separated from residential units). | 3 | North Side of Stone House Lane (Agricultural Society) | Work with the Agricultural Society to explore their interest in allowing the purchase of the right to install a sanitary system under some part of their property to support development elsewhere in the neighborhood (such as Drive Way). | <table border="1"> <tr> <td>1</td> <td>Pages Lane West at Whitfield Street (Arrow / Sunset)</td> <td>Evaluate the potential for: <ul style="list-style-type: none"> • mixed use buildings (business on a lower level with residential units above) or • multi-family residential units exclusively. </td> </tr> <tr> <td>2</td> <td>Train station parking area (DOT)</td> <td>At some time in the future, consider reconfiguring the lot for diagonal (45 degree) parking with one-way circulation to increase the number of spaces by about one-third. (Limited interest in parking structure at this time).</td> </tr> <tr> <td>3</td> <td>Pages Lane East at Old Whitfield Street (multiple properties)</td> <td>Evaluate the long term potential to rezone parts of this area for development as a 'village area' with mixed use buildings (business on a lower level with residential units above).</td> </tr> <tr> <td>4</td> <td>South and east side of train station parking (DeAngelis / Marine)</td> <td>Evaluate the potential for: <ul style="list-style-type: none"> • retail / office uses supported by the train station parking, or • mixed use buildings (business below with residential above) or • multi-family residential units exclusively. </td> </tr> <tr> <td>5</td> <td>Pages Lane West (Town of Guilford)</td> <td>Evaluate the potential for using this site as a recreation facility (ball field, for example) over a sanitary system for development anticipated as part of this program.</td> </tr> </table> <p>South Side Opportunity Areas</p>  | 1 | Pages Lane West at Whitfield Street (Arrow / Sunset) | Evaluate the potential for: <ul style="list-style-type: none"> • mixed use buildings (business on a lower level with residential units above) or • multi-family residential units exclusively. | 2 | Train station parking area (DOT) | At some time in the future, consider reconfiguring the lot for diagonal (45 degree) parking with one-way circulation to increase the number of spaces by about one-third. (Limited interest in parking structure at this time). | 3 | Pages Lane East at Old Whitfield Street (multiple properties) | Evaluate the long term potential to rezone parts of this area for development as a 'village area' with mixed use buildings (business on a lower level with residential units above). | 4 | South and east side of train station parking (DeAngelis / Marine) | Evaluate the potential for: <ul style="list-style-type: none"> • retail / office uses supported by the train station parking, or • mixed use buildings (business below with residential above) or • multi-family residential units exclusively. | 5 | Pages Lane West (Town of Guilford) | Evaluate the potential for using this site as a recreation facility (ball field, for example) over a sanitary system for development anticipated as part of this program. |
| 1 | Stone House Lane at Old Whitfield Street (Woodruff property) | Rezone the Woodruff property for public uses (such as a park), but the site plan should accommodate possible underground sanitary systems to support compatible, village type development on adjacent properties. | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | Drive Way (multiple owners including Public Works Garage) | Evaluate the potential for development as a 'village area' with attractive mixed residential and small commercial buildings (businesses on the lower level separated from residential units). | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | North Side of Stone House Lane (Agricultural Society) | Work with the Agricultural Society to explore their interest in allowing the purchase of the right to install a sanitary system under some part of their property to support development elsewhere in the neighborhood (such as Drive Way). | | | | | | | | | | | | | | | | | | | | | | | |
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| 5 | Pages Lane West (Town of Guilford) | Evaluate the potential for using this site as a recreation facility (ball field, for example) over a sanitary system for development anticipated as part of this program. | | | | | | | | | | | | | | | | | | | | | | | |

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5.4.C Standards for Special Permit Developments

All projects utilizing the Town Center South Overlay District (TCSOD) shall be evaluated on a case-by-case basis in accordance with the Town Center South Plan and the following standards:

1. **Residential Densities** – Higher density residential use is generally encouraged but shall not exceed 6 units/ acre of land.
2. **Building Height** –
 - a. Building height in excess of 40 ft. may be allowed in consideration of increased freeboard (height above sea level) requirements associated with anticipated sea level rise.
 - b. No building shall exceed 60 feet in total building height.
3. **Retail Use and Intensity** –
 - a. Retail uses will be permitted when primarily serving the needs of transit users and the immediate neighborhood.
 - b. No single retail use shall exceed 10,000 SF.
4. **Offices** – Offices are encouraged in appropriate locations especially when users are arriving by transit.
5. **Parking** –
 - a. Parking shall be provided to meet the needs of the particular use.
 - b. Shared parking shall be encouraged and transit use should obviate the need to provide excessive parking.
6. **Building Coverage / Impervious Coverage** –
 - a. A high building coverage ratio is generally encouraged with total impervious coverage not to exceed 80%.
 - b. In order to mitigate adverse impacts associated with impervious coverage, low impact development practices shall be employed.
7. **Sea Level Rise** –
 - a. New development shall be in accordance with the Town’s Coastal Resilience Plan (as may be amended).
 - b. New development shall respect the potential for substantial sea level rise and for increasing coastal storm frequency.
8. **Site, Landscape, and Building Design** – All aspect of design shall be of the highest quality with designers including architects striving for the best possible design solutions.
9. **Wetland Preservation and Migration** – Preservation of tidal wetlands and making provisions for wetland migration landward in recognition of sea level rise shall be observed.

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10. **Sewage Disposal** – Innovative solutions to sewage disposal needs are encouraged including high technology systems and sharing of sewage disposal capacity among multiple sites.
11. **Diversity and Affordability** – A diversity of housing sizes and price levels is encouraged.
12. **Setbacks** – All projects utilizing the Town Center South Overlay District (TCSOD) shall meet the following minimum setbacks from property lines;
 - a. Parking areas – 15 ft.
 - b. Driveways – 5 ft. unless appropriately buffered with fencing or landscaping.
 - c. Residential buildings 35 ft. in height or less – 20 ft.
 - d. Residential buildings greater than 35 ft. in height – 30 ft.
 - e. Non-residential buildings – 30 ft.
 - f. Accessory buildings (garages, sheds, etc.) – 12ft.
13. **Landscaping** – Setback areas shall be landscaped and/or fenced so as to assure privacy and minimize the impact of development on adjacent property.

5.4.D Procedures.

In addition to following the Special Permit procedures contained in [Section 9.4](#), development in the TCSOD shall also comply with the following additional steps:

1. Applications involving the use of shared sewage disposal systems or public systems shall be referred to the Director of Health.
2. Prior to any Public Hearing pursuant to this Section:
 - a. Applications within any Historic District established by the Town of Guilford shall be referred to the Historic District Commission, and
 - b. All other applications shall be referred to the Design Review Committee.
3. Unless determined by the Commission not to be needed (based upon a recommendation of the Town Engineer and/or the Chief of Police), a traffic study prepared by a qualified traffic engineer shall be prepared for any application for:
 - a. Housing greater than 50 units, or
 - b. Offices of more than 20,000 SF.

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5.5. Floodplain Overlay District

5.5.A Purpose

The Floodplain Overlay District is an overlay district established to implement provisions of the National Flood Insurance Program and to aid in the administration and enforcement of Chapter 174 – Floodplain Management of the Town of Guilford Code of Ordinances, as may be amended.

5.5.B Boundaries and Elevations

1. The Floodplain Overlay District consists of the special flood hazard areas, namely Zone A, Zone AE, and Zone VE, which are delineated on the most recent Flood Insurance Rate Map prepared by the Federal Emergency Management Agency, which map is hereby made a part of these Regulations and is hereinafter referred to as the “Flood Insurance Rate Map.”

5.5.C Requirements

1. Any development activity in the Floodplain Overlay District shall be in accordance with the Floodplain Management Ordinance as adopted by the Town.

Click here to link to [Chapter 174 – Floodplain Management Ordinance](#).

2. In business districts, no outside storage areas for supplies, merchandise, equipment or refuse and no outside manufacturing, processing, or assembling of goods shall be located in the Floodplain Overlay District, unless adequate provision is made to prevent flotation of materials and equipment and to minimize flood damage within the Floodplain Overlay District.
3. For buildings or structures in Coastal VE and Coastal AE flood hazard areas as defined by FEMA,
 - a. Average building height and total building height shall be measured from the Base Flood Elevation minus four (4) feet or average finished grade whichever is higher.
 - b. No building shall be higher than 40 ft. total height from average finished grade.
4. Buildings and structures in flood hazard areas not designated as Coastal A Zones or Coastal High Hazard Zones shall have the lowest floors elevated to, or above the Base Flood Elevation plus 1 foot, or the Design Floor Elevation (DFE) whichever is higher.

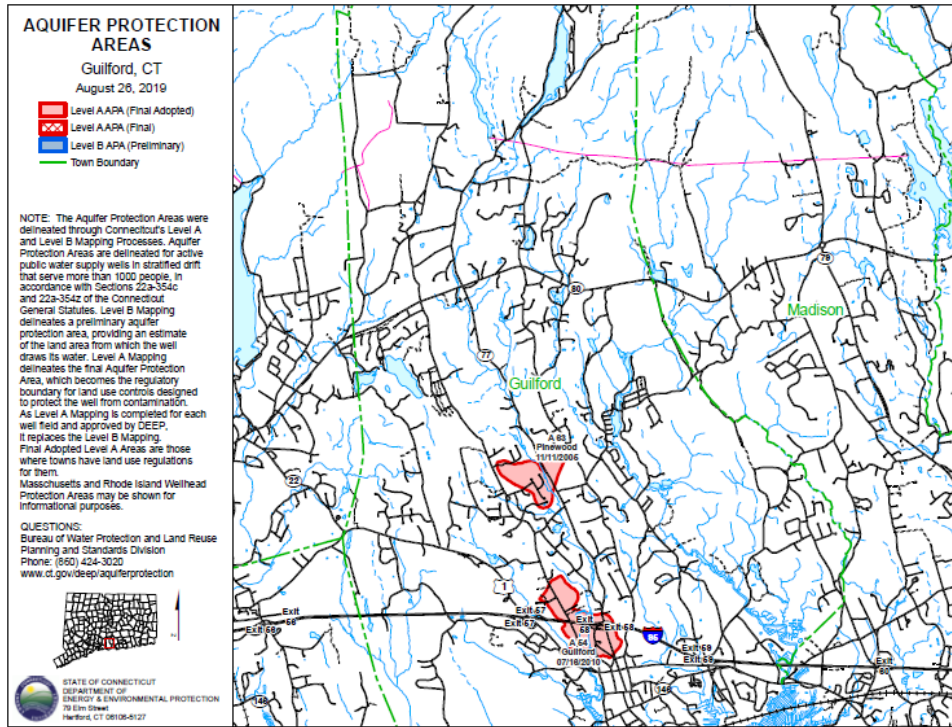
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5.6. Aquifer Protection Overlay District

5.6.A Overview

1. The Aquifer Protection Overlay District is in addition to and overlapping one or more of the other districts.
2. The Aquifer Protection Overlay District is established to implement the Aquifer Protection Program established and mandated by the Connecticut Department of Energy and Environmental Protection (DEEP).
3. Guilford adopted Aquifer Protection Regulations in accordance with State requirements and such regulations became effective on April 21, 2006.

[Click here to link to Guilford’s Aquifer Protection Regulations.](#)



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5.7. Coastal Area Management Overlay District

5.7.A Purpose

The purpose of this Section is to regulate activities in coastal areas in order to:

- protect the coastal resources of Long Island Sound in accordance with Chapter 444 Coastal Management Act of the Connecticut General Statutes (CGS 22a-90 et seq.), and
- incorporate the recommendations set forth in the Municipal Coastal Program dated August 2008 and the Coastal Resilience Plan dated May 30, 2014.

Words and terms used in this Section may be defined in Chapter 444 of the Connecticut General Statutes (CGS 22a-90 et seq.) and/or in [Section 2](#) of these Regulations.

Be aware that other federal, state, and local approvals may be required for coastal activities and that this Section does not negate the need for such other permits and approvals.

5.7.B Applicability

1. **Applicability By Application Type** – As per CGS Section 22a-105, the following activities or projects to be located fully or partially within the coastal boundary as defined by CGS Section 22a-94 (the “CAM Overlay District”) and landward of the mean high-water mark shall be subject to the coastal site plan (CSP) requirements and procedures in this Section and in CGS Sections 22a-105 through 22a-109:

| Application Type | |
|--|--------------|
| a. Site Plan – Site plans submitted to the Commission in accordance with CGS Section 22a-109; | CSP Required |
| b. Subdivision – Subdivision or resubdivision plans submitted to the Commission in accordance with CGS Section 8-25; | CSP Required |
| c. Special Permit – Special permit applications submitted to the Commission in accordance with CGS Section 8-2; | CSP Required |
| d. Variance – Variance applications submitted to the Zoning Board of Appeals in accordance with subdivision (3) of CGS Section 8-6, and | CSP Required |
| e. Municipal Improvement – Referral of a proposed municipal project to the Commission in accordance with CGS Section 8-24. | CSP Required |

2. **Applicability By Activity Type** – Unless specifically exempted below or by Statute, all buildings, uses and structures fully or partially within the coastal jurisdiction line or coastal boundary as defined by CGS Section 22a-94 (the “CAM Overlay District”) shall be subject to the coastal site plan (CSP) requirements and procedures in this Section and in CGS Sections 22a-105 through 22a-109. The columns reflect horizontal distances from a critical coastal resource (tidal wetland, intertidal flat, coastal bluff or escarpment, rocky shoreline, beach, or dune).

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| | < 25 feet | 25-50 feet | > 50 feet |
|--|--------------|--------------|---------------------|
| a. Conservation / Farm Related Activities | | | |
| (1) Activities conducted for the specific purpose of conserving or preserving soil, vegetation, water, fish, shellfish, wildlife and other coastal land and water resources. | Exempt | Exempt | Exempt |
| (2) Gardening, grazing and the harvesting of crops. | Exempt | Exempt | Exempt |
| b. Change In Use | | | |
| (1) Minor changes in use of a building, structure, or property when <u>NOT</u> : a. Adjacent to or abutting coastal waters, and b. A change from a water-dependent use to a non-water dependent use. | Exempt | Exempt | Exempt |
| (2) Minor changes in use of a building, structure, or property when adjacent to or abutting coastal waters. | CSP Required | CSP Required | CSP Required |
| (3) Minor changes in use of a building, structure, or property when a change from a water-dependent use to a non-water dependent use. | CSP Required | CSP Required | CSP Required |
| c. Building / Structure Related Activities | | | |
| (1) Construction of a new individual single-family residential structure CSP may be required per CGS Section 22a-109(b)(4) | Not Allowed | CSP Required | CSP May Be Required |
| (2) Construction of a new detached accessory buildings (such as garages and utility sheds) | Not Allowed | CSP Required | Exempt |
| (3) A major addition to, or major exterior modification of, an existing single-family residential structure | Not Allowed | CSP Required | Exempt |
| (4) Minor addition to, or minor exterior modification of, an existing principal buildings or accessory buildings | Not Allowed | CSP Required | Exempt |
| (5) Interior modifications to an existing principal buildings and/or accessory buildings (in a flood zone, modifications exceeding 50% of the value of the structure subject to additional requirements) | Exempt | Exempt | Exempt |
| d. Site Improvement Related Activities | | | |
| (1) Shoreline flood and erosion control structure (application required to be referred to DEEP) | CSP Required | CSP Required | CSP Required |
| (2) Construction of new improvements incidental to the enjoyment and maintenance of residential property (including but not limited to walks, terraces, driveways, etc.) | CSP Required | Exempt | Exempt |
| (3) Construction of other new or modification of other existing on-premises structures including fences, walls, underground utility connections, essential electric, gas, telephone, water and sewer service lines, signs and such other minor structures as will not substantially alter the natural characteristics of coastal resources as defined in CGS Section 22a-93(7), obstruct required view lanes, or restrict access along the public beach. | CSP Required | Exempt | Exempt |
| (4) Construction of new structures incidental to the enjoyment and maintenance of residential property (including but not limited to swimming pools, tennis courts) | CSP Required | Exempt | Exempt |
| (5) Modification of existing structures or improvements incidental to the enjoyment and maintenance of residential property (including but not limited to repairs to existing septic systems or wells, walks, terraces, driveways, swimming pools, tennis courts, and detached accessory buildings) | CSP Required | Exempt | Exempt |
| e. Docks | | | |
| (1) Docks having landings less than 36 SF landward of the coastal jurisdiction line as defined by CGS Section 22a-361 provided that any railings shall: a. Be no higher than four feet, and b. To the maximum extent possible, be of see-through construction, | Exempt | Exempt | Exempt |
| (2) Other docks | CSP Required | n/a | n/a |

5.7.C Special Limitations In CAM Overlay District

1. **Additional Setback From Critical Coastal Resources** – No parking area, building or other structure shall be located within 25 feet of any critical coastal resource except for walkways, drainage facilities and other utilities, raised boardwalks, piers, docks, and similar facilities. Any land disturbance within this 25-foot setback area may be permitted only if it is demonstrated to the satisfaction of the Commission that proper precaution will be taken to prevent adverse impact of the critical coastal resource.

2. **Uses Not Allowed** – Since certain uses are found by the Commission to pose an unacceptable risk of negative impacts on coastal resources, the following uses shall not be permitted within the CAM Overlay District, regardless of whether such uses may otherwise be permitted in the underlying district:
 - a. Foundries;
 - b. Painting shops except when accessory to boat repair or to other permitted uses and when constructed in accordance with applicable State and Federal requirements;
 - c. Blacksmiths;
 - d. Machine shops except as accessory to a permitted principal use;
 - e. Sheet metal shops except as accessory to a permitted principal use;
 - f. Welding shops except as accessory to a permitted principal use;
 - g. Tire recapping shops;
 - h. Bulky waste transfer or processing operations;
 - i. Mining, deposit and/or processing of sand, gravel or rock or other material except when subject to Connecticut DEEP regulation of processing or disposal of dredged material;
 - j. Motor vehicle washing establishments; and/or
 - k. Oil storage and propane filling stations except as accessory to a water dependent principal use, except that any legally existing oil and propane filling stations in existence as of 12/25/2009 may be continued, and may if approved by Special Permit, be extended and expanded provided such use does not expand outside of the lot(s) upon which it existed as of 12/25/2009.

3. **Special Permit May Be Required** – Should a multi-family residential use (including a two-family building or a single-family building with an accessory dwelling unit) be allowed in the underlying zone, such use shall require a separate Special Permit from the Commission if located fully or partially within the coastal jurisdiction line or coastal boundary as defined by CGS Section 22a-94 (the “CAM Overlay District”).

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5.7.D Special View Preservation Standards

1. In reviewing Coastal Site Plan applications under this Section, the Commission shall take into consideration:
 - a. The impact of the proposed activity or use on views of the coastal resources as viewed from publicly accessible land, and
 - b. Whether the design and relationship of the development, as viewed from the water or publicly accessible land, is consistent with a waterfront setting.
2. Unless modified by the Commission, buildings and structures shall be located to maintain views of coastal resources from the nearest public street or right-of-way used by the public to the greatest extent possible, but at a minimum shall provide one straight-line uninterrupted rectangular view lane per property whose width is at least the required minimum side setback width for the principal structure in the district in which the property is located. Said view lane may be located within the required side yard setback of the property.
3. Unless modified by the Commission, a straight-line uninterrupted view lane to the coastal resources shall be preserved at the end of streets or rights-of-way that end at the waterfront, whose width is a least 75% of the existing street or right-of-way.
4. The Commission may reduce or eliminate the view lane requirements of this Section in those situations where:
 - a. A view lane would serve no useful purpose for the passersby on the road because of the particular juxtaposition of the lot, coastal resource and public street or right-of-way, or
 - b. The distance from the public way to the coastal resources is so large that no appreciable view of the coastal resources would be provided.

View Lane Guidelines

- No buildings or other permanent obstruction shall be placed in view lanes.
- Fences, shrubbery, trees, or other landscape features higher than four feet shall not be placed in view lanes between the coastal resources and the nearest public street or right-of-way used by the public.
- All major shade trees must have their lowest branches at least six feet above the ground at the time of installation and be maintained in that manner.
- Any fences placed within view lanes shall be see-through.
- Protective (see-through) fences or railings which are part of a public pedestrian walkway which are in or pass through a view lane may be built to a height not to exceed four feet.
- Existing trees and shrubbery within view lanes may be maintained in their present position, but in the spirit of the Plan of Conservation and Development and the requirements of this Section, it is recommended that property owners trim existing trees and shrubbery to the maximum extent possible.
- The replacement of existing trees and shrubbery shall be in conformance with the requirements of this Section.

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5.7.E Special Public Access Standards

In order to ensure that a project is consistent with water-dependent uses and to mitigate adverse impacts of proposed developments on water-dependent uses, the Commission may require the provision of easements for public access to a coastal resource when such access is practical and for which there is reasonable demand as determined by the Commission in its discretion.

5.7.F Fences, Walls And Hedges

1. For properties along and contiguous to the waters of Long Island Sound, any fencing placed anywhere within 25 feet of the coastal jurisdiction line as defined by CGS 22a-359I for the district in which the property is located shall be no more than four feet high.
2. Any walls built or hedges grown within 25 feet of the coastal jurisdiction line as defined by CGS 22a-359I shall be no more than 30 inches in height.

5.7.G Vegetated Buffers

1. For Coastal Site Plan applications where there are environmentally sensitive and/or ecologically fragile natural resources and/or critical coastal resources, the Commission will require that any existing vegetated buffer (an undisturbed area or strip of land covered with permanent stable vegetation adjacent to the resource area) be retained and / or a new vegetated buffer be established in order to protect and preserve such resources and protect and preserve coastal water quality.
2. The width of the buffer should be appropriate to the quality of the coastal resource, the extent and type of development proposed, and the topography of the site.
3. Plantings should be salt tolerant native species suited to the coastal resource buffer environment. Mowed lawns are not considered to be vegetated buffers.
4. Vegetated buffer plans should be prepared by an appropriate environmental professional.

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5.7.H Possible Exceptions In CAM Overlay District

1. **Side Yard Setback Exception For Docks** – Docks and landings may, with Special Permit approval by the Commission, be exempted from side setbacks.
2. **Water Dependent Uses Allowed By Special Permit** – In order to encourage access to and reasonable use of coastal resources, the Commission may allow the following water-dependent and related uses by Special Permit in any district within the CAM Overlay District (residential or non-residential district) even if not permitted by the underlying district:
 - a. Marinas,
 - b. Boat launching areas, and/or
 - c. Establishments for the sale, storage or repair of boats, marine engines, marine equipment, and marine supplies.
3. **Building Height** – Buildings or structures in Coastal VE and Coastal AE flood hazard areas as defined by FEMA shall have building height measured in accordance with [Section 5.5.C.3](#) of these Regulations.

5.7.I Procedures

1. Any coastal site plan application shall be processed in accordance with the timeframes established by CGS Section 8-7d for a site plan application except that, in accordance with CGS Section 22a-105(f), failure to render a decision within the time period provided means the coastal site plan shall be deemed rejected.
2. The Commission shall hold a public hearing on any coastal flood and erosion control structure and, in accordance with CGS Section 22a-109(d), shall refer such application to DEEP within fifteen days of the statutory date of receipt by the Commission.
3. The Commission may, at its discretion, hold a public hearing on any application for a coastal site plan review.
4. If a public hearing is to be held:
 - a. Such public hearing shall be conducted in accordance with CGS Section 8-7d in terms of legal notices and other requirements.
 - b. The applicant shall notify all adjoining property owners by United States Postal Service mail at least 14 days prior to a public hearing, and
 - c. The applicant shall submit certificates of mailing to the Commission evidencing such mailing.
 - d. If the public hearing is for any coastal flood and erosion control structure, the Commission shall wait for a report from DEEP except that the Commission shall not be required to wait more than 35 days for such report.

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5.7.J Criteria and Process for Coastal Site Plan Review

Any applicant submitting a coastal site plan shall demonstrate that the adverse impacts of the proposed activity are acceptable and shall demonstrate that such activity is consistent with the goals and policies of CGS Section 22a-92.

The Commission reviewing the coastal site plan shall, in addition to the discretion granted in any other sections of the Connecticut General Statutes, approve, modify, condition, or deny the activity proposed in a coastal site plan on the basis of the criteria listed below to ensure that the potential adverse impacts of the proposed activity on both coastal resources and future water-dependent development activities are acceptable.

1. In determining the acceptability of potential adverse impacts of the proposed activity described in the coastal site plan on both coastal resources and future water-dependent development opportunities, the Commission shall:
 - a. Consider the characteristics of the site, including the location and condition of any of the coastal resources defined in CGS Section 22a-93;
 - b. Consider the potential effects, both beneficial and adverse, of the proposed activity on coastal resources and future water-dependent development opportunities; and
 - c. Follow all applicable goals and policies stated in CGS Section 22a-92 and identify conflicts between the proposed activity and any goal or policy.
2. The Commission approving, modifying, conditioning, or denying a coastal site plan on the basis of the criteria listed above shall state in writing the findings and reasons for its action.
3. In approving any activity proposed in a coastal site plan, the Commission shall make a written finding that the proposed activity with any conditions or modifications imposed by the Commission:
 - a. Is consistent with all applicable goals and policies in CGS Section 22a-92; and
 - b. Incorporates as conditions or modifications all reasonable measures which would mitigate the adverse impacts of the proposed activity on both coastal resources and future water-dependent development activities.

In accordance with CGS Section 22a-105, the provisions of this Section shall not be construed to prevent the reconstruction of a building after a casualty loss.

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5.7.K Violations

1. In addition to any other enforcement remedies available under law, any person who conducts an activity within the CAM Overlay District without having received a lawful approval from the Commission, or who violates the terms and conditions of an approval, shall, in accordance with CGS Section 22a-106a, be liable for a civil penalty of not more than one thousand dollars for each offense.
2. Each offense shall be a separate and distinct offense and in the case of a continuing violation, each day's continuance thereof shall be deemed to be a separate and distinct offense.
3. In addition, and in accordance with CGS Section 22a-108, such violations shall be deemed a public nuisance subject to such remedies as set forth in these Regulations and said statutory section.

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5.8. Planned Development District

5.8.A Purpose

This section of the regulations is intended to permit modification of the strict application of the standards and provisions of these Regulations to accomplish the purposes set forth below:

- Enable the development or redevelopment of specific areas in accordance with an overall Master Plan for such area and in accordance with the Plan of Conservation and Development adopted in accordance with CGS Section 8-23, as may be amended.
- Be flexible in order to allow for innovative design techniques, accommodate unique uses and/or encourage creative approaches to development or redevelopment.
- Promote economic development in appropriate locations which will help meet community needs and be compatible with the community.
- Result in a development that demonstrates a high regard for design and that is compatible with the historic, cultural, and geographic qualities of Guilford.

5.8.B Eligibility

1. A Planned Development District (PDD) shall only be sited in accordance with the Plan of Conservation and Development, as may be amended.
2. A PDD shall not be used primarily to increase density in a residential area without corresponding community benefits.

5.8.C Preliminary Discussion

In order to guide the proposed development and minimize the potential for unnecessary expense or delay, persons wishing to establish a Planned Development District hereunder are strongly encouraged to arrange for preliminary meetings with the Planning and Zoning Commission prior to submitting an application for a Planned Development District.

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5.8.D Application Requirements

1. A Planned Development District may only be established by approval of three applications submitted and processed at the same time:
 - a. A Master Plan providing the information described in Section 5.8.E below in sufficient detail for the Zoning to understand and establish the overall parameters of the proposed development;
 - b. A text amendment application, processed in accordance with [Section 9.5](#) of these Regulations, where the “proposed text “ shall refer to the Master Plan documents as may be approved by the Commission in accordance with this Section 5.8 of the regulations; and
 - c. A Zoning Map Amendment Application, processed in accordance with [Section 9.6](#) of these Regulations, locating the proposed Planned Development District on the official Zoning Map.
2. Once a Planned Development District is established, actual development may only occur with site plan approval as provided in [Section 9.3](#) of these Regulations where the purpose of such site plan approval is to determine if the proposed development is consistent with the approved Master Plan and to document the proposed improvements.
3. As provided in Chapter 166 of the Ordinances of the Town of Guilford, the Commission may require the applicant to pay the cost of reasonable consulting fees for peer review of the technical aspects of any of the applications.

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5.8.E Requirements For Master Plan Submittal

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

1. Overview of Planned Development District: a name identifying the proposed Planned Development District and a general statement regarding the intent of the proposed Planned Development District.
2. Conceptual site plans: one or more sheets depicting the proposed schematic design of the site, including:
 - a. The identification and general location of proposed uses;
 - b. Existing and proposed building footprints;
 - c. Proposed public and private streets, sidewalks and/or pedestrian walkways, rights-of-way, and parking areas;
 - d. A landscaping plan, including the location of proposed buffers;
 - e. Information regarding the provision of water, sewer, drainage, and other utilities; and
 - f. The location of public and/or private open space or conservation areas.
3. Schematic architectural drawings: one or more sheets illustrating the schematic design of the proposed buildings and structures, including:
 - a. Schematic floor plans;
 - b. Architectural elevations of all buildings; and/or
 - c. Photographs of buildings similar to the proposed buildings.
4. Data table: information regarding the proposed development, including:
 - a. Lot area and lot frontage;
 - b. Building setbacks, yards, and/or building separations;
 - c. Lot coverage (coverage by building(s) and impervious coverage);
 - d. Proposed floor area by proposed use;
 - e. Parking spaces.
5. Additional documentation: Depending on the nature and/or intensity of the proposed Planned Development District, the following documentation may also be required by the Commission:
 - a. A traffic study estimating the potential traffic generation and the capacity of streets within and neighboring the district to accommodate the projected traffic;
 - b. A report regarding the adequacy of proposed utility services;
 - c. A statement on how the proposed development complies with the Plan of Conservation and Development; and
 - d. Any additional information as may be required by [Section 9.3](#) of these Regulations.

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5.8.F Application Processing

1. Following the close of the public hearing(s), the Commission shall first approve, modify and approve, or deny the Master Plan.
2. In evaluating the merits of the Master Plan and determining the appropriateness of a proposed PDD, the Commission shall consider the following factors:
 - a. Consistency with the Plan of Conservation and Development, as may be amended.
 - b. Whether the proposed PDD promotes reasonable and logical development to serve the public interests of the community.
 - c. Whether the uses proposed are consistent with the Special Use Permit considerations and criteria, as appropriate, of [Section 9.4.E](#) of these Regulations.
 - d. Accessibility to major roads and proximity to community services.
 - e. Physical characteristics of the lot.
 - f. The capability of existing infrastructure to support the proposed development (or infrastructure to be provided by the applicant).
 - g. Any other factors that it deems applicable to a change of zone request.
3. If the Commission denies the Master Plan, it shall also deny the text amendment application and the Zoning Map Amendment Application.
4. If the Commission approves or modifies and approves the Master Plan, the Commission may approve the text amendment application.
5. If the Commission approves or modifies and approves the Master Plan, the Commission may approve the Zoning Map Amendment Application.

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5.8.G Effect Of Approval

1. If the Commission approves the text amendment application, the effect of such approval shall be, provided the requirements of Section 5.8.H below are followed, to treat the Master Plan materials approved by the Commission and any conditions of approval as if they were a distinct part of the text of these Regulations and to modify Section 5.8.K below to reference the approved Master Plan and any conditions of approval.
2. If the Commission approves the Zoning Map Amendment Application, the effect of such approval shall be to rezone the property to the name of the Planned Development District, provided the requirements of Section 5.8.H below are followed.
3. Adoption of a PDD by the Commission and completion of the requirements of Section 5.8.H below shall constitute authorization to apply for site plan approval.
4. Any provision of these Regulations not superseded by adoption of the Master Plan and/or regulation amendments as approved by the Commission shall continue in full force and effect.

5.8.H Completion Of Approval

1. If the Commission approves the text amendment application, the approved Master Plan and accompanying material shall, within 90 days of the Commission’s action, be submitted to the Commission for signature by the Chair or the approval of the zone change and text change shall be null and void.
2. Once signed by the Chair of the Commission, the approved Master Plan shall, at the applicant’s expense, be filed on the land records within 30 days of the Chairman’s signature or the approval of the zone change and text change shall be null and void.
3. Upon request of the applicant and for good cause shown, the Commission may extend the period prescribed in Section 5.8.H.1 above by ninety (90) additional days and/or the period prescribed in Section 5.8.H.2 above by thirty (30) additional days.
4. The effective date of the text amendment and the Zoning Map Amendment Applications shall be the date that the approved Master Plan documents, signed by the Chair of the Commission, are filed on the land records by the applicant at the applicant’s expense.

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5.8.I Site Plan Approval

1. No construction within the PDD may occur without approval of detailed site plans in accordance with [Section 9.3](#) of these Regulations documenting that the proposed construction substantially conforms to the approved Master Plan and standard engineering requirements.
2. Site plans may be submitted in phases, provided that such phases:
 - a. Include all those public amenities and features used as a public protection for the surrounding area; and
 - b. Shall be capable of complete and self-sufficient existence without the completion of the remaining stages.
3. If site plans are not submitted within two years of the effective date of the text amendment and the Zoning Map Amendment Applications, or within two years of the final dismissal of an appeal of such zone change by a court of competent jurisdiction, and if an extension of time of up to another three years is not given by the Commission, then the Commission may, on its own initiative, repeal or replace the text amendment application and/or revise the Zoning Map to another zoning district designation.
4. If construction of improvements is not begun and diligently prosecuted to completion within five years of the effective date of the text amendment and the Zoning Map Amendment Application, or within five years of the final dismissal of an appeal of such zone change by a court of competent jurisdiction, and if an extension of time is not given by the Commission, then the Commission may, on its own initiative, repeal or replace the text amendment application and/or revise the Zoning Map to another zoning district designation.
5. No certificate of zoning compliance precedent to a certificate of occupancy shall be issued within the PDD without the posting of a financial guarantee, in accordance with CGS Section 8-3(g) and [Section 9.8.O](#) of these Regulations.

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5.8.J Future Modifications

1. Any modification of an approved Master Plan may be approved by site plan approval in accordance [Section 9.3](#) of these Regulations if the modification:
 - a. Decreases the dimensional elements (e.g., reduction of building size) or lessens the impact on abutting properties; and/or
 - b. Does not substantially alter, in the opinion of the Zoning Enforcement Officer, the overall characteristics of the approved Master Plan.

2. Any modification of an approved Master Plan shall be approved by a text amendment in accordance with [Section 9.5](#) and with Section 5.8.H above of these Regulations codifying the revised Master Plan as part of this Section 5.8 of the regulations if the modification:
 - a. Adds or deletes a permitted use or substantially alters, in the opinion of the Commission, the area devoted to different uses in the approved Master Plan.
 - b. Increases the dimensional elements in the Master Plan (e.g., expansion of building size).
 - c. Substantially alters, in the opinion of the Commission, the overall characteristics of the approved Master Plan.

5.8.K Documentation Of Approved Planned Development Districts

Planned development districts approved by the Commission shall be documented within this Section of these Regulations by language similar to the following:

1. Planned Development District #1 (<<insert name of PDD District>>) approved by the Planning and Zoning Commission at a meeting on (<<insert date of Commission approval>>), effective on (<<insert date of filing on land records>>), and filed on the land records at Volume _____, Page _____ and/or Map File _____.

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6. USE-RELATED PROVISIONS

Quick Links

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- [6.2. Keeping Of Animals \(Non-Commercial Farm\)](#)
- [6.3. Fences And Walls](#)
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Farms And Farming



Keeping Of Animals



Fences And Walls



Outside Dining / Music



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6.1. Farms And Farming

6.1.A Purpose

These Regulations are intended to promote, protect, retain, and encourage agricultural activities in Guilford in order to maintain an agricultural presence, enhance rural character, and reflect the New England tradition of the small farm, the fruit orchard, the dairy, and aquaculture. As a community we uphold and adhere to the Connecticut General Statutes, Section 1-1 (q) definition of Agriculture.

6.1.B Agricultural Commission

1. The Town of Guilford Agricultural Commission as established by the Code of Ordinances shall:
 - a. Serve as a resource concerning agricultural management, especially the keeping of animals.
 - b. Aid the Zoning Enforcement Officer by reviewing agricultural operations and making suggestions in the event of a complaint.
 - c. Analyze recurring issues and advise citizens who are interested in keeping animals on their property.
2. The Planning and Zoning Commission:
 - a. Shall refer any Special Permit application pursuant to this Section to the Agricultural Commission for their advice and comment.
 - b. May refer any application or matter before it to the Agricultural Commission for their advice and comment.

Turkey Farm



Apple Orchard



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6.1.C Farm Stands And Farmer’s Markets

1. **Temporary Farm Stand** – A temporary farm stand less than 150 square feet in area that sells seasonal products produced exclusively by or on a non-commercial farm/farmer and which can be removed at the end of the day is allowed in any zoning district with no Zoning Permit required providing it does not create a nuisance or unsafe conditions.

2. **Farm Stands** – A building or other structure which is larger than 150 square feet in area or cannot be removed at the end of the day may be used for the sale of fruit, vegetables, or other products of a commercial or non-commercial farm on which it is located, provided a Zoning Permit is obtained from the ZEO and further provided:
 - a. It is set back the required distances from all lot lines unless it is an existing building,
 - b. Safe and adequate vehicular access is maintained.
 - c. In terms of products sold at the farm stand:
 - (1) The majority of all farm products must be produced by the farmer operating the stand and may come from any land the farmer leases or owns.
 - (2) The remaining products must be Connecticut grown or farm related.
 - (3) In times of crop failure, products that are typically grown in Connecticut may be sold during the season of their availability in Connecticut.

3. **Farmer’s Market** – Commercial farms or entities permitted to host markets may sponsor “Farmer’s Markets” provided:
 - a. The market will be held on the sponsoring farm’s property.
 - b. There must be off street parking of 3 spaces per vendor, vendor’s vehicles are to be included in the required parking spaces.
 - c. The market will have specific hours of operation totaling no more than 5 hours per day 2 days per week, to include set up and break down times, no markets to be open after 7 PM.

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6.1.D Non-Commercial Farm – Keeping Of Animals

(see Section 6.1.E for keeping of animals on a commercial farm)
(see Section 6.2.C for keeping of chickens and rabbits on properties less than one acre in area)

The keeping of animals on a non-commercial farm in any zoning district may be allowed in accordance with the following standards.

1. Number of Animals –

- a. One livestock unit shall be permitted per acre land provided there is at least 20,000 square feet of pasture available on the parcel.
- b. For the purpose of this Section a livestock unit (a method of quantifying different types of livestock based on size and potential impact on the environment and/or surrounding properties) shall be defined as follows:

| Livestock Type | One Livestock Unit |
|---|--|
| Bovine (Cow, Bull, and Steer) | One head |
| Equine (Horse & Pony, Donkey, Mules) | >500lbs is One Head <500lbs is Two Head |
| Pig | One head |
| Weaned calf (up to 1 year in age) | Two head |
| Ovine (Sheep), Caprine (Goat), Camelid (Alpaca and Llama) | Five head |
| Birds, rabbits, or similar small animals whose mature weight is less than 30 pounds | Fifty head |

- c. Livestock unit for livestock not listed above shall be determined by corresponding the adult weight to that of livestock listed above.
- d. Livestock offspring shall not apply to the calculation of livestock units until after weaning.
- e. Calculations of the number of livestock permitted based on livestock unit shall be rounded down to the next lower whole number.
- f. A livestock unit may be configured to allow a combination of different types of livestock.

| Combining Livestock Units | |
|--|----------------------------|
| 1.2 acres of land (with 20,000 SF of pasture) is entitled to 1.2 livestock units and this could be used for: | |
| • One (1) Calf | 0.5 livestock units |
| • Two (2) sheep | 0.4 livestock units |
| • Fifteen chickens | <u>0.3 livestock units</u> |
| | 1.2 livestock units |

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- 2. **Site Suitability and Impact –**
 - a. Sites with slopes greater than 15% should be avoided or special attention should be paid to avoid heavy surface water runoff, soil erosion, sedimentation, or hazardous conditions for keeping animals.
 - b. (Reserved for possible future use).
 - c. Proper drainage shall be provided to avoid collection of water. Water shall be diverted from animal keeping areas; however, such water shall not pollute surface or subsurface water supplies.
 - d. All livestock shall be kept in such a manner that there shall not be undue detrimental impact through noise, smell, vermin, or runoff to neighboring properties or watercourses.
 - e. Livestock shall be suitably and adequately confined or controlled at all times.
 - f. Requirements of the Public Health Code shall be followed.
- 3. **Barns And Enclosures –** Barns and enclosures (except for fences) used for housing and controlling the movements of any livestock shall be located at least the distance from the street line as the required setback.
- 4. **Possible Exceptions To Standards –** Deviation from these standards may be allowed subject to the approval of a Special Permit by the Planning and Zoning Commission after considering:
 - a. A livestock management plan prepared by the applicant describing how the proposed activity will correspond with responsible farming practices, and
 - b. The possible impact on public health, the environment, and/or surrounding properties.
 - c. A Non-Commercial Farm could exceed these standards via a Special Permit Application before the Planning & Zoning Commission and a referral to the Agricultural Commission.

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6.1.E Commercial Farm – Keeping Of Animals

(see [Section 6.2.D](#) for keeping of animals on a non-commercial farm)

1. On property owned or leased by the operator of a commercial farm (as defined in these Regulations), raising livestock on a parcel of three or more acres is allowed by right and is not subject to “Number of Animals per Acre” limits or “Site Suitability and Impact” standards as provided in [Section 6.2.B](#) of these Regulations provided that generally accepted agricultural practices are followed as defined under:
 - a. The Connecticut Right to Farm Law (CGS Section 19a-341);
 - b. The Connecticut Department of Energy and Environmental Protection’s Manual of Best Management Practices for Agriculture; and
 - c. The Connecticut Public Health Code; Water Pollution Control Regulations (CGS Section 22a-430).
2. Raising livestock on property owned or leased by the operator of a commercial farm (as defined in these Regulations) which is less than three acres in area:
 - a. Shall require approval by the Commission, and
 - b. May be subject to “Number of Animals per Acre” limits and/or “Site Suitability and Impact” standards as provided in [Section 6.2.B](#) of these Regulations provided that generally accepted agricultural practices are followed as defined under:
 - The Connecticut Right to Farm Law (CGS Section 19a-341);
 - The Connecticut Department of Energy and Environmental Protection’s Manual of Best Management Practices for Agriculture; and
 - The Connecticut Public Health Code; Water Pollution Control Regulations (CGS Section 22a-430).
3. Barns and enclosures (except for fences) used for housing and controlling the movements of any animals or poultry shall be located at least the distance from the street line as the required setback and shall meet the residential accessory setback for the zone it is located in.

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6.1.F Commercial Farm – Non-Agricultural Ancillary Uses

1. A commercial farm may complement their agricultural activities by any or all of the following subject to the parameters provided in this Section:

| | 1-30 Days Per Calendar Year | > 30 Days Per Calendar Year |
|---|-----------------------------|-----------------------------|
| a. Low intensity outdoor recreation activities such as bird watching, snowshoeing, and/or other passive recreational activities | No Zoning Permit Required | No Zoning Permit Required |
| b. Animal Boarding Facilities | Zoning Permit (Staff) | Special Permit (PZC) |
| c. Events of limited duration that are open to the general public, including (but not limited to) hayrides, corn mazes, harvest festivals, and similar activities | No Zoning Permit Required | Zoning Permit (Staff) |
| d. Solar and wind energy structures | Zoning Permit (Staff) | Zoning Permit (Staff) |

| | 1-8 Days Per Calendar Year | > 8 Days Per Calendar Year |
|--|----------------------------|----------------------------|
| e. Major non-agricultural uses including (but not limited to) retreats, weddings, workshops, children’s attractions, education, training, and classes provided there will be no amplified sound outdoors after 5:00 PM | Zoning Permit Required | Special Permit (PZC) |
| f. Any activity involving amplified music or amplified sound outdoors after 5:00 PM | Special Permit (PZC) | Special Permit (PZC) |

2. It shall be the responsibility of the owner to provide adequate off-street parking for the activity, provide safe and adequate access and egress, and to manage traffic flow as may be necessary.
3. Notwithstanding any other requirements of these Regulations, any application for a Zoning Permit for an agricultural-related activity under this Section 6.1.F shall, at a minimum, include:
 - a. A letter describing the proposed activities, and
 - b. An aerial photograph or hand drawn map depicting the location of the proposed activities (there shall be **no requirement** for a plot plan or site plan drawn to scale by a licensed land surveyor, civil engineer. Or architect provided the aerial photograph or hand drawn map provides adequate information for a full evaluation of the request).
4. The Zoning Enforcement Officer or staff may forward any Zoning Permit application to the Planning & Zoning Commission for action. The Commission may require the submission of additional information, or may deny the permit request if the proposed activity will not be appropriate for the proposed location.

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6.1.G Commercial Farm – Farm Winery / Brewery / Distillery

A farm winery, brewery, distillery and/or similar operation accessory to a commercial farm occupying a minimum of 5 acres of land is permitted provided that:

1. The winery / brewery / distillery / other operation(s) shall be accessory to the growing of grapes, grains, fruits and/or other ingredients used in the winery / brewery / distillery / other operation.
2. The winery / brewery / distillery / other operation(s) shall comply with all State permit requirements for such facilities (including, but not limited to, CGS Section 30-16).
3. The Commission may, by Special Permit, authorize the establishment on the property of a tasting room and/or retail sales of sealed containers of winery / brewery / distillery / other products produced on the property.
 - a. A winery/brewery/distillery may sell wine/beer, hard cider or other alcoholic production on the property from other Connecticut wineries/breweries/distilleries.
4. The Commission may, by Special Permit, allow the sale and service of food and beverages at a winery / brewery / distillery / other similar operation as an accessory use, provided that such activities are incidental to, and on the same property as, the winery / brewery / distillery / other operation.
5. The Commission may, by Special Permit, approve special events or uses, such as dinners, luncheons, weddings, corporate parties and/or teas as an accessory use to a winery / brewery / distillery / other similar operation accessory to a commercial farm.

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6.1.H Other Farm Accessory Uses, Buildings and Structures

All uses, buildings and structures accessory to a commercial farm or a non-commercial farm shall conform to the following specified standards:

1. **Farm Vehicles** – Commercial vehicles may be kept on a commercial farm or a non-commercial farm when engaged in farming activities or functions.
2. **Accommodations For Seasonal Employees** – A building on a commercial farm may be used for seasonal accommodations for seasonal farm employees when:
 - a. The building may be located on the same parcel as the commercial farm or adjacent to a parcel owned by the Farmer,
 - b. The building meets setbacks for the underlying zone.
 - c. The building is provided with adequate lavatories, showers or baths, water supply and sewage disposal facilities approved by the Director of Health, and
 - d. Such occupancy has been approved by the Fire Marshal.
3. **Sawmills** – A sawmill may be established as an accessory use on a commercial farm or a non-commercial farm provided that such mill:
 - a. Is operated only between the hours 7:00 AM and 5:00 PM, and
 - b. Is located at least 100 feet from any lot line and at least 500 feet from any dwelling on an adjacent lot.
4. **Excavation and Filling** – The normal excavation and filling of silage, manure, and similar farm materials when part of a farm agricultural operation shall be exempt from the requirements of [Section 8.3](#) of these Regulations (Excavation, Fill And Grading).

See [Section 2.3.E](#) for possible height exceptions for commercial farms.

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6.1.I Farm Signs

1. **Farm Identification Sign** – Notwithstanding any other provisions of these Regulations:
 - a. A commercial farm may have up to 32 SF of signage total in one or more signs provided any detached sign shall be located on the farm property and any attached sign shall be located on the face of a building but not on a roof.
 - b. A non-commercial farm may have up to 16 SF of signage total in one or more signs provided any detached sign shall be located on the farm property and any attached sign shall be located on the face of a building but not on a roof.
 - c. A commercial farm or non-commercial farm in a business zone may display more signage if allowed within the zoning district.

2. **Directional Signage** –
 - a. With permission of the property owner, a commercial farm may establish directional signs off the lot where the farm is located.
 - b. Each such directional sign shall not exceed three square feet in area and shall not exceed 6 feet in any dimension.

3. **Signage For Seasonal Products** –
 - a. Signs advertising the seasonal sale of farm or forestry products on a commercial farm or a non-commercial farm are permitted in addition to other signage which may be allowed pursuant to this regulation.
 - b. Two such signs, not exceeding 12 square feet in total area and not extending more than five feet above ground level may be erected.
 - c. The product advertised must be grown on the lot upon which the sign is erected unless the lot is in a commercial zone in which case the product must be grown in Guilford.
 - d. Said sign(s) shall be removed when the seasonal sale is over.

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6.2. Keeping Of Animals (Non-Commercial Farm)

6.2.A Purpose

This Section is intended to enable the keeping of dogs, cats and other domesticated pets which are normally kept as human companions and normally housed in a residence with human occupants. This Section is also intended to enable the keeping of other animals (including the raising, breeding, and sales of animals) in an appropriate and responsible manner within the community in a manner that will protect neighbors from associated negative impacts. Keeping of livestock may occur provided that the allowed number of weaned animals is not exceeded.

6.2.B Dogs, Cats, And Other Domesticated Pets

1. Dogs and/or cats may be kept as domestic pets.
2. Other animals may be kept as domesticated pets provided they are normally kept as human companions and/or are housed in a residence with human occupants,
3. Private, noncommercial dog runs housing more than three dogs shall be located at least 100 feet from any lot line.

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6.2.C Chickens And Rabbits

The keeping of chickens and rabbits on residential properties is permitted subject to the following:

1. On any property under one acre located in a residential zoning district:
 - a. No more than twelve hens (female chickens) may be kept as an accessory use.
 - b. No more than six rabbits may be kept as an accessory use.
 - c. No rooster shall be kept on any property under one acre.
2. On any property of one acre or more located in a residential zoning district, see [Section 6.2.D](#) for livestock limitations.
3. A building or other enclosed structure shall be required for the hens and/or rabbits and:
 - a. Any such building or structure shall be constructed and kept so as to prevent offensive odors and the presence of pests and predators.
 - b. Any food products shall be kept so as to prevent offensive odors and the presence of pests and predators.
4. Waste shall be composted on-site or disposed of offsite.
5. The keeping of hens and rabbits shall be conducted in a manner consistent with and in compliance with the Public Health Code.
6. Buildings or structures (except for fences) housing no more than 12 hens or 6 rabbits shall meet the residential accessory setback for the zone it is located in.

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6.2.D Animal Boarding Facilities

A veterinary clinic / facility shall not be required to comply with these requirements unless overnight boarding is provided. See [Section 6.1](#) for limitations on Keeping of Animals.

An animal boarding facility shall only be permitted in the Industrial (I) District or as an accessory use on a Commercial Farm and the following standards shall apply to the establishment and operation of any such facility:

1. **Parcel Size** – The animal boarding facility shall be located on a parcel at least 5 acres in size.
2. **Setbacks** – The animal boarding facility shall comply with the following setbacks:
 - a. **Residential Properties** – The building, run, pen or enclosure designed or intended for occupancy by animals as part of a boarding facility shall be at least:
 - 70 feet from a residential property line,
 - 70 feet from a Residential District boundary line, or
 - 150 feet from an existing dwelling on another property.
 - b. **Front Setback** – 40 feet from a front lot line
 - c. **Side Setback** – 20 feet from a side property line.
 - d. **Rear Setback** – 40 feet from the rear property line.
 - e. **Coastal Resource** – 25 feet from a coastal resource.
3. **Building / Structure Requirements** –
 - a. Maximum building height shall be 40 feet.
 - b. Maximum building coverage shall be 30%.
 - c. All buildings, runs, pens or enclosures designed or intended for occupancy by animals shall be fully enclosed with walls, roof and windows and shall be ventilated by louvered or baffled openings or by mechanical ventilation equipment.
 - d. All dogs boarded for the night must be housed in individual kennels.
 - e. All outside runs, pens or other enclosures designed or intended for occupancy by animals shall be surrounded by walls, solid fences, or earthen berms at least 6 feet in height.
4. **Animal Waste** –
 - a. A plan addressing cleanup of outside areas used by animals (including consideration of stormwater impacts and disposal of solid wastes) shall be submitted to and approved by the Commission.
 - b. All waste from animals shall be enclosed in enclosures designed to prevent escape of odor or access by insect or other pests.
 - c. Containers shall be emptied regularly or otherwise disposed of so as to control odor or risks to the public health.

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5. **Noise Control** – For all buildings and other enclosures wherein animals may be housed, adequate provisions shall be made for noise control by using construction specifications to achieve sound transmission class 45” or greater and, in addition, so that no noise by the occupant is apparent at any property line adjacent to residential District or residential property line.
6. **Breeding** – Animal breeding shall not be permitted at the animal boarding facility and no animals shall be permanently housed at an animal boarding facility other than the owner’s own pets.

6.2.E Animal Grooming / Day Care Facilities

In addition to any other standards contained in these Regulations, animal grooming and/or animal day care facilities shall also meet the following standards (overnight boarding, if any, shall be approved separately under the provisions of [Section 6.2.D](#)):

1. **Setbacks** – Any animal grooming and/or animal day care facility (buildings or containment areas) shall be located at least:
 - a. 70 feet from a residential property line,
 - b. 70 feet from a Residential District boundary line, or
 - c. 150 feet from an existing dwelling on another property.
2. **Building / Structure Requirements** –
 - a. Any animal grooming or animal day care use must be in a building which is properly sound-proofed, ventilated and with drainage and septic disposal approved by the Director of Health.
 - b. Outside areas shall be used for supervised exercise only.
3. **Animal Waste** –
 - a. A plan addressing cleanup of outside areas used by animals (including consideration of stormwater impacts and disposal of solid wastes) shall be submitted to and approved by the Commission.
 - b. All waste from animals shall be enclosed in enclosures designed to prevent escape of odor or access by insect or other pests.
 - c. Containers shall be emptied regularly or otherwise disposed of so as to control odor or risks to the public health.
4. **Animal Limit** – The Commission may, as part of any approval, specify a maximum number of animals to be allowed, and in no case shall more than 35 dogs be allowed.
5. **Other Provisions** –
 - a. The animal grooming and/or animal day care facility must be approved by the appropriate State of Connecticut authorities.
 - b. All dogs and other animals must be properly licensed.
 - c. No such facility shall be used for the breeding or sale of dogs or other animals.
 - d. Animal grooming and/or animal day care are not allowed in a Residential District as a home-based business or otherwise.

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6.3. Fences And Walls

6.3.A Fence / Free-Standing Wall

1. A fence or free-standing wall more than six feet (6') in height measured from finished grade to the top of the post, rail, or panel shall not be located within the required front, side, or rear setback for a principal building in the zoning district unless specifically approved by the Commission by Special Permit.

For properties within the CAM Overlay District, see [Section 5.7](#) of these Regulations for possible additional fence and/or free-standing wall limitations.

6.3.B Retaining Wall

1. In a residential zoning district, a retaining wall or walls where more than four feet (4') of exposed wall height, individually or collectively, measured from finished grade to the top of the wall faces the abutting property shall not be located within the required front, side, or rear setback for a principal building in the zoning district unless specifically approved by the Commission by Special Permit.
2. In a business or industrial zoning district, a retaining wall or walls where more than eight feet (8') of exposed wall height, individually or collectively, measured from finished grade to the top of the wall faces the abutting property shall not be located within the required front, side, or rear setback for a principal building in the zoning district unless specifically approved by the Commission by Special Permit.

For properties within the CAM Overlay District, see [Section 5.7](#) of these Regulations for possible additional retaining wall limitations.

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6.4. Motor Vehicle Facilities

6.4.A Motor Vehicle Sales Facility

1. Outside parking / storage / display of motor vehicles for sale shall be:
 - a. Located only in areas of the lot as shown on a Site Plan approved by the Commission and such areas shall be located at least:
 - 50 feet from the front property line.
 - 25 feet from the side property.
 - 25 feet of any residential District line.
 - b. Suitably screened to the satisfaction of the Commission.
2. Any repair or service work shall be conducted entirely within an enclosed building.
3. The outdoor storage of wrecked vehicles shall be appropriately screened.
4. Within the motor vehicle display area, there shall be internal landscaping as recommended by the Design Review Committee and approved by the Commission.

6.4.B Motor Vehicle Repair Facility

1. Any motor vehicle repair facility shall be properly licensed by the State of Connecticut as provided in CGS Section 14-54.
2. With regard to a motor vehicle repair facility, all mechanical or repair operations shall be conducted or performed and all supplies, materials, and vehicles being held pending final disposition shall be stored:
 - a. Within a building, or
 - b. Within a solid enclosure of masonry or lumber or a solid hedge at least six feet in height and of materials as approved by the Commission and located back of any setback lines.
3. A motor vehicle repair facility may include accessory sale of used vehicles (including outside display of such vehicles) provided the Commission has approved the location and extent of such sales area.
4. Vehicles parked outside overnight at a motor vehicle repair facility, other than service or operator-owned vehicles, shall be limited to registered vehicles or vehicles for sale that are parked in designated parking areas as set forth in a Site Plan approved by the Commission and, in no case, shall vehicles parked outside be parked so as to:
 - a. Obstruct emergency access to facilities in case of fire,
 - b. Obstruct sight lines for traffic on adjoining streets, or
 - c. Be located within setback lines.

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6.4.C Motor Vehicle Refueling Station

- 1. No portion of the lot on which a motor vehicle refueling station is to be established shall be located within a radius of 1,500 feet of any lot on which a motor vehicle refueling or recharging station exists or has been approved.
- 2. All supplies or materials associated with a motor vehicle refueling station shall be stored:
 - a. Within a building, or
 - b. Within a solid enclosure of masonry or lumber or a solid hedge at least six feet in height and of materials as approved by the Commission and located back of any setback lines.

6.5. Satellite Dish Antennas

- 1. **Residential Building Mount** – Building-mounted satellite dish antennae accessory to a residence are permitted (no Zoning Permit required) provided that such satellite dish antennas:
 - a. Are designed and configured to be located on a residence.
 - b. Are one meter or less in diameter.
- 2. **Non-Residential Building Mount** – Building-mounted satellite dish antennae accessory to a non-residential use are permitted (no Zoning Permit required) provided that such satellite dish antennae:
 - a. Are designed and configured to be located on a building.
 - b. Are located to minimize visibility from the street.
- 3. **Non-Residential Ground Mount** – Ground-mounted satellite dish antennae are permitted as an accessory structure to a non-residential use (no Zoning Permit required) provided such satellite dish antennae:
 - a. Shall be located on the ground at the rear of the main structure on the lot,
 - b. Are located and landscaped to minimize visibility from the street, and
 - c. Shall meet front, side, and rear setbacks of the zone in which the lot is located.

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6.6. Outside Display, Storage Or Use

6.6.A Temporary Display Of Merchandise

1. Provided the standards of this Section are met, outside display of merchandise may be permitted in all business districts. This Section shall not limit the display of merchandise during the week of the annual sidewalk sale organized by the Chamber of Commerce or allowed as part of previously approved site plans.

2. **Approval Type –**

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| No Zoning Permit Required | Seven or fewer days in a calendar year |
| Zoning Permit Required | 8 or more days in a calendar year |

3. **Operational Provisions –**

- a. Merchandise shall only be purchased inside the store.
- b. Displayed merchandise must be removed to interior storage at the close of store operating hours each day.
- c. The display shall be limited to retail products customarily sold at the business.
- d. Clothing shall not be displayed on racks.
- e. Displays shall be maintained in a clean and attractive manner and shall be consistent with the natural aesthetics of the zone.
- f. The display shall not obstruct safe pedestrian use of the sidewalks or other pedestrian areas and shall not be located in parking areas.
- g. The display shall be on the same property as the business or the area directly in front of the business.
- h. The display may be on a grass strip or median that does not abut the storefront.
- i. Displays shall be stable and secure as to not fall or blow over as a result of being bumped into, wind or weather.
- j. Displays may not contain any items which may be deemed, unsafe, harmful, inflammatory, or offensive.
- k. Displays may not emit, fire, light, smoke, vapors, odors, fumes, sound, or any substance which may pose a health risk.

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6.6.B Outside Storage Or Use

Outside storage of supplies, wastes, machinery, equipment and/or other materials and/or any manufacture, processing or assembling of goods other than in an enclosed building shall only be located in areas of the lot as shown on a Site Plan approved by the Commission and in accordance with the following:

1. The activity must be conducted in a clean and attractive manner.
2. The activity must not contain any items which may be deemed, unsafe, harmful, inflammatory, or offensive.
3. The activity must be stable and secure as to not fall or blow over as a result of being bumped into, wind or weather.
4. The activity must not emit, fire, light, smoke, vapors, odors, fumes, sound, or any substance which may pose a health risk.

6.6.C Outside Manufacturing And/or Repair

1. With regard to manufacturing/repair operation, all mechanical or repair operations shall be conducted or performed and all supplies, materials, and/or products shall be stored:
 - a. Within a building, or
 - b. Within a solid enclosure of masonry or lumber or a solid hedge at least six feet in height and of materials as approved by the Commission and located back of any setback lines.

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6.7. Accessory Manufacture, Processing Or Assembly

Where permitted by these Regulations, the manufacture, processing or assembling of goods is permitted as an accessory use, provided that such manufacture, processing or assembling of goods:

1. Is carried on within a closed building,
2. Does not occupy more than 1/3 of the floor area occupied by the principal use, and
3. Does not involve the use of machinery or equipment requiring more than a total of five horsepower.

6.8. Drive-Through Service

Drive-through service may be approved by the Commission when and where specifically authorized by these Regulations and in compliance with the following standards:

1. The drive-through area of service shall be limited to a separate traffic lane which is separately designated for use by drive-through service patrons.
2. The drive-through service lane shall be at least 10 feet in width.
3. The drive-through service lane shall be located in an area where it will not unduly interfere with the orderly flow of traffic generated by non-drive-through patrons.
4. Adequate queuing for vehicles approaching the drive-through service facility shall be provided.

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6.9. Outside Dining And Music

6.9.A Outside Dining

1. Outside dining may be permitted, by Site Plan approval, as an accessory use to any restaurant provided the outdoor dining location and arrangement is:
 - a. Shown on a Site Plan approved by the Commission,
 - b. Closed by 9:00 PM,
 - c. Does not involve amplified music or sound, and
 - d. Located at least 100 feet from any residential district or any property used as a residence. This standard shall not preclude the creation of a residential use within the 100-foot setback subsequent to the establishment of the outdoor dining facility.

2. For any restaurant where the accessory outdoor dining location and arrangement is not located at least 100 feet from any residential district or any property used as a residence, will not be closed by 9:00 PM, or wishes to provide for amplified music or sound, such accessory outdoor dining arrangement may only be approved by the Commission by Special Permit after considering the Special Permit criteria in [Section 9.4.E](#) and:
 - a. The location, number of seats and tables, type of furniture and lighting,
 - b. Comments from the Design Review Committee,
 - c. Comments from the Director of Health, and
 - d. The proposed hours, days, and seasons of activity.

3. In granting a Special Permit pursuant to this Section, the Commission may:
 - a. Limit the number of seats for outside dining in order to mitigate any adverse impact on adjoining uses,
 - b. Limit the hours, days, or seasons of outside dining in order to mitigate any adverse impact on adjoining uses, and
 - c. Approve the application on a temporary basis in order to assess potential adverse impacts.

See [Section 6.9.B](#) for separate provisions related to outdoor music.

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6.9.B Outside Music

1. Outdoor music (either live or recorded) may be permitted, by Site Plan approval, as an accessory use to any outdoor dining permitted by the Commission provided that:
 - a. Said outdoor music is accessory to outside dining permitted by the Commission at a restaurant, and
 - b. Said outside music and outside dining is located at least 100 feet from any residential district or any property used as a residence. This standard shall not preclude the creation of a residential use within the 100-foot setback subsequent to the establishment of the outdoor music activity facility.
2. For any restaurant where the accessory outdoor music or dining arrangement is not located at least 100 feet from any residential district or any property used as a residence, such accessory outdoor music may be approved by the Commission by Special Permit after considering the Special Permit criteria in [Section 9.4.E](#) and:
 - a. The nature and type of music to be provided, including any proposed electronic amplification, and
 - b. The proposed hours, days, and seasons of activity.
3. In granting a Special Permit pursuant to this Section, the Commission may:
 - a. Limit the hours, days, or seasons of outside dining in order to mitigate any adverse impact on adjoining uses, and
 - b. Approve the application on a temporary basis in order to assess potential adverse impacts.

See [Section 6.9.A](#) for separate provisions related to outdoor dining,

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6.10. Temporary Structures

Except as may be allowed as a temporary use within this Section of these Regulations, no mobile home or similar type of use or activity shall be parked or stored on any lot in the Town of Guilford.

6.10.A Temporary Storage (Residential)

1. With regard to temporary storage containers used for storing household possessions:
 - a. One (1) such container up to eight feet by eight feet by sixteen feet (8' x 8' x 16') may be located on the same lot as the main structure with no Zoning Permit required for up to thirty (30) days.
 - b. A Zoning Permit shall be obtained in the case of:
 - More than one (1) container,
 - Larger container(s),
 - A longer period not to exceed 90 days, or
 - If associated with new construction, renovation, reconstruction or rehabilitation of a building with a valid building permit, for up to 12 months (renewable).
2. No van body or unregistered trailer, mobile home, school bus or van, whether or not on wheels shall be used for storage in any zone or located on any residential lot, except for a limited period of time as approved by the Commission, not to exceed two years except that the two-year limitation shall not apply to commercial farms.
3. Said facility shall be located so as to meet the setback requirements for accessory buildings unless otherwise approved by the Commission.

6.10.B Temporary Storage (Non-Residential)

1. No commercial truck, trailer, or other shelter or storage container shall be located on any lot in any zone for the purpose of storage of construction materials except as approved by the Zoning Enforcement Officer in connection with a construction project on the lot.
2. No commercial truck, trailer, or other shelter or storage container shall be located on any lot in any zone for the purpose of storage except:
 - a. For up to 90 days with issuance of a Zoning Permit by the Zoning Enforcement Officer, or
 - b. For a longer specific time period with Site Plan approval by the Commission for a time period of up to 12 months subject to Commission renewal.

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6.10.C Temporary Construction Office

1. A construction trailer or mobile home may be utilized as a construction office on a construction site in any zone, provided that:
 - a. A building permit has been issued for construction and is in effect,
 - b. Such construction office shall not be utilized for overnight accommodations or living quarters of a permanent or temporary nature,
 - c. Temporary sanitary arrangements acceptable to the Director of Health shall be available before the unit may be used as a construction office, and
 - d. Said mobile office shall be immediately removed from the site upon completion of construction.

6.10.D Temporary Residence For Home Under Construction

1. A mobile home may be occupied, by one family only, on a lot in any Residential District, outside of any floodplain and in compliance with setback requirements, provided that:
 - a. A Building Permit has been issued for the construction of a residential dwelling on the lot,
 - b. A Zoning Permit has been issued for such mobile home use,
 - c. The occupant of the mobile home is also the owner of record of the lot,
 - d. The owner of the lot has commenced construction of a permanent dwelling on such lot, and
 - e. Sanitary arrangements shall be approved by the Director of Health before the unit may be occupied.
2. The mobile home shall be removed upon the earlier of the following:
 - a. Upon issuance of a certificate of zoning compliance for a permanent dwelling on the same lot,
 - b. Upon expiration of a one-year period, or
 - c. Upon expiration of an extension, not to exceed six months, granted by the Zoning Enforcement Officer upon a showing that the permanent dwelling would be completed within the period of extension.
3. The Zoning Enforcement Office may forward any request under this Section to the Commission.

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6.11. Provisions Applicable To Affordable Housing

6.11.A Purpose

This Section of the Regulations is intended to establish provisions related to the creation of affordable housing (AH) units when required by these Regulations or when proposed by an applicant in accordance with CGS Section 8-30g.

Boston Terrace



Sachem Hollow



6.11.B Affordability Requirements

1. After October 7, 2023, any new residential development of two (2) or more dwelling units (including mixed use development or other form of multi-family development but excluding single-family residential dwellings on individual lots) shall make provision for affordable housing units in accordance with the requirements of this Section.
2. Fractional units equal to or greater than 0.5 shall be rounded up to 1 unit of AH to be constructed. Fractional units less than 0.5 shall be rounded down.
3. All new residential development shall be subject to a minimum twelve percent (12%) set aside for Affordable Housing (AH) units which shall be deed restricted to sell or rent at affordable prices as provided in this Section generally and in accordance with [Section 6.11.C.1](#) specifically and with relevant provisions of State law, including but not limited to CGS Section 8-30g, unless the development:
 - a. falls within a special development zone which requires a greater than 12% set aside, or
 - b. with approval of the Commission, pays a fee in lieu to Guilford’s Affordable Housing Trust Fund or, in the absence of an Affordable Housing Trust Fund, an affordable housing organization or fund acceptable to the Commission totaling 12% of the development’s estimated cost of building construction based on the floor area of the unit(s) multiplied by the most recent Building Valuation Data from the International Code Council based on the type of construction, paid prior to the issuance of a certificate of zoning compliance.

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The Town of Guilford’s Affordable Housing Trust Fund is intended to receive, hold, account for funding sourced from government, private development, grants, and charitable donations for the purpose of executing Guilford’s Affordable Housing Plan, including but not limited to supporting public or private development of Affordable Housing through grants, assistance with costs, acquisitions of properties for AH development, conversion of housing stock, and education of the public and industry stakeholders.

4. **Affordable Housing Design & Comparability –**
 - a. Distribution of AH Units – Unless modified by the Commission as provided in Section 6.11.B.5 below, affordable housing units shall be distributed proportionally and equitably throughout the planned development and, if a multiunit building, proportionally within the building (such as floors, views, etc.).
 - b. Exteriors – Externally and from all shared aspects of the building and grounds, the affordable housing units shall not be distinguishable from market rate units and shall be architecturally equivalent.
 - c. Interiors – Interior layouts, designs, materials, appliances, and finishes of the affordable units and the market rate units shall be substantially equivalent to the satisfaction of the Commission.
 - d. Unit Types – Size and number of bedrooms in affordable housing units shall be proportional to market rate units. Exceptions are allowed if the developer provides more family-sized large household units (3-4 bedrooms).

5. **Flexibility In AH Provision** – The Commission may, by a separate Special Permit, authorize adjustment in the provision of affordable units pursuant to this Section in accordance with the following:
 - a. The number of affordable housing units to be provided may be adjusted (up or down) provided the number of housing unit equivalent points from the affordable units shall exceed the baseline determination of this Section (also see [Section 6.11.C](#)).

Housing Unit Equivalent Points

| Housing Type | HUEP | If unit contains 3 or more bedrooms, add: |
|----------------------|------|---|
| Affordable @ 40% AMI | 2.00 | + 0.25 |
| Affordable @ 60% AMI | 1.50 | + 0.25 |
| Affordable @ 80% AMI | 1.00 | + 0.25 |

- b. The location of the affordable housing units within the development may be adjusted by building, floor, amenity (such as view), or other factor provided the number of housing unit equivalent points from the affordable units shall further exceed the baseline determination of this Section (also see [Section 6.11.C](#)) following any adjustment made from subsection a, above.

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6. Affordable Housing Siting Options

- a. On-site Affordable Housing – Guilford strongly encourages affordable housing construction in planned income-diverse development and may at some time in the future consider incentives, at the sole discretion of the Commission, for new affordable housing development.
- b. Off-site Affordable Housing – Affordable housing units may be established at another location in Guilford, provided that the size, condition, and location of such affordable housing units are acceptable to the Commission.
 - Off-site affordable housing units must be completed prior to, or concurrently with, completion of market-rate units.
 - The issuance of the Certificate of Zoning Compliance for any market-rate units is contingent on provision of the off-site affordable housing unit, including issuance of any Certificate of Zoning Compliance required for the off-site affordable housing units.

6.11.C Affordability Restrictions

- 1. In the provision of affordable housing home ownership or affordable housing rental units, when two or more affordable units are required to be provided, at least two of the following three income categories shall be included in the unit mix (80%, 60%, and 40% of AMI).
- 2. **Deed Restrictions and Deed Covenant Terms** – Affordable units shall be deed restricted for at least 40 years.
 - a. Deed restrictions on individual “For Sale” affordable housing units and affordable housing rental units, with the exception of accessory dwelling units, automatically renew for successive terms of forty years unless, at any time after the first forty-year term, the property owner proposes and the Commission accepts a payment to the Affordable Housing Trust Fund in exchange for the release of the deed restriction.
 - b. Deed Covenants on accessory dwelling units shall expire at the end of the 40-year term or may be renewed at the property owner’s option.

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6.11.D Modification Of Regulatory Standards

In accordance with CGS Section 8-2i, the Commission may waive any design standard or other requirement that would, in the Commission’s sole opinion, unreasonably impair the economic or physical feasibility of constructing a development providing affordable housing units.

6.11.E Required Documentation

Any application including affordable units shall include the following:

1. **Affordability Plan** – An affordability plan detailing the administration, monitoring and enforcement of the requirement for dwelling units to be sold or rented at below-market rates as described above including:
 - a. Proposed deed restrictions or covenants,
 - b. Lease agreements (if rental),
 - c. Common interest ownership documents, bylaws, rules, and regulations (if any),
 - d. Sample income calculations,
 - e. A sample calculation of the maximum sales prices or rents of the affordable dwelling units,
 - f. An affirmative fair housing marketing plan governing the sale or rental of all dwelling units, and
 - g. Other information to establish compliance with the affordability requirement.
2. **Unit Location Map** – A map designating the specific units subject to the affordability restrictions along with a note indicating that any change in the location or type of unit shall require Commission approval.
3. **Delivery Sequence** – A description of the projected sequence in which the market rate dwelling units and the affordable dwelling units will be built and offered for occupancy.

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6.11.F Administrator Of Affordability Plan

1. Any application including affordable units shall propose the person or organization that will be responsible for the administration of the affordability plan and its compliance with the applicable income limits and sale price or rental restrictions.
2. The proposed administrator, and any change thereto, shall be subject to approval by the Commission in order to determine, in the sole opinion of the Commission, that the proposed administrator is qualified, experienced, and capable of determining compliance with income eligibility requirements and determining allowable rental rates and sale prices in accordance with CGS Section 8-30g and the requirements of this Section. The Commission may require the use of a different Administrator than proposed by the Applicant (including a third-party administrator) or may condition the approval of the development and/or the administrator on performance standards and monitoring requirements for the Administrator.
3. The name, contact information, and qualifications of the person, entity or agency designated as the Administrator of the Affordability Plan shall be kept current with the Zoning Enforcement Officer for the duration of the restrictions and covenants.
4. Prior to issuance of a Certificate of Zoning Compliance, the name, contact information and qualifications of the person, entity or agency designated as the Administrator of the Affordability Plan shall be confirmed with the Zoning Enforcement Officer.
5. The Administrator shall be responsible for submitting a report on an annual basis to the Zoning Enforcement Officer demonstrating, for each affordable unit, the income eligibility of the occupant(s) and compliance with the Affordability Plan, deed restrictions on affordability, and other relevant provisions of these Regulations.

6.11.G Enforcement

1. Upon notification of, discovery of, or a reasonable belief of non-compliance with the Affordability Plan or the Deed Restrictions, the Zoning Enforcement Officer shall have the power, at any reasonable time, to inspect the property, to review the records of the Administrator, and/or to review the records of the owner(s) of the development in order to determine compliance of the affordable housing units with the Affordability Plan.
2. Should the Administrator or the Zoning Enforcement Officer determine that the sale, rental, or occupancy of any unit does not comply with the Plan, it shall have all powers granted to it by the Connecticut General Statutes, including CGS Section 8-12, and under the Deed Restrictions, to assure or enforce compliance.

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6.12. Child Care

1. Per CGS Section 8-3j(a), no zoning regulation shall treat any family child care home or group child care home, located in a residence and licensed by the Office of Early Childhood pursuant to CGS chapter 368a, in a manner different from single or multifamily dwellings.
2. Per CGS Section 8-2(d)(1), zoning regulations shall not:
 - a. Prohibit the operation in a residential zone of any family child care home or group child care home located in a residence, or
 - b. Require any special zoning permit or special zoning exception for such operation.
3. Per CGS Section 19a-80, the operation of a licensed group child care home located in a residence shall not be subject to any conditions, other than those imposed by the commissioner of the Office of Early Childhood, if the group child care home complies with all codes and ordinances applicable to single and multifamily dwellings.
4. A child day care center shall be licensed by the Office of Early Childhood and, in addition to conformance with the “Special Permit Criteria” in [Section 9.4.E](#), shall:
 - a. Be located on a lot of adequate size and frontage to accommodate the proposed usage, and
 - b. Not have play equipment located in any required front or side yard setbacks unless specifically approved by the Commission.

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7.1. Design Review

7.1.A Purpose

This Section of the Regulations is intended to encourage higher quality building and site design and result in development which is compatible with the characteristics of the Town.

7.1.B Applicability

| | |
|--|--|
| Shall Be Subject To Design Review | <ul style="list-style-type: none"> • A Site Plan or Special Permit application in a business zone • A Special Permit application in a residential zone for other than an accessory structure • New construction, substantial reconstruction, or rehabilitation of properties in a Village District • An independent sign application |
| Not Subject To Design Review | <ul style="list-style-type: none"> • A single-family dwelling or accessory structure • A sign application in accordance with an overall sign package approved by the PZC and/or the Design Review Committee |

Recommendations of the Design Review Committee are advisory to the Planning and Zoning Commission.

7.1.C Design Review Committee

1. To assist in accomplishing good design, a Design Review Committee was established by the Commission to review architectural designs and site plans and make recommendations to applicants and the Commission about proposed designs.
2. The Design Review Committee shall have a minimum of five members and not more than ten members, plus three alternates appointed by the Chairman of the Planning and Zoning Commission and members of the Design Review Committee:
 - a. Shall be residents of the Town of Guilford,
 - b. Shall have training and/or experience in the design and planning professions which may include, but not be limited to, landscape architect or landscape designer, architect, environmental design professional, civil engineer, and/or other design professionals,
 - c. Shall serve staggered two-year terms, and
 - d. May be reappointed for an additional two-year term.
3. The Design Review Committee shall hold regularly scheduled meetings to consider applications referred to it by the Planning and Zoning Commission.
4. The Design Review Committee shall submit its recommendations to the Commission in writing but the failure of the Committee to act in a timely manner shall not affect the mandated time requirements for Commission action.

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5. The Chairman of the Design Review Committee shall serve a one-year term and may be reappointed for an additional one-year term.
6. Members of the Design Review Committee must avoid conflict of interest and any appearance of conflict of interest and recuse themselves when necessary from the deliberations of the Committee.

7.1.D Application Of Design Guidelines

1. Design guidelines commonly used by the Design Review Committee are contained in the Appendix although other design principles may be applied.
2. The guidelines contained in the Appendix are intended to help applicants achieve overall design objectives of the Town of Guilford.
3. These guidelines are not intended to:
 - a. constitute a rigid set of requirements, or
 - b. dictate one particular architectural style, or
 - c. discourage the use of progressive sustainable materials or new technologies.
4. It is the desire of the Design Review Committee and the Commission to leave full responsibility for the design and development to the applicant while conducting a reasonable review of the proposal and plans so that proposed development results in higher quality building and site design compatible with the characteristics of the Town.

One or more meetings with the Design Review Committee are strongly recommended prior to submitting a formal application to the Commission.

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7.2. Signs

7.2.A Purpose

This Section is intended to ensure that signs, as defined in [Section 2.2](#) of these Regulations, placed in the Town of Guilford shall not be overly intrusive, unnecessarily large, excessively high, or inappropriately located.

7.2.B Applicability

No sign as defined in [Section 2.2](#) of these Regulations shall be installed, constructed, or altered except in compliance with these Regulations. In the event of conflict between this Section and other sections of these Zoning Regulations, the more restrictive provision shall take precedence.

7.2.C Sign Design

1. All signs shall be reviewed by the Design Review Committee except for:
 - a. Signs identified in this Section as “no sign permit required” or “sign registration with ZEO”, and
 - b. Signs within the Town of Guilford Historic District which shall be approved by the Historic District Commission.



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7.2.D Signs Allowed In All Districts

The following sign types are allowed in all Districts subject to the following standards:

| 1. OVERALL | Residential District | Business District |
|-------------|----------------------------------|--|
| a. Setbacks | At least 10 feet from a lot line | May be located within 10 feet of a lot line |
| b. Lighting | Indirect lighting only | May be illuminated provided does not violate Section 7.2.G.6 |

| 2. ANNOUNCEMENT | Standards | Approval |
|--|---|-------------------------|
| a. Non-Profit Group Informational / Activity Signs | Any signs of a non-profit organization when erected on its own property or on another property with consent of the owner, provided that said signs shall not exceed 9 SF in area or exceed 4 feet in height (shall not be displayed at the same location for more than 20 consecutive days, and shall be no closer than 50 feet to any other similar sign). | No Sign Permit Required |
| b. Auction Signs & Special Events | Up to two signs per event, each not exceeding 6 SF in area, and not more than two times per year for the same location (posted not more than two days before and removed not later than one hour after the event) | No Sign Permit Required |
| c. A-Frame And Sandwich Board Signs (Advertising Sign) | One ground-mounted sign per 100 feet of lot frontage, not to exceed 4 signs per property, not to exceed 12 SF in area, not in the public right of way or a street easement and not obstructing vehicle sight lines or interfering with pedestrian facilities. | No Sign Permit Required |

| 3. REAL ESTATE | Standards | Approval |
|--------------------------|---|-------------------------|
| a. For Sale | Up to 4 signs at up to 4 SF each in area located on the road frontage of the property (removed upon sale) | No Sign Permit Required |
| b. Open House Signs | Up to 4 signs at up to 4 SF each in area relating to a residential property or subdivision, (posted not more than one day before and removed not later than one hour after the open house, not exceeding two days per week) | No Sign Permit Required |
| c. Temporary Subdivision | One sign per road entrance to the subdivision not to exceed 10 SF in size for 3-5 lots or 20 SF for 6+ lots, not more than 10' high | No Sign Permit Required |

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| 4. DIRECTIONAL | Standards | Approval |
|---|---|----------------------------|
| a. Directional Or Safety Signs | As reasonably needed on a property, up to 3 SF in area per sign | No Sign Permit Required |
| b. Special Event Directional Signs | Up to 6 signs not exceeding 4 SF in area are allowed (may be erected the day before the event and shall be removed the day following the event) | Sign Registration With ZEO |
| c. Directional Signs For Government Or Non-Profit | Up to 4 signs off the lot, not exceeding 3 SF each in area and not more than 4 feet in any dimension | No Sign Permit Required |

| 5. CONSTRUCTION | Standards | Approval |
|--|---|-------------------------|
| a. Residential Construction / Renovation | One or more signs up to 6 SF in total area designating information related to the construction project (removed within 5 days of project completion) | No Sign Permit Required |
| b. Non-Residential Construction / Renovation | One or more signs up to 16 SF in total area designating information related to the construction project (removed within 5 days of project completion) | No Sign Permit Required |

| 6. SPECIALTY | Standards | Approval |
|--|--|-----------------------------------|
| a. Historical Plaques | One sign up to 2 SF in area affixed to the structure | No Sign Permit Required |
| b. Legal Notices | Size as required by law, otherwise one sign up to 3 SF in area | No Sign Permit Required |
| c. Farm, Seasonal Farm Or Forestry Operation | See Section 6.1.i | See Section 6.1.i |

7.2.E Signs Allowed In Residential Districts

The following sign types are allowed in Residential Districts subject to the following standards:

| | |
|--------------------|----------------------------------|
| 1. OVERALL | Residential District |
| a. Setbacks | At least 10 feet from a lot line |
| b. Lighting | Indirect lighting only |

| 2. IDENTIFICATION | Standards | Approval |
|---|--|-------------------------|
| a. Residential Identification Sign | Two signs up to 2 SF each in area when the only sign(s) displayed on the structure / lot | No Sign Permit Required |
| b. Residential Accessory Use | One sign up to 2 SF in area for a permitted home-based business | No Sign Permit Required |

| 3. REAL ESTATE | Standards | Approval |
|-----------------------|--|-------------------------|
| a. For Rent | One sign up to 4 SF in area located on the road frontage of the property (removed upon rental) | No Sign Permit Required |

| 4. ANNOUNCEMENT | Standards | Approval |
|---------------------------|---|-------------------------|
| a. Bulletin Boards | One sign up to 12 SF in area for religious and public buildings in a residential District | No Sign Permit Required |

| 5. SPECIALTY | Standards | Approval |
|---|---|--------------------|
| a. Planned Residential Development | One sign up to 10 SF in area per PRD and 1 sign up to 8 SF in area for any commercial use approved by the Commission (maximum of 40sf for all commercial uses) | Site Plan Approval |
| b. Non-Conforming Uses | The allowable sign area for a non-conforming use in a residential zone (which shall not exceed the total area allowed in the most restrictive commercial zone where the use would be conforming) shall be determined by the Commission after considering the type of use, location, visibility from neighboring properties and reasonable needs for advertising the particular use. | Site Plan Approval |

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7.2.F Signs Allowed In Business Districts

The following sign types are allowed in Business Districts subject to the following standards:

| 1. OVERALL | Business District |
|-------------|--|
| a. Setbacks | In accordance with Section 7.2.G |
| b. Lighting | In accordance with Section 7.2.G |

| 2. IDENTIFICATION | Standards | Approval |
|----------------------|--|--------------------|
| a. Wall Sign | Up to 1 SF per lineal foot of building façade for the occupant (Maximum Building Projection of 2 feet) and a maximum sign area for all occupants of: <ul style="list-style-type: none"> 48 SF total in the PRB-1, PRB-2, GGB & MR1 Districts, allocated as percent of floor area, and 75 SF total in other districts except there shall be no overall limit if a sign design plan prepared by a qualified designer is submitted to and approved by the Commission and all subsequent signs are in accordance with such sign design plan. | Site Plan Approval |
| b. Freestanding Sign | Up to 48 SF in area, not more than 20 feet in height | Site Plan Approval |
| c. Shopping Centers | See Section 4.11 of these Regulations | |

| 3. REAL ESTATE | Standards | Approval |
|----------------|--|-------------------------|
| a. For Rent | One sign up to 4 SF in area per vacant space (removed upon rental) | No Sign Permit Required |
| b. For Sale | One sign up to 16 SF in area (removed upon sale) | No Sign Permit Required |

| 4. ANNOUNCEMENT | Standards | Approval |
|------------------------------------|--|-------------------------|
| a. Temporary Signs – Merchandising | One sign per lot up to 12 SF in area with up to 15 SF in plazas with permanently affixed temporary sign holders. | No Sign Permit Required |

| 5. SPECIALTY | Standards | Approval |
|-----------------------------|--|----------------------------|
| a. Banners, Flags, Pennants | One banner up to 16 SF in area, not more than 8 feet in any dimension, up to 10 weeks per year For governments and governmental agencies, flags or pennants containing symbol, seal, or insignia of said agency | Sign Registration Required |

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7.2.G Other Sign Standards

1. **Sign Measurements –**
 - a. All dimensions for signs shall be based on measurements to the outside edge of the sign, excluding any structure necessary to support the sign.
 - b. The area of signs shall be computed from either the outer dimensions of the frame or as the area of a quadrilateral, including the outer edges of all lettering, whichever is greater.
 - c. A two-faced sign will be considered as one when calculating the area, provided that the opposing faces are no more than two feet apart and that both sides are identical.

2. **Maximum Sign Area Limit –** The area of any sign or signs attached to a building shall not exceed 10% of the area of the wall on which such sign or signs are attached.

3. **Sign Location –**
 - a. Except as specifically allowed by these Regulations, signs shall be located totally on the property they serve.
 - b. No sign shall interfere with the architectural design of the building it exists on.
 - c. No sign shall be located on any roof.
 - d. Any sign attached to or painted on a building shall not extend beyond the limits of the wall of the building.

4. **Projecting And Hanging Signs –**
 - a. No sign shall project over any sidewalk, driveway, walkway, roadway, or access way, except those signs attached to the wall of a building.
 - b. No sign, other than a directional sign, shall be located within or overhang the right-of-way of any street.
 - c. With the exception of blade signs, no sign may project more than two feet from a building.

5. **Obstructions –** No sign shall be located or maintained so as to be a hazard to traffic or pedestrians or to obstruct any door, window, ventilations system, fire escape or exit or to cause a hazard to the public health or safety.

6. **Sign Lighting –** Sign lighting, including LED lighting, shall be shielded so that the light source is not visible.

7. **Sign Content –** Notwithstanding any other provision in this Section or these Regulations to the contrary, any sign authorized in these Regulations may contain any noncommercial copy in addition to, or in lieu of, any other copy.

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7.2.H Sign Permits

- 1. **Sign Permit Required** – Unless specifically excluded by these Regulations or allowed by right, the installation of any sign shall require a sign permit.
- 2. **Sign Permit Application** – An application for a sign permit shall be submitted to the Zoning Enforcement Officer on the form provided and shall include:
 - a. The appropriate fee for the sign permit.
 - b. A plan prepared by a sign designer of the proposed sign including materials, colors, font styles, dimensions and a rendering of the sign(s) drawn to scale on a building elevation with height above grade and method of support (freestanding or applied to wall).
 - c. Photographs of the building and/or site where the sign will be erected and of surrounding buildings and signs.
 - d. Method of lighting (if any).
- 3. **Appeals Of ZEO Decision** – In addition to any right to appeal to the Zoning Board of Appeals, any person aggrieved by the decision of the Zoning Enforcement Officer on a sign permit may request the Planning and Zoning Commission to review the decision of the Zoning Enforcement Officer. The Planning & Zoning Commission may make recommendations to the Zoning Enforcement Officer, who shall be authorized to modify his/her decision in response to the Commission’s recommendations.

7.2.I Non-Conforming Signs

- 1. An existing, non-conforming sign may be replaced with one of the exact same material, dimension, shape, area, lighting, and location provided a sign permit for same is obtained from the ZEO.
- 2. Non-conforming rights do not apply to temporary signs since, by definition, temporary signs are allowed for a limited period of time.

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7.2.J Prohibited Signs

The following signs shall not be permitted:

1. Any temporary sign other than as specifically allowed in [Section 7.2](#).
2. Any truck, van, wagon, or sound broadcasting vehicle used mainly for advertising or as a substitute for a billboard.
3. Any sign which obstructs the view of vehicular traffic.
4. Any sign which may in any way be misconstrued as a traffic signal or may distract drivers.
5. Any flashing, cycling, intermittent, light-reflecting, revolving, moving, continuous strip lighting or image display (LCD, LED, etc.) signs, except for barber poles. (Examples include, but are not limited to, mirrored surfaces, neon lights, banners, and balloons.)
6. Billboards.
7. Advertising signs painted on building walls.
8. A-frame/sandwich board signs except as allowed under [Section 7.2.D](#).
9. Trailer signs.
10. Banners, flags & pennants (except as provided in [Section 7.2.F.5](#) with a temporary sign permit application).
11. Time and or temperature display signs.

7.2.K Severability

1. The provisions of these Sign Regulations are declared severable, to the maximum extent permitted by law.
2. If any provision of this Section or the application thereof is held invalid or unlawful, it is the intent of the Commission that said invalidity shall not affect other provisions of these Regulations, which shall remain in full force and effect.

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7.2.L Signs for Shopping Centers In SC District

Signs for shopping centers in the SC District shall be subject to the following standards and, in the event of any conflict with standards set forth elsewhere in [Section 7.2](#), the provisions of this Section shall control.

- Allowable Building Signage** – Unless otherwise approved by the Commission as part of a comprehensive sign package:

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| <p>a. Wall signage</p> | <ul style="list-style-type: none"> Each individual tenant space may have one or more wall signs. The total exterior sign area for any individual tenant space shall not exceed one square foot for each linear foot of façade occupied by the tenant (measured on a horizontal line along the wall of the tenant space in which its main public entrance is located between the exterior intersecting walls or between the centers of the intersecting party walls). If a store has two or more public entrances or facades, only one wall may be designated as the front for the purpose of determining the total allowable exterior sign area. |
| <p>b. Blade signs –</p> | <ul style="list-style-type: none"> Blade signs, if used, shall be located on storefronts perpendicular to the main building façade, and maintain a minimum clearance of 8 feet above the sidewalk. The maximum size of each face shall not exceed 9 square feet, the maximum copy size of each face shall be 4 square feet, and both sides shall be identical. Blade signs may not project more than 4 feet from any wall. Is this in addition to or in lieu of a wall sign |

- Allowable Free-Standing Signage** – Unless otherwise approved by the Commission as part of a comprehensive sign package:

| | |
|--|---|
| <p>a. Shopping center identification sign</p> | <ul style="list-style-type: none"> One freestanding sign shall be allowed along the main street frontage. Such sign shall be located at least 10 feet from any street line. No portion of such sign shall be more than 10 feet above the average level of the ground within a radius of 10 feet, nor shall the area of any such sign exceed 48 square feet. |
| <p>b. Tenant directory sign</p> | <ul style="list-style-type: none"> No portion of such sign shall be more than 6 feet above the average level of the ground within a radius of 10 feet. Each tenant shall be allowed up to a 2 square foot sign on the directory sign. In addition to the names, the directory may contain a layout of the center or other graphic information not exceeding 6 square feet. |
| <p>c. Directional signs</p> | <ul style="list-style-type: none"> Signs providing directions to the tenant premises may be placed within a shopping center when approved by the Commission. Such signs shall not be visible off the lot and each sign may not exceed four square feet. |

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- 3. **Allowable Sign Type** – Signs shall be of individual-letter type or of signboard type, but the two types shall not be mixed on the I of the buildings on any single shopping center.
- 4. **Colors And Lighting** – Sign colors and lighting method shall be coordinated throughout each shopping center and shall be shown on the sign design plan and elevations in sufficient detail to indicate the proposed final sign design.
- 5. **Overall Design Required** –
 - a. For new shopping centers:
 - 1) All exterior signs shall be designed as an integral part of the shopping center’s architectural design and shall be of the same type, character, and relative location on the buildings so as to provide an integrated, harmonious design.
 - 2) As part of the zoning application for the project, a sign design plan for all proposed signs, whether attached or freestanding, shall be submitted for review by the Design Review Committee and approval by the Commission.
 - b. For existing shopping centers, new signs may be:
 - 1) Based on a sign design plan for all proposed signs prepared by a qualified sign designer, graphic artist, or architect submitted to and approved by the Commission based on recommendation of the Design Review Committee, or
 - 2) Considered as a multiple-tenant commercial building without an approved sign design plan whereby the Zoning Enforcement Officer, based on the advice of the Design Review Committee, will select either an existing sign on the building, or the sign submitted for approval as a prototype for all future signs, as they are replaced, to achieve a harmonious integrated design.

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7.3. Parking and Loading

7.3.A Purpose

This Section of the Regulations is intended to require that parking and loading spaces be provided in such number, location, design, and construction to accommodate the motor vehicles of occupants, employees, customers, and other persons normally visiting or servicing a use at any one time.

7.3.B Applicability

1. Unless on-street parking and/or loading spaces are specifically authorized and approved by the Commission, parking spaces, and loading spaces shall be provided off the street for any use of land, buildings, and other structures, in accordance with the standards hereinafter specified.
2. Any existing use shall continue to conform to these standards to the extent that it conforms at the time of adoption of these Regulations.
3. If any existing use of land, buildings or other structures is changed to a use requiring additional parking and loading spaces to comply with this Section, the additional spaces shall be provided for the new use in accordance with the standards hereinafter specified.
4. Parking and loading spaces required by this Section shall be permanently maintained and made available for occupancy in connection with and for the full duration of the use of land, buildings, and other structures for which such spaces are herein required.
5. Parking may be open parking, within a garage or within a structure or any combination thereof, meeting the total requirements of the minimum standards.
6. Whenever two or more classifications provided this Section shall apply to a use of a lot, buildings or other structures, the standard requiring the larger number of parking spaces shall apply.
7. Where separate parts of a building or structure are used for purposes requiring different amounts of parking space, the number of spaces shall be determined by adding the number of spaces required for the area devoted to each type of use.
8. The owners or occupants of two or more separate lots may establish a joint parking area to provide the total number of required parking spaces for uses on both lots.

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7.3.C Number Of Parking Spaces

1. Parking spaces shall be provided in accordance with the following minimum standards except that no parking shall be required if:
 - a. The property is within the Guilford Green District (GGB), and
 - b. The property is within 300 feet of the Town Green.

| Residential-Related | Minimum Number of Spaces |
|---|--|
| Single-Family Dwelling (including ADU) | 2.0 spaces for each dwelling unit on the property |
| Two-Family Dwelling | 2.0 spaces for each dwelling unit |
| Three- To Four-Family Dwellings and Multiple-Family Dwellings <ul style="list-style-type: none"> • Studio / 1 Bedroom • 2+ Bedrooms | 1.5 spaces for each studio / 1 BR dwelling unit 2.0 spaces for each 2+ BR dwelling unit |
| Home-Based Business | 1.0 additional space for each non-resident employee of the home-based business |
| Rooms-To-Let In A Dwelling | One space for each room let |
| Business-Related | Minimum Number of Spaces |
| Retail Stores up to 50,000 SF GFA | 4.0 spaces per 1,000 SF of GFA |
| Retail Stores 50,000 SF GFA and larger | 3.0 spaces per 1,000 SF of GFA |
| Personal Service Establishments | 4.0 spaces per 1,000 SF of GFA |
| Business And Professional Offices | 4.0 spaces per 1,000 SF of GFA |
| Research laboratories | 3.0 spaces per 1,000 SF of GFA |
| Financial Institutions | 4.0 spaces per 1,000 SF of GFA |
| Medical And Dental Clinics | 5.0 spaces per 1,000 SF of GFA |
| Automotive-Related | Minimum Number of Spaces |
| Motor Vehicle Refueling Stations | Spaces at each refueling station plus spaces for any retail or other use(s) |
| Motor Vehicle Repair Facility | 5.0 spaces per service bay |
| Motor Vehicle Washing Establishments | 5.0 cars per station for stacking at entry / exit |
| Industry-Related | Minimum Number of Spaces |
| Manufacture, Processing Or Assembling Of Goods (spaces may also be located on land within a radius of 500 feet from a lot line) | One space for each 1.5 employees on the largest daily work shift period |
| Warehouses, Wholesale Businesses (spaces may also be located on land within a radius of 500 feet from a lot line) | One space for each 1½ employees during the largest daily work shift period |
| Contractors’ Businesses (spaces may also be located on land within a radius of 500 feet from a lot line) | One space for each 1½ employees during the largest daily work shift period |

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| Hospitality-Related | |
| Restaurant | 1.0 space per 2.5 seats |
| Lodging | One space per guest room |
| Public Assembly | |
| Places Of Worship Or Public Assembly, Indoor Theaters And Stadiums Located In A Residential Zoning District | One space for each four seats (spaces shall be located on site) |
| Places Of Worship Or Public Assembly, Indoor Theaters And Stadiums <i>NOT</i> Located In A Residential Zoning District | One space for each four seats (spaces shall be located on site and/or on land within a radius of 500 feet from a lot line) |
| Other | |
| Hospitals, Convalescent Homes, And Sanitariums | 1.0 space for each three beds |
| Undertakers' Establishments (spaces may also be located on land within a radius of 300 feet from a lot line) | 15.0 spaces |
| Marinas, Docks, Wharves, Slip Basins And Landings For Boats | 1.0 space for each boat berth |
| Other Uses | Sufficient parking space to maintain the purpose and intent of this Section, as determined by the Commission |
| Child Care Center | 1 space per 10 enrollees for staff parking plus 5 additional spaces in a clearly delineated drop off/ pick up area |

2. Parking and loading facilities as required for nonresidential uses shall be located within the district that allows the principal use.
3. Parking spaces shall be provided on the same lot with the building / use unless an alternative location is specified in these Regulations (such as the Town Center) or approved by the Commission (such as shared parking arrangements).
4. Parking spaces shall be at least 9 feet wide and 18 feet long and accessed by a travel aisle at least 24 foot wide except that:
 - a. A parallel parking space shall be 8 feet wide and 22 feet long, and
 - b. The Commission may allow a narrower travel aisle for one-way circulation of if the spaces being accessed are wider.
5. Handicapped spaces shall be provided in accordance with State law.

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7.3.D Loading Spaces

1. Any building or other structure, except a dwelling, or place of worship or public assembly or indoor theater or stadium having a floor area in excess of 4,000 square feet shall have at least one off-street loading space for each 20,000 square feet of floor area or fraction thereof, excluding basements.
2. Loading spaces shall be at least ten feet wide, at least 48 feet long and have such vertical clearance, access, and slope so as to accommodate one cargo-carrying motor vehicle.
3. As provided in [Section 7.3.F](#) of these Regulations, the Commission may modify all or a portion of the loading space requirements if, in its opinion, such space or spaces are not necessary to the proposed use.
4. All loading docks located in commercial and industrial districts and visible from a state highway or residential district shall be suitably screened by a building, fence, wall, embankment, or other suitable device.

7.3.E Construction And Design Standards

1. All parking and loading spaces shall be suitably surfaced, graded, stabilized, and maintained so as to cause no substantial amount of dust or stormwater flow onto any public street.
2. Except for necessary driveway entrances and except for parking spaces provided in connection with a dwelling, offices in a dwelling, home handicraft industries and rooms-to-let in a dwelling, all off-street parking and loading spaces located within 10 feet of any public street right-of-way shall be separated from such right-of-way by a parking bumper, curb, fence, or wall at least 18 inches in height or an embankment at least 24 inches in height in such a manner that motor vehicles will not overhang the right-of-way.
3. Each such parking or loading space shall be provided with adequate area for approach, turning and exit of the vehicle intended to occupy that space without the need to use any part of a public right-of-way to accomplish the maneuver.
4. The points of entrance and exit for driveways onto the street shall be located so as to minimize hazards to pedestrian and vehicular traffic in the street.

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7.3.F Alteration Of Standards

The Commission may, upon written request, authorize a reduction in the number of parking spaces as follows:

1. **Permanent Parking Exemption** –
 - a. The Commission, after due notice and public hearing as required for amendment of these Regulations, may delineate areas which shall be exempt from the required provisions of off-street parking spaces under [Section 7.3.C](#).
 - b. Such delineation shall be shown on the Zoning Map and shall be made only after the Commission determines that sufficient on-street and/or off-street parking spaces provided by the Town of Guilford, property owners, or both are available to carry out the purpose and intent of this Section.

2. **Permanent Parking Reduction** –
 - a. The Commission may, by Special Permit, reduce the cumulative number of required parking spaces for one property or for multiple properties provided the Commission finds sufficient parking will be provided to meet the parking needs and also finds one or more of the following based on information provided by the applicant:
 - Peak parking demands among uses occur at different hours of the day and this offset results in a lower net peak parking demand;
 - Synergistic relationships among uses allow patrons to park once while accessing multiple locations or allow for multiple purpose trips to occur within the development(s); or
 - The uses are likely to generate transit, bicycle or pedestrian trips and accommodations have been made to support these alternative forms of transportation.
 - b. If the requested parking reduction is for multiple properties, the Commission shall, before granting the request, determine that:
 - A functional and interconnected parking arrangement will be provided within and between the properties, and
 - An agreement for joint access and parking, in perpetuity, acceptable to the Commission will be filed on the land records.

3. **Temporary Change of Use Exemption** – In the event that no new buildings or structures are being established and the land area, structures or permitted uses are simply being changed from one permitted use to another permitted use allowed under these Regulations, no additional parking spaces shall be required provided that the number of spaces that presently exist on the property is at least 90 percent of the cumulative parking requirement for the new use(s) and the other existing use(s) on the property.

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4. **Temporary Parking Installation Reduction –**
 - a. The Commission may, by Special Permit, authorize the deferment of the immediate installation of up to 25% of the required parking spaces where sufficient evidence has been presented, in the judgment of the Commission, to show that the reduced parking facilities will adequately serve the proposed use.
 - b. The Special Permit shall be applicable only to the particular use or occupancy of land, buildings, or other structures specified in the application, and such Special Permit and certificate of zoning compliance issued for the use shall become null and void in the event that such use or occupancy is changed to another use or occupancy.
 - c. Before approval of a waiver by the Commission, the applicant shall show upon the site development plan the complete layout for the full parking requirements and the design of the complete stormwater management system designed to handle the deferred parking pavement.
 - d. The owner shall file the plan approved by the Commission in the Office of the Town Clerk, stipulating that:
 - The complete stormwater management system shall be installed at the time of initial development, and
 - The owner, or the successor and assigns of the owner, will install as many of the waived parking spaces as the Commission deems necessary within six months of the Commission’s request, when, in the opinion of the Commission, such installation is needed.

5. **Reduction in Parking Requirements For Change Of Use –** In the event that a property is changing in use and requires a Zoning Permit, the required number of parking spaces for the new use shall be reduced to 90% of what it would normally be, rounded down.

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7.3.G Electric Vehicle Charging

1. **Purpose** – This section is intended to support the use of electric vehicles (EVs) by providing for EV charging facilities subject to reasonable conditions to protect the environment, public health, safety, and welfare.

2. **Definitions** –

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

ELECTRIC VEHICLE CHARGING STATION (EVCS) – A parking space *served by any level of electric vehicle supply equipment and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle*

LEVEL 1 EVCS – A 110 to 120-volt alternating current (AC) connected to a 20 Ampere or higher capacity circuit.

LEVEL 2 EVCS – A 208 to 240 volt alternating current (AC) connected to a 40 Ampere or higher capacity circuit.

LEVEL 3 EVCS – A 208-480 Volt direct current (DC) charger with 70 Ampere or higher capacity service.

EVCS INSTALLED – *Dedicated charging infrastructure with EV supply equipment installed and operational.*

EVCS READY – A designated EVCS which is provided with a minimum Level 2 EVSE or higher capacity to terminate in a junction box or 240-volt outlet at the parking space location.

EVCS CAPABLE – Electrical panel capacity, breaker service, and raceways or conduits to the parking space location to support eventual installation of AC Level 2 EVSE or higher capacity.

Level 1 – Every electric vehicle can be charged by plugging the vehicle into a regular 120-volt wall outlet. Level 1 adds between 3 and 5 miles of range per hour of charge.

Level 2 – Level 2 charging adds between 12 and 80 miles of range per hour of charge, depending on the charger’s power output and the vehicle’s maximum charge rate.

Level 3 – Level 3 charging can add between 180 to 1,200 miles of range per hour. The voltage required for “DC Fast Charging” generally limits to non-residential locations.

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3. Permitted / Required

a. Electric Vehicle Charging Stations are permitted as follows:

| | Accessory To Residential Dwelling | Accessory To Non-Residential Use | When A Principal Use |
|--------------|-----------------------------------|----------------------------------|----------------------|
| Level 1 EVCS | Allowed | Zoning Permit | Special Permit |
| Level 2 EVCS | Allowed | Zoning Permit | Special Permit |
| Level 3 EVCS | Allowed | Zoning Permit | Special Permit |

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

b. In all districts, Level 2 EVCS capable charging stations meeting or exceeding 10 percent of all new parking spaces are required as part of new construction, expansion of parking areas, and/or significant change in use which will result in the addition of 30 or more parking spaces.

In the design and construction of parking areas, consideration should be given to the installation of electric vehicle charging stations – either for immediate use in the near term or through the installation of underground conduits and other preparations for use in the long term.

1. EV-Capable
 Install electrical panel capacity with a dedicated branch circuit and a continuous raceway from the panel to the future EV parking spot.
[Aspen, CO: 3% of parking is EV-Capable \(IBC\)](#)
[Atlanta, GA: 20% is EV-Capable \(Ordinance\)](#)

2. EVSE-Ready Outlet
 Install electrical panel capacity and raceway with conduit to terminate in a junction box or 240-volt charging outlet (typical clothing dryer outlet).
[Boulder, CO: 10% of parking is EV-Ready Outlet](#)

3. EVSE-Installed
 Install a minimum number of Level 2 EV charging stations.
[Palo Alto, CA: 5-10% of parking is EV-Installed](#)

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4. Provisions

- a. EV Charging Stations and associated equipment shall count towards parking requirements.
- b. The installation of EV charging stations shall not reduce the number of parking spaces or the dimensions of any parking space below that required by these Regulations except that the Commission may, by Special Permit, allow the use of compact car spaces (16’ depth) and/or a reduction of up to 10% in the number of parking spaces as part of retrofitting an existing parking area for operational EV charging stations (due to loss of area resulting from installation of above-ground equipment).
- c. EV charging station facilities may be wall or pole mounted. EV charging station facilities may be shared among two or more spaces.
- d. Where necessary for health & safety, EV charging station equipment shall be protected by wheel stops or concrete-filled bollards. Curbing may be used in lieu of bollards / wheel stops if the charging station is set back a minimum of 24 inches from the face of the curb.
- e. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designed and located so as not to impede pedestrian travel or create injury hazards for pedestrians.
- f. Cords shall be retractable or have a place to hang the connector and cord sufficiently above the pedestrian surface. Any cords connecting the charger to a vehicle shall be configured so that they do not cross a driveway, sidewalk, or passenger unloading area.
- g. Notwithstanding any other sections of these Regulations, the apparatus associated with an electric vehicle charging station for transferring energy to an electric vehicle shall not be required to adhere to side yard or rear yard setback requirements. Such chargers shall not be located within a required front yard setback area unless approved by the Commission by Special Permit.



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- h. Notwithstanding any other sections of these Regulations, proprietary EV charging stations systems capable of serving only specific vehicle brands shall require a Special Permit unless such proprietary systems are less than 50% of all EV charging stations systems being installed.
- i. Signage and parking space paint shall be consistent with applicable standards and shall clearly identify EV charging stations as well as any restrictions regarding users and time limits. Where public or shared access is permitted, any applicable charging rates shall be posted with sufficient size and visibility to be read before entering the parking space. Directional signage leading to EV charging spaces is permitted in addition to any other directional signage.
- j. EV charging stations may include signage or electronic displays that provide instructions provided such signage and displays, unless otherwise approved by the Commission by Special Permit:
 - Do not exceed one square foot in area.
 - Consist only of static images.
 - Are not visible from public roadways, residential buildings or sites where residential buildings are permitted.
 - Do not have audible sound.
- k. Electric vehicle charging stations are not permitted within the Town or State right-of-way except at municipal sites and adjacent to designated on-street parking.



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7.4. Landscaping And Screening

7.4.A Purpose

The landscaping provisions of these Regulations are intended to preserve and enhance the character, appearance, and beauty of the Town and to accomplish transition between areas of unlike character. Further, these standards are intended to reduce excessive heat, glare, and accumulation of dust; to provide privacy from noise and visual intrusion; and to control erosion of the soil and excessive run-off of stormwater and avoid depletion and pollution of water resources.

Landscaping plans are one of the items reviewed by the Design Review Committee (see [Section 7.1](#) of these Regulations).

7.4.B Applicability

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| Shall Be Subject To Section 7.4 | <ul style="list-style-type: none"> A Site Plan or Special Permit application in a business zone A Special Permit application in a residential zone for other than an accessory structure |
| Not Subject To Section 7.4 | <ul style="list-style-type: none"> A single-family dwelling and any accessory structure thereto |

7.4.C Landscaping Requirements

On any lot where the Commission grants Site Plan Approval, landscaping shall be provided and maintained in accordance with the following:

1. **Existing Vegetation And Features** –
 - a. To the maximum extent possible, existing trees, vegetation, and site features such as stone walls, boulders, or rock outcroppings shall be retained and protected.
 - b. Existing healthy mature plant materials, especially trees, shall be preserved.
 - c. Since the preservation of stone walls is important in maintaining the historic rural and agrarian characteristics of Guilford’s country landscape, existing stone walls shall be preserved and maintained, to the extent possible.
 - d. Where the preservation of a stone wall is not possible, the wall shall be relocated on the lot and used in demarcating property lines.
 - e. The Commission may require the creation of conservation easements or similar instruments to ensure long-term protection of stone walls.

2. **Landscaping Required** – All portions of the lot not covered by buildings and other structures, outside storage areas approved by the Commission, areas for parking, loading and driveways and approved paved areas shall have the natural terrain and/or existing mature vegetation preserved or shall be suitably landscaped with trees, shrubs, pollinator pathways, lawns, or other suitable landscaping.

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3. **Native / Invasive Plant Species** – On landscaping plans submitted for approval:
 - a. Plant species native to New England are encouraged.
 - b. Non-native plant species are discouraged.
 - c. Invasive plant species are prohibited.

The most current listing of invasive plants from the Connecticut Invasive Plant Working Group may be found at (https://cipwg.uconn.edu/invasive_plant_list/)

4. **Front Yard Landscaping** – Unless otherwise allowed by the Commission, each lot shall provide a front landscaped area across the width of the lot and such area(s) shall:
 - a. Be at least 15 feet deep in order to enhance the appearance of the site, but not to screen the use from view,
 - b. Be landscaped and maintained with lawn, shrubs, trees, and other suitable landscaping to define the driveways and walkways to and from the street and to separate building and parking areas from the street.
 - c. Be planted with street trees with a caliper of 3 inches at locations determined by the Commission to provide a tree canopy along the street and provide shading of parking areas.
5. **Parking Area Landscaping** – Unless otherwise allowed by the Commission, each lot shall provide parking area landscaping in order to enhance the appearance and function of the site and such landscaped areas shall consist of:
 - a. A perimeter landscaped area at least five feet deep between any property line and any parking area,
 - b. Interior landscaped islands within parking areas with at least one 9’ by 18’ area (160 SF) provided for every 20 parking spaces in the parking lot distributed such that, unless otherwise approved by the Commission (such as a linear strip at least 5 feet wide and at least 90 feet long separating parking rows), there shall not be more than 15 spaces in a row or four rows across without an intervening interior landscape area.
 - c. Such interior landscaped islands may be used for LID stormwater management measures but shall generally be planted with:
 - Ground cover and/or low vegetation, and
 - At least one tree with a caliper of 3 inches for every 10 parking spaces or fraction thereof.
 - d. Planting required in setback areas from residential district boundary lines is not counted as parking area trees.

“Innie” Parking Island For LID



Conventional “Outie” Parking Island (No LID)



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6. **Screening To Residential District –**
 - a. In any non-residential zoning district, the area required for setback from a residential district boundary line shall be suitably landscaped with evergreen shrubs or trees, or such evergreens in combination with embankments, fences and/or walls, so as to provide an effective transition from such districts to the residential district.
 - b. Suitable natural terrain and existing evergreen trees and shrubs shall be preserved to the extent feasible and practical.
 - c. If preserved existing vegetation does not provide an adequate screen during all seasons between the districts, existing vegetation (if any) shall be augmented with new evergreens and other vegetation to provide an appropriate all-season visual screen.
 - d. Unless otherwise approved by the Commission, the setback from a residential district boundary line shall not contain any off-street parking spaces, loading spaces, or driveways.

7. **Variations To Landscape Requirements –**
 - a. **Additional Landscaping** – The Commission may require additional landscaping or more mature plantings when unusual conditions require more extensive screening, or for noise abatement to prevent the depreciation of adjoining residential properties.
 - b. **Reduced Landscaping** – The Commission may reduce the landscape requirements for excellence in building or site design after considering the size and quality of landscape materials, the compatibility of proposed structures with surrounding architectural types, quality of building materials, the site characteristics, and other features and characteristics.

7.4.D Landscaping Plan Required

1. A landscaping plan shall be submitted with every application for Site Plan approval or Special Permit approval unless the ZEO determines that such landscaping plan is not necessary.

2. Landscaping plans shall be prepared by a landscape architect or other suitable professional and shall include but not be limited to:
 - a. Location of existing vegetation to be preserved and proposals to protect it during and after construction.
 - b. Location of proposed new plant materials, including botanical and common names and size at installation and at maturity.
 - c. Proposed treatment of ground surfaces.
 - d. A plan to ensure that plant materials are maintained and/or replaced in the event the plant materials do not survive.

3. Location, area, and description of the area to remain in natural or pre-development state (or altered to allow for wildlife habitat enhancement or agricultural use with approval of the Commission).

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7.4.E Establishment And Maintenance

1. **Good Practices Required –**
 - a. All plant and other landscaping materials shall be provided in accordance with good landscaping practice and any modification from such practices shall be subject to the approval of the Commission.
 - b. Landscaping, trees, and plants required by these Regulations shall be planted in a growing condition according to accepted horticultural practice,
 - c. Landscaping, trees, and plants required by these Regulations shall be maintained in a healthy growing condition and any landscaping which is not so maintained shall be replaced by the property owner during the next planting season.
 - d. All landscaping located adjacent to parking areas, loading areas, or driveways shall be properly protected from damage by vehicles by barriers, curbs, or other means.

2. **Completion Of Landscaping –** All landscaping shown on a plan approved by the Commission shall:
 - a. Be completed before issuance of a Certificate of Zoning Compliance, or
 - b. A partial Certificate of Occupancy and/or a conditional Certificate of Zoning Compliance may be issued provided that a financial guarantee is posted in accordance with CGS Section 8-3(g) and [Section 9.8.O](#) of these Regulations.

3. **Maintenance –**
 - a. All landscaping, trees, shrubs, and lawns shown on an approved site plan shall be well maintained and trees and shrubs that die or are destroyed within one year of issuance of the Certificate of Zoning Compliance shall be replaced with similar trees and shrubs.
 - b. Any screening, fence or wall including plant material approved under this Section shall be maintained by the property owner in good condition throughout the period of the use on the lot.

2. **Completion Of Landscaping –** All landscaping shown on a plan approved by the Commission shall:
 - a. Be completed before issuance of a Certificate of Zoning Compliance, or
 - b. A partial Certificate of Occupancy and/or a conditional Certificate of Zoning Compliance may be issued provided that a financial guarantee is posted in accordance with CGS Section 8-3(g) and Section 9.8.O of these Regulations.

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7.5. Exterior Lighting

7.5.A Purpose

This Section of the Regulations is intended to guide the use of exterior lighting in order to enhance public safety, reduce glare, maximize the effectiveness of site lighting and avoid objectionable illumination (including upward illumination and light spillover) or negative impact to wildlife including but not limited to migrating and nesting birds.

Lighting plans are one of the items reviewed by the Design Review Committee (see [Section 7.1](#) of these Regulations).

7.5.B Applicability

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|--|---|
| Shall Be Subject To Section 7.5 | <ul style="list-style-type: none"> • A Site Plan or Special Permit application in a business zone • A Special Permit application in a residential zone for other than an accessory structure • A Site Plan Application in a residential zone • A modification of an existing Site Plan or Special Permit if lighting is changed |
| Not Subject To Section 7.5 | <ul style="list-style-type: none"> • A single-family dwelling and any accessory structure thereto |

1. Lighting, such as the types listed below, are exempt from these Regulations:
 - a. Traditional temporary seasonal/holiday lighting.
 - b. Temporary lighting associated with a fair, carnival or similar function authorized by the Town of Guilford.
 - c. Temporary lighting used by the Police Department, Fire Department, or Emergency Services.

2. The Commission may, by Special Permit, allow lighting that does not comply with the specific standards listed in this Section provided the Commission determines that such proposed lighting is consistent with the intent and purpose of these Regulations and that such lighting is essential to safe operation of the subject use.

7.5.C Lighting Plan Required

1. A lighting plan shall be submitted with every application for Site Plan approval or Special Permit approval unless the ZEO determines that such lighting plan is not necessary.
 - a. Applications for modifications of Site Plans and Special Permits must also include lighting plans if the modification concerns more than 50% of the total floor area on site.

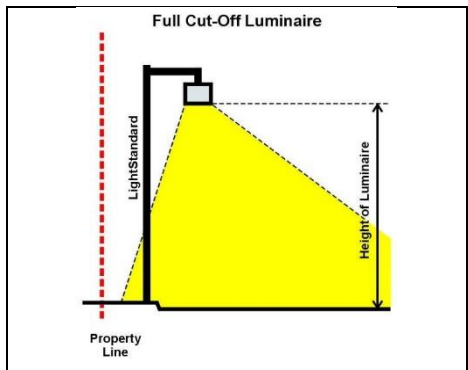
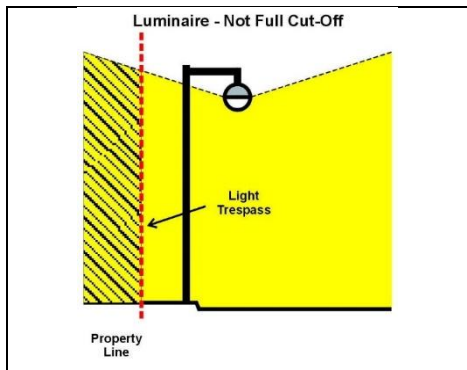
2. The lighting plan shall indicate the location of each current and proposed outdoor lighting fixture including ground-mounted, building mounted, driveway, parking lot, walkway, architectural, or sign-related lighting.

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3. The lighting plan shall be certified by a licensed professional engineer and shall include the following information:
 - a. Manufacturers catalog cuts for all light fixtures and relevant specifications for lamp type (metal halide, fluorescent, LED, etc.), wattage/illuminance, angle of cutoff, support poles, etc.
 - b. A plan showing illumination levels and/or contours on a 10-foot grid and extending out to 10 feet beyond the property lines (or zero calculated light levels, whichever comes first), showing foot-candle readings.
 - c. Information describing the average foot-candles, minimum and maximum foot-candles, and minimum-to-maximum ratios.
 - d. The proposed light pole or standard including color, material, height, footing, etc.

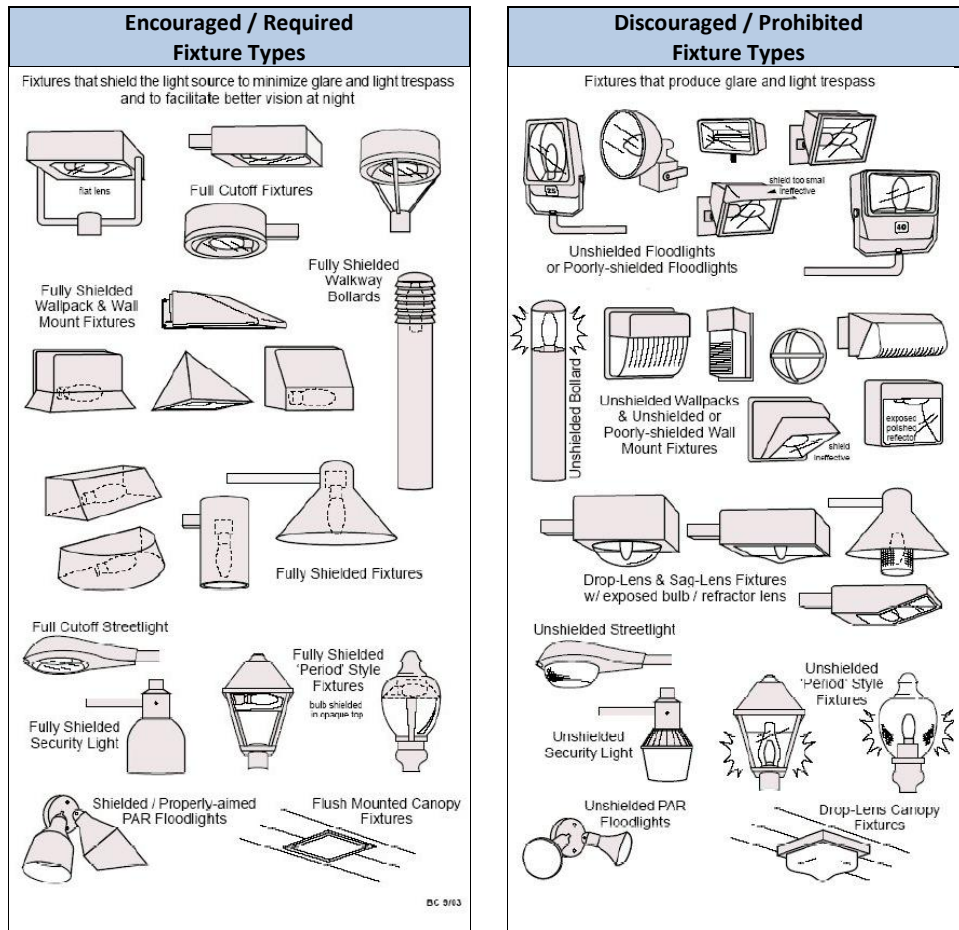
7.5.D Standards

1. All exterior lighting (including building-mounted lighting and sign lighting) shall be designed, located, installed, and directed in such a manner as to:
 - a. Prevent direct glare or significant light trespass onto neighboring properties, and
 - b. Maintain evenly distributed illumination within activity areas and minimize contrast between lit areas and dark surroundings.
2. **Light Emission** – Unless otherwise approved by the Commission:
 - a. Light fixtures shall be full cut-off type fixtures as approved by the Commission.
 - b. All lighting fixtures shall be shielded and aimed to:
 - Direct illumination only to the designated area and not cast on other areas, and
 - Prevent the light source or lens from being visible from adjacent properties and roadways.
 - c. In no case shall lighting be directed above a horizontal plane or through the top of the lighting fixture.
 - d. Attached building or wall lighting shall be screened by the building’s architectural features or contain a forty-five (45) degree cutoff shield.
 - e. The use of general floodlighting fixtures shall be discouraged.
 - f. Where playing fields or other special outdoor activity areas are to be illuminated, lighting fixtures shall be specified, mounted, and aimed so that their beams fall within the primary activity area and immediate surroundings, and minimal light trespass is received off the site.



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3. In terms of illumination levels, the Commission shall take the illumination levels as promulgated by the following references into consideration:
 - a. The Illuminating Engineering Society of North America (IESNA), and/or
 - b. The International Dark Sky Association (IDA).
4. The temperature of any LED bulb shall be limited to a maximum of 3,500K. The Commission may waive this requirement if they deem it necessary for safety.
5. Replacement of light fixtures and/or light bulbs (or replacement with LEDs) shall:
 - a. Maintain the illumination levels shown on the approved lighting (photometric) plan approved by the Commission or,
 - b. In the absence of such approved plan, the illumination levels as promulgated by the above references.
6. As part of its approval, the Commission may dictate the type of light source as shown in the visuals below.



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7.6. Stormwater Management

7.6.A Purpose

This Section of the Regulations is intended to protect and preserve the waters within the Town of Guilford and Long Island Sound from non-point sources of pollution and flooding through the proper management of stormwater flows and minimization of suspended solids, pathogens, toxic contaminants, heavy metals, petroleum hydrocarbons, nitrogen and floatable debris to these flows transported by stormwater and discharging to wetlands and watercourses within Guilford.

Water is a valuable natural, economic, recreational, cultural and aesthetic resource. The protection and preservation of ground and surface water is in the public interest and essential to the health, welfare and safety of the citizens of Guilford. As such, changes to land cover due to development without proper consideration of stormwater impacts can permanently alter the hydrologic response of local watersheds and potentially increase stormwater runoff rates and volumes, which in turn has the potential to increase flooding, stream channel erosion, sediment transport and deposition, and to impact water quality. Increases to impervious surfaces associated with development result in increases to stormwater runoff and have been directly linked to the degradation of water quality and decrease in ground water recharge of aquifers and base flow of watercourses.

The Purpose of this section is to encourage development proposals to address drainage and stormwater issues related to new development and to incorporate Low Impact Development (LID) planning and design approaches in Guilford. This Section seeks to guide land use decisions and does not replace any Federal, State or local stormwater flow control and water quality treatment regulations.

Low Impact Development (LID) is an approach to land-use planning and project design that seeks to:

1. Increase the ability of a developed site to effectively emulate predevelopment hydrologic conditions, including without limitation, stormwater retention and detention, water quality treatment, and infiltration functions;
2. Minimize overland stormwater runoff from a developed site;
3. Maximize the retention of trees, native vegetation, understory plants, and native soils;
4. Minimize soil disturbance;
5. Minimize the conversion of site surfaces from vegetated to non-vegetated surfaces; and
6. Maximize the quantity and use of appropriate native plants outside.

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7.6.B Definitions

BIO-RETENTION – A practice to manage and treat stormwater runoff by using a specially designed planting soil bed and planting materials to filter runoff stored in a shallow depression. The areas consist of a mix of elements each designed to perform different functions in the removal of pollutants and attenuation of stormwater runoff.

COMMON PLAN OF DEVELOPMENT – A project that is part of a larger common plan of development that may be completed in separate stages, or in combination with other development activities. Such a project can generally be identified by documentation of the larger scope as shown on plats, or blueprints, or indicated in marketing plans.

CSQM – Connecticut Stormwater Quality Manual (2004), as may be revised.

DESIGN STORM – A hypothetical storm event, of a given frequency interval and duration, used in the analysis of a storm water management measure.

DIRECTLY CONNECTED IMPERVIOUS AREA (DCIA) – The impervious area on the site from which stormwater runoff discharges directly to waters of the state or directly to a storm sewer system that discharges to waters of the state, but specifically not including impervious areas on the site that discharge through a system designed to retain the appropriate portion of the Water Quality Volume.

DISTURBED AREA – Area where vegetation, topsoil, or overburden is removed, or where topsoil, spoil, or other material is placed, including stockpiles.

EMERGENCY SPILLWAY – Auxiliary outlet to a water impoundment that is designed to convey stormwater that exceeds the capacity of the primary outlet.

FILTRATION MEASURE – Stormwater treatment practice designed to capture and store stormwater runoff and pass it through a filtering media such as sand, synthetic or organic material, or soil for pollutant removal.

IMPERVIOUS SURFACE – A surface area that cannot infiltrate rainwater. Common impervious surfaces include, but are not limited to, roof, walkways, patios, driveways, sidewalks, parking lots, or areas that are paved or made of other surfaces that similarly impede the natural infiltration of surface and storm water.

INFILTRATION MEASURE – Stormwater treatment improvement designed to capture stormwater runoff and infiltrate it into the ground.

IN-SITU – In place; undisturbed.

LOW IMPACT DEVELOPMENT – A site design strategy that maintains, mimics, or replicates pre-development hydrology through the use of numerous design principles and small-scale treatment practices distributed through a site to manage runoff volume and water quality at the source.

MEASURE – An improvement that is designed to control the quality or quantity of stormwater.

MS4 GENERAL PERMIT – General Permit to Discharge Stormwater from Small Municipal Separate Storm Sewer Systems

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PEAK DISCHARGE – The maximum instantaneous rate of flow of water at a particular point resulting from a specified storm event. Units of volume/time (e.g. cubic feet per second or CFS).

PEAK FLOW CONTROL – Stormwater management measures designed to maintain peak rate of flow from a development at pre-development values.

RAIN GARDEN – Functional landscape elements that combine plantings in depressions that are designed to allow the volume of water from small frequent storms to pool for only a few days after a rainfall then be slowly absorbed by the soil and plantings.

SEDIMENT FOREBAY – A separate cell within a pond formed by a barrier such as an earthen berm, concrete weir, or gabion basket designed to remove sediment and floatables prior to a primary or other secondary stormwater treatment practice.

STORMWATER – Waters consisting of rainfall runoff during or after a rain event and including snow or ice melt.

STORMWATER MANAGEMENT PLAN – Includes a narrative of the design objectives including potential impacts resulting from the proposal or activity and a description of the practices, techniques, structures and facilities proposed to mitigate such impacts. See [Section 7.6.E](#) for all requirements.

SUB-WATERSHED – A division of a watershed area, allowing runoff management as near to the source as is reasonable; also the area contributing runoff to, and therefore used to design, a specific stormwater treatment or conveyance measure.

SWALE – A channel with gently sloped sides designed to convey and retain water. Swale may also be designed to permit infiltration; vegetated swales include vegetation, which is maintained to filter particulate matter.

TIME OF CONCENTRATION – The time required for water to flow from the most distant point to the downstream point of a site. Runoff flow paths, ground surface slope and roughness, and channel characteristics affect the time of concentration.

VEGETATED BUFFER – An area or strip of land in permanent undisturbed vegetation [enhanced, restored or re-established] adjacent to a water body or other resource that is designed to protect resources from adjacent development during construction and after development by filtering pollutants in runoff, protecting water quality and temperature, providing wildlife habitat, screening structures and enhancing aesthetics, and providing access for recreation.

WATERSHED – The land area that contributes runoff to a particular point along a waterway [used interchangeably with catchment].

WATERSHED AREA – The area contributing surface water flow to a point on a drainage or river system. Can be divided into sub-watersheds.

WATER QUALITY VOLUME (WQV) – The volume of runoff generated by one inch of rainfall on a site or as specified in the Connecticut Stormwater Quality Manual (2004), as may be amended.

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7.6.C Applicability

1. Any Subdivision, Site Plan, Coastal Site Plan or Special Permit involving multi-family commercial development or redevelopment, shall require submittal and approval of a stormwater management plan prepared by a licensed engineer in accordance with the provisions of Section 7.6.D.
2. In lieu of providing a stormwater management plan per Section 7.6.D, a single family dwelling (with or without an accessory dwelling unit) or a two-family dwelling, whether a new development or redevelopment, may provide for appropriate stormwater management in accordance with [Section 7.6.H](#).
3. In addition, a stormwater management plan shall be included as a part of any application where the Commission or its agent determines that the activity proposed has the potential to:
 - a. Cause significant non-point source pollution to Long Island Sound or any waters of the state.
 - b. Cause or exacerbate downstream flooding.
 - c. Result in significant change in existing drainage patterns on or off-site.
 - d. Proposes an increase in impervious cover from existing site conditions.
 - e. Proposes land disturbance of 10,000 sf or greater.

As per [Section 7.6.L](#) of these Regulations, stormwater management shall also be compliant with:

- **Guilford Inland Wetlands and Watercourses Regulations**
- **CTDEEP General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities**
- **CTDEEP General Permit for the Discharge of Stormwater Associated with Industrial Activity**
- **CTDEEP General Permit for the Discharge of Stormwater Associated with Commercial Activity**
- **CTDEEP Dam Safety Repair and Alteration General Permits**
- **Army Corps of Engineers**
- **Other applicable regulations**

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7.6.D Stormwater Management Plan Requirements

1. The Stormwater Management Plan shall include a narrative of the design objectives including potential impacts resulting from the proposal or activity and a description of the practices, techniques, structures and facilities proposed to mitigate such impacts.
2. Applicants shall refer to the Connecticut Stormwater Quality Manual (2004CSQM), as may be amended, or other equally effective design standards, as appropriate.
3. Opportunities for stormwater retrofits of existing roads and other existing impervious areas on or adjacent to the site shall be explored.
4. The Stormwater Management Plan shall be prepared by an engineer licensed to practice in the State of Connecticut and shall provide, at a minimum, the following information:
 - a. Existing Site Conditions narrative inclusive of soil characteristics based on USDA soil surveys including soil names, map unit, erodibility, permeability, depth, texture and soil structure, and results of any on-site testing for the proposed development site.
 - b. Proposed Site Conditions narrative including description of proposed stormwater management system for construction and post-construction phases, total disturbed area, proposed groundcover conditions, the increase in impervious surface area, the percentage of the area of the development site that will be impervious, and identification of the potential impacts to wetlands, watercourses, and groundwater on or off site. The Commission may request information relative to the impact on downstream waterbodies and wetlands.
 - c. Existing Drainage Area Plan showing watershed drainage areas and analysis points with total area, groundcover, time of concentration flow paths including identification of presumed types of flow along the path, impervious surface area and runoff coefficients used to calculate pre-development peak runoff rates and volumes for the proposed development parcel. In addition to drainage related features, wells, topography, soil types, vegetation, wetlands and watercourses, and floodplains and floodways shall also be shown.
 - d. Proposed Drainage Area Plan showing watershed drainage areas and analysis points with total area, groundcover, including impervious surface areas, time of concentration flow paths including identification of presumed types of flow, and runoff coefficients used to calculate post-development peak runoff rates and volumes, location and description of receiving stormwater conveyance systems, surface waters, wetlands and other sensitive receptors for the proposed development site. Proposed wells, on-site wastewater disposal systems, topography, vegetation, easements, and maintenance access locations shall also be shown.

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- e. A description of design methodologies, hydrologic, hydraulic, and water quality computations for all practices and techniques, and structures and facilities as prescribed in [Section 7.6.E](#).
- f. Drawings including plan views, profiles, cross-sections, typical details, and calculated water elevations for each design storm, for all stormwater management system components at adequate scale(s) and containing sufficient detail to clearly depict the intent of the design; details, including any phasing requirements for construction and/or installation, dimensions and materials including planting and landscape plans and details associated with stormwater management system components.
- g. Structural design, geotechnical design and supporting information, as required by the Town Engineer for stormwater management system components including but not limited to, storm sewers, channels, outlet protection measures, culverts, bridges, dams, spillways, outlet weirs, and other structures.
- h. Location of all easements stating the specific responsibilities of the grantor and grantee as to the access and maintenance of the stormwater system. Easements shall be a minimum of 20’ wide (10’ each side of buried pipes), and shall extend 10’ beyond outfalls and 10’ outside both sides of open drainageways and 10’ beyond buried and unburied non-linear stormwater management features.
- i. Proposed operation, inspection and maintenance program for the stormwater management system. The program shall include a general schematic of the stormwater management system, annual maintenance costs, inspection and maintenance schedules, and checklists for each proposed stormwater management measure and the designation of the proposed responsible party for the operation, inspection and maintenance of the stormwater management system.
- j. Stormwater Maintenance Covenant (see [Section 7.6.K](#)).
- k. All on-site facilities shall be properly maintained by the owner of such, both during and after construction. Maintenance procedures shall be included as part of all application per [Section 7.6.E](#) and [Section 7.6.H](#).
- l. All stormwater control structures located on private property, whether dedicated to the Town or not, shall be accessible at all times for Town inspection. Where runoff control structures have been accepted by the Town for maintenance, access easements shall be provided.
- m. When the Commission determines that engineering, aesthetics, and economic factors make combined retention or other drainage facilities more practical, the Commission may permit several developers to construct joint facilities, provided that a maintenance agreement is filed on the land records for each property involved.

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7.6.E Stormwater Management Design Criteria

1. Stormwater management systems shall be designed to manage site runoff, minimize surface and groundwater pollution, prevent or mitigate flooding, and control peak discharges from the site and at critical downstream locations.
2. **Standards** – All designs shall meet the criteria as herein specified using, to the maximum extent practicable, low impact development to:
 - a. Minimize the amount of impervious surface (roads, parking lots, roofs, etc.) within each municipality by minimizing the creation, extension, and widening of parking lots, roads, and associated development and encourage the use of low impact development or green infrastructure practices.
 - b. Preserve, protect, create and restore ecologically sensitive areas that provide water quality benefits and serve critical watershed functions. These areas may include, but are not limited to; riparian corridors, headwaters, floodplains and wetlands.
 - c. Implement stormwater management practices that prevent or reduce thermal impacts to streams, including requiring vegetated buffers along waterways, and disconnecting discharges to surface waters from impervious surfaces such as parking lots.
 - d. Seek to avoid or prevent hydromodification of streams and other water bodies caused by development, including roads, highways, and bridges.
 - e. Implement standards to protect trees, and other vegetation with important evapotranspirative qualities.
 - f. Implement policies to protect native soils, prevent topsoil stripping, and prevent compaction of soils.
 - g. In addition, design of a stormwater management system shall be in accordance with the Connecticut Department of Transportation (CTDOT) Drainage Manual and the DEEP Stormwater Quality Manual (2004), as may be amended.
 - h. In the event of conflicts between the requirements of this Section and the above referenced documents, the requirements of this [Section 7.6](#) shall prevail.
 - i. In addition, when conflicts arise between CTDOT and DEEP referenced documents, the stricter standard shall apply.

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3. **Peak Flow Control –**
 - a. The peak flow rates and stormwater volumes shall be calculated for both pre- and post-construction conditions using the most appropriate of the United States Department of Agriculture, Natural Resource Conservation Service (NRCS), Technical Release (TR) including updated extreme precipitation climate data as available, and U.S. Army Corps of Engineering Hydrologic Engineering Center (HEC) series or other hydrologic and hydraulic programs approved by the Town Engineer.
 - b. The standard for characterizing pre-development land use for on-site areas shall be the current state of development at the time of the application, or the state of development at any time during the previous three years, whichever has the least amount of imperviousness.
 - c. The post-development peak rate of runoff shall not exceed the pre-development rate of runoff at any discharge from the site (property line(s)).
 - d. The peak rate of runoff shall be calculated using the 2-, 10-, 25-, and 50-year, 24-hour storm events.
 - e. If the development contributes stormwater runoff to more than one off-site watershed, the pre- and post-development peak rates of runoff shall be evaluated for each watershed.
 - f. In the event that natural storage (depressions) occurs on site, the existing storage capacity shall be considered in the hydrologic analysis.
 - g. Where it can be demonstrated that discharge from the site will not cause downstream flooding due to the site’s location within the watershed or within a tidally influenced area, this requirement may be waived upon approval of the Town Engineer.

4. **Groundwater Recharge Volume (GRV) –**
 - a. The groundwater recharge volume is the volume of stormwater that shall be captured and infiltrated for each storm.
 - b. The GRV shall be calculated as described in Section 7.5.1 of the DEEP Stormwater Quality Manual (2004), as may be amended.
 - c. The GRV requirement may be met in part through infiltration of the Water Quality Volume (WQV).
 - d. In locations where the GRV cannot be infiltrated on-site due to the potential for high pollutant loads from the activities in or adjacent to the development, contaminated soils, water supply protection, or high ground water it shall be temporarily retained on site for a minimum of 24 hours after the end of the storm.
 - e. The temporary storage of the GRV in such instances shall be designed to protect groundwater resources.
 - f. The post-development volume of runoff from the site shall not exceed the pre-development volume of runoff from the site, to the extent possible based on site conditions.
 - g. If the development contributes stormwater runoff to more than one off-site watershed, the pre- and post-development volumes of runoff shall be calculated for each watershed.

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5. **Water Quality Volume (WQV) –**
 - a. The Water Quality Volume (WQV) for all new impervious area on the site shall be calculated as described in Section 7.4.1 of the DEEP Stormwater Quality Manual (2004), as may be amended.
 - b. The WQV shall be retained on-site in an off-line structure and treated by either infiltration or filtration or a combination thereof for each sub-drainage area of the site or as approved by the Town Engineer.
 - c. At the discretion of the Town Engineer, the Applicant may propose to treat existing impervious areas in lieu of proposed, if the proposed area does not have a higher potential for pollutant loading.
 - d. The WQV may be reduced by the following methods:
 - i. Decreasing the impervious area of the site using Low Impact Development design.
 - ii. Subtracting the area of land dedicated as Open Space or Conservation Easement from the total area of the site in the calculation of the WQV, provided the area is to remain in an undisturbed natural state in perpetuity and is protected during construction and does not discharge to downstream WQV treatment structures.
 - iii. Subtracting the GRV from the WQV if the GRV is infiltrated separately in each sub-drainage area from the WQV and there is equivalent treatment of pollutants.
 - iv. Subtracting the area of land from the WQV calculation that drains by overland sheet flow and then across a vegetated buffer prior to entering a wetland or adjacent property that meets all the following conditions:
 - (1) The slope of the overland sheet flow is less than 15%.
 - (2) The length of the overland flow upgradient of the vegetated buffer used in this calculation is limited to a maximum of 150 feet for pervious surfaces and 75 feet for impervious surfaces. The WQV from overland flow exceeding these limits must be intercepted and treated accordingly.
 - (3) The vegetated buffer is a minimum of 50 feet wide.
 - (4) The vegetated buffer remains undisturbed and is protected in perpetuity as open space, conservation easement or other land use restriction.
 - (5) The calculated runoff velocity across the vegetated buffer is less than 2 feet per second.
 - (6) The average slope of the vegetated buffer is 6% or less.
 - e. Structures including swales, basins, bio-retention areas, rain gardens, and gravel based vegetated wet basins constructed to capture the WQV shall meet the following requirements:
 - i. Structures shall be designed with the WQV off-line unless approved by the Town Engineer.
 - ii. Unless designed to maintain a minimum water level, such structures shall be designed to drain within 12 to 72 hours.
 - iii. WQV structures must be designed with a suitable overflow and/or outfall structure.

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7.6.F Requirements For Infiltration Measures

Infiltration measures to control stormwater in compliance with [Section 7.6.E](#) shall meet the following requirements in addition to those outlined in the DEEP Stormwater Quality Manual (2004), as may be amended:

1. Infiltration measures shall be sized to drain within a 72-hour period using the following formula: $tp=D/K$, where tp is the ponding time in days, D is the depth of the measure in feet, and K is the infiltration rate in feet per day. The infiltration rates for each soil group (approximately equal to saturated hydraulic conductivities) shall be as follows:

| Soil Group | K (ft/day) |
|------------|------------|
| A | 0.6 |
| B | 0.3 |
| C | 0.1 |
| D | 0.0 |

2. **Optional Field Testing –**
 - a. Field test methods may be used to measure the saturated hydraulic conductivity in lieu of those listed above. Measured rates are subject to a factor of safety of 2 (use 50 percent of the measured infiltration rate) to account for clogging over time. Accepted field test methods are as follows:
 - Guelph permeameter – ASTM D5126-90 Method,
 - Falling head permeameter – ASTM D5126-90 Method,
 - Double ring permeameter or infiltrometer – ASTM D3385-033, D5093-024, D5126-90 Methods,
 - Amoozometer or Amoozegar permeameter – Amoozegar 1992, or
 - An alternative method as accepted by the Town Engineer.
 - b. Field tests to determine infiltration rates shall be made within the footprint of each proposed infiltration area in accordance with the frequency and guidance of the DEEP Stormwater Quality Manual (2004), as may be amended.
 - c. The Town Engineer or Commission may request more than one field test per area.
 - d. Percolation tests are not considered acceptable for the measurement of saturated hydraulic conductivity.
3. Infiltration measures shall be protected from the accumulation of sediment and debris that adversely affect the infiltration rate of the measure. (i.e. sediment forebays, plunge pools, or deep sump catch basins.)
4. Access to areas proposed for infiltration shall be controlled during construction to protect these areas from compaction by construction equipment.
5. Infiltration basins shall be completely vegetated with plants tolerant to frequent inundation of water. Bare sand, gravel or stone surfaces are not allowed.

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6. Infiltration measures that exceed 150 SF in footprint area shall be tested in-situ after construction to ensure the design parameters are met. In the event testing indicates the design parameters have not been met, the area and/or depth shall be adjusted as necessary to meet design specifications.
7. Underdrains and/or curtain drains cannot be used to locally lower the elevation of the existing found water table adjacent to the infiltration basin. Underdrains shall not be placed under infiltration measures.
8. Infiltration measures must be constructed on in-situ soils unless otherwise approved by the Town Engineer.
9. **Bottom Elevation –**
 - a. The bottom of an infiltration measure shall be a minimum of three feet (3') above the maximum ground water level and a minimum of 3 feet above ledge.
 - b. For the purposes of these regulations the term “maximum ground water level” shall be synonymous with the term “ground water table.”
 - c. Field tests to determine depths to maximum ground water table and ledge shall be made within the footprint of each proposed infiltration area.
 - d. Groundwater elevations shall be determined by performing a visual observation of soils encountered in deep hole test pits. Soil Logs shall be submitted to the Commission.
 - e. The Town Engineer or Commission may request more than one field test per area.

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7.6.G Requirements for Filtration Measures

Stormwater practices that utilize filtration shall meet the following requirements in addition to those outlined in the Connecticut Stormwater Quality Manual (2004), as may be amended:

1. Filtration measures shall be protected from the accumulation of sediment and debris that adversely affect the filtration rate of the measure. (i.e. sediment forebays, plunge pools, or deep sump catch basins.)
2. Filtration measures shall be completely vegetated with plants tolerant to frequent inundation of water. Bare sand, gravel or stone surfaces are not allowed.
3. Filtration measures shall be tested in-situ after construction to ensure the design parameters are met. In the event testing indicates that the design parameters have not been met, the area and/or depth shall be adjusted as necessary to meet design specifications.
4. **Use of Underdrains –**
 - a. Underdrains may be used adjacent to filtration measures above the maximum ground water table.
 - b. The discharge from the structures shall be considered in the calculation of flow and volume.
 - c. Underdrains and/or curtain drains cannot be used to locally lower the elevation of the existing ground water table adjacent to the filtration measure.
 - d. Underdrains may be used under lined filtration measures that are located in contaminated soils only under the direction of a licensed environmental professional.
 - e. Underdrains may be used to drain other filtration measures, as long as they do not lower the ground water table adjacent to the measure.
5. All structures with a submerged primary outlet shall be designed with an emergency spillway. The emergency spillway shall be designed to convey the 100-year design flow without overtopping another portion of the filtration measure. Emergency spillway design shall assume other outlets from the structure are inoperable (frozen, blocked, etc.).

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7.6.H Alternate Stormwater Treatment For Certain Residential Uses

1. In lieu of meeting the design requirements outlined in [Section 7.6.E](#), an application involving a single-family dwelling (with or without an accessory dwelling unit) or a two-family dwelling unit may elect to install:
 - a. rain barrels,
 - b. infiltrating subsurface stormwater chambers,
 - c. rain gardens and/or
 - d. a combination of the above methods.
2. The required total volume of stormwater storage/infiltration (Tv) shall be based solely on the increase of impervious surface on the lot (Ra) multiplied by one inch (1”) or as specified in the most current SWQM.
3. The primary downspouts of the dwelling should be connected to the storage and/or infiltration systems.
4. The following information should be provided to demonstrate compliance:
 - a. Calculations depicted on the plans demonstrating compliance with this section as follows:

$$Tv \text{ (ft}^3\text{)} = 1'' \text{ (one inch or per CSQM)} / 12 \text{ (in/ft)} * Ra \text{ (ft}^2\text{)}$$

For applicants that can demonstrate a hardship due to setbacks from lot lines and septic systems, a waiver may be granted to reduce the requirement for 1” to 0.5”.

- b. Plan and details depicting the location of stormwater structures and their ability to contain/infiltrate the total volume (Tv).
- c. Plans should indicate locations of downspouts and estimated saturated high ground water.
- d. A brief installation/maintenance procedure describing how the proposed stormwater systems will be constructed and maintained in future years.
- e. Test pit results documenting the minimum separation to ledge and groundwater under each infiltration measure shall be submitted.
- f. When applicable, all stormwater management systems shall be included on the septic system plan.

7.6.I General Requirements

1. The applicant shall be fully responsible for constructing adequate facilities for the control, collection, conveyance and acceptable disposal of stormwater, other surface water and subsurface water, whether originating within the development site or in a tributary drainage area.
2. All drainage facilities shall be designed by an Engineer licensed as a professional engineer in the State of Connecticut and shall be subject to the approval and final acceptance of the Town Engineer.

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3. The storm drainage system shall be separate and independent of the sanitary sewer system.
4. Storm drainage infiltration systems shall meet separation distance requirements from septic systems on the subject property and adjacent properties, as appropriate.
5. Storm drain pipes shall have minimum flow velocities of 2 feet per second for self-cleansing, and otherwise meet the requirements of the ConnDOT Drainage Manual unless otherwise approved by the Town Engineer.
6. Catch basins shall have deep sumps and shall otherwise meet the recommended standards of the DEEP Stormwater Quality Manual (2004), as may be amended.
7. When a proposed drainage system is located off-site on private land, appropriate drainage easements shall be secured and indicated on the map.
8. When the applicant proposes to connect the storm sewer to an existing storm sewer, calculations shall be submitted to demonstrate the adequacy of the existing sewer to accept the flow.
9. Stormwater shall not be permitted to cross the surface of any street but must be diverted away from the road or piped underground. The developer shall demonstrate that the conveyances have adequate capacity.
10. On-site drainage systems shall have the minimum capacity to manage runoff from the 25-year design storm. Major ditches, channels and control structures shall be designed with the minimum capacity to manage runoff from the 50-year design storm, and conveyances, or other structures to accommodate existing streams shall be designed to manage runoff from the 100-year design storm.
11. If in the judgment of the Commission the runoff from the development site will adversely affect the receiving stream or natural waterway, other means of stormwater runoff disposal shall be required.
12. No unnatural depressions shall be allowed on lots, rights-of-way or recreation and open space area unless properly drained or approved as part of the Stormwater Management Plan.
13. The proposed stormwater management measures shall be designed in accordance with any town drainage plan and with due regard for the ultimate development within the watershed.

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7.6.J Maintenance

1. All on-site facilities shall be properly maintained by the owner of such, both during and after construction. Maintenance procedures shall be included as part of all applications per [Section 7.6.E](#) and [Section 7.6.H](#).
2. All stormwater control structures located on private property, whether dedicated to the Town or not, shall be accessible at all times for Town inspection. Where runoff control structures have been accepted by the Town for maintenance, access easements shall be provided.

7.6.K Maintenance Covenant

Upon approval of the application and prior to commencement of any work, the property owner shall file Covenants on the Land Records committing current and future landowners to ongoing maintenance of the approved stormwater facilities. At a minimum, the following should be included in the covenants:

1. Provisions for yearly inspection and maintenance of the facilities.
2. Submittal of yearly reports to the Town Engineer documenting inspection dates, observations, and actions undertaken.

7.6.L Other Permit Requirements

It is the applicant’s responsibility to obtain all applicable permits regarding the management of stormwater for a proposed development or redevelopment both during and after construction.

Applicable permits may include but are not limited to:

- Guilford Inland Wetlands and Watercourses Commission
- Connecticut Department of Energy and Environmental Protection (CTDEEP)
 - General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities
 - General Permit for the Discharge of Stormwater Associated with Industrial Activity
 - General Permit for the Discharge of Stormwater Associated with Commercial Activity
 - Dam Safety Repair and Alteration General Permits
- Army Corps of Engineers

1. No private drain shall be connected to the Town stormwater drainage system without prior approval by the Town Engineer. No private drains shall be connected to the State stormwater drainage system without prior approval by the CTDOT.
2. All applicants shall be aware that the Town of Guilford operates its stormwater sewer system under the CTDEEP MS4 General Permit. All development and redevelopment applications will be reviewed by the Town Engineer to ensure they comply with the MS4 General Permit.

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7.7. Erosion And Sedimentation Control

7.7.A Purpose

This Section is intended to ensure that proper provisions are made to adequately control accelerated erosion and sedimentation and result in development that:

- minimizes erosion and sedimentation during construction;
- is stabilized and protected from erosion when completed; and
- does not cause off-site erosion and/or sedimentation.

7.7.B General Requirements

1. All development shall establish, implement, and maintain soil erosion and sediment controls in accordance with the publication entitled “Connecticut Guidelines for Soil Erosion and Sediment Control”, as amended.
2. The minimum standards for soil erosion and sediment control are those principles and measures contained in the Connecticut Guidelines for Soil Erosion and Sediment Control, as amended except that the Commission may grant exceptions to those principles and measures when requested by the applicant, if technically sound reasons are presented.
3. Erosion and sediment control measures and facilities shall be in place and functional prior to the start of development and shall be maintained in effective condition until the site is stabilized.
4. During development, the Zoning Enforcement Officer may inspect the site at any time to review sediment and erosion control measures, ensure compliance with any approved Control Plan, implement new erosion and sedimentation measures, and/or and ensure that control measures and facilities have been properly performed, installed, and maintained.
5. 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 or maintained.
6. As part of any activity involving earth disturbance, the Zoning Enforcement Officer may require the submission of a financial guarantee in accordance with CGS Section 8-3(g) and Section 9.8.O of these Regulations or other assurance acceptable to the Zoning Enforcement Officer (including cash or cash equivalent) to cover the estimated costs of establishing and maintaining erosion and sediment control measures until the site is stabilized.

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7.7.C Control Plan Required

1. A Soil Erosion and Sediment Control Plan shall be submitted with:
 - a. Any application for site plan approval when the disturbed area of such development is cumulatively more than one-half (0.5) acre.
 - b. Any coastal site plan application when ground disturbance is proposed unless it can be demonstrated to the Commission’s satisfaction that soil and erosion controls are not necessary because the activity will not cause an adverse impact to water quality and other sensitive resources like tidal wetlands.

2. Said plan shall include a narrative describing:
 - a. The development.
 - b. The schedule for grading and construction activities, including start and completion dates and sequence of grading and construction activities, sequence for installation and/or application of soil erosion and sediment control measures and sequence for final stabilization of the project site.
 - c. The design criteria for proposed soil erosion and sediment control measures and stormwater management facilities.
 - d. The construction details for proposed soil erosion and sediment control measures and stormwater management facilities.
 - e. The installation and/or application procedures for proposed soil erosion and sediment control measures and stormwater management facilities.
 - f. The operations and maintenance program for proposed soil erosion and sediment control measures and stormwater management facilities.

3. Said plan shall include a site plan map at a sufficient scale to show:
 - a. The location of the proposed development and adjacent properties.
 - b. The existing and proposed topography, including soil types, inland wetlands, tidal wetlands, watercourses, and water bodies.
 - c. The existing structures on the project site, if any.
 - d. The proposed area alterations, including cleared, excavated, filled, or graded areas and proposed structures, utilities, roads and, if applicable, new property lines.
 - e. The location of and design details for all proposed soil erosion and sediment control measures and stormwater management facilities.
 - f. The sequence of grading and construction activities.
 - g. The sequence for installation and/or application of soil erosion and sediment control measures.
 - h. The sequence for final stabilization of the development site.

4. Said plan may contain other information relevant to the control of erosion and sedimentation on the site deemed necessary and appropriate by the applicant or requested by the Commission or its designated agent.

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7.8. Access Management

7.8.A Purpose

This Section is intended to ensure that adequate provision shall be made for vehicular access to the lot and circulation upon the lot in such a manner as to safeguard against hazards to traffic and pedestrians in the street and upon the lot, to avoid traffic congestion on any street and to provide safe and convenient circulation upon the lot.

7.8.B Applicability

| | |
|--|--|
| Shall Be Subject To Section 7.8 | <ul style="list-style-type: none"> A Site Plan or Special Permit application on an arterial or collector street |
| Not Subject To Section 7.8 | <ul style="list-style-type: none"> A single-family dwelling and any accessory structure thereto |

7.8.C Access And Circulation

- In the interests of public safety, the number of driveways onto public streets should be minimized.
- In non-residential districts, driveways, parking areas, paths, and sidewalks should be interconnected and/or combined, where possible, with adjacent uses to minimize curb cuts and to maximize pedestrian and vehicular movement between adjacent sites without excessive curb cuts, access movements, and congestion.
- The Commission may require present or future sharing of driveways and/or may require provision (including rights-of-way to the Town and/or to adjacent property) be made for such interconnection, and for the extension of any road or driveway, terminating at or upon the subject site so as to serve adjacent undeveloped land in the same or a comparable zone.
- Where reasonable alternate access is available, the vehicular access to the lot shall be arranged to minimize traffic use of local residential streets situated in or bordered by residential districts.
- Where a lot has frontage on two or more streets, the entry and exit from the street shall be provided for where potential traffic congestion and hazards to traffic and pedestrians are minimized.
- The street giving access to the lot shall have traffic-carrying capacity and be suitably improved to accommodate the amount and types of traffic generated by the proposed use.
- Where necessary to safeguard against hazards to traffic and pedestrians and/or to avoid traffic congestion, provision shall be made for turning lanes, traffic directional islands, frontage road driveways and traffic controls within the street.

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8. Access driveways shall be of a design and have sufficient capacity to avoid queuing of entering vehicles on any street.
9. Driveways into the lot shall have proper alignment and grade, not exceeding 10%, as well as transition grades and sight distances, for safe, convenient, and efficient access and shall meet the street line and travel way of the street in such a manner as to conform to the standard cross-section for the street as may be specified in Chapter 241, Streets and Sidewalks, Article IV, Road Standards.
10. Unless otherwise permitted by the Commission, there shall be no more than one driveway connection from any lot to any street, except that separate entrance and exit driveways may be provided where necessary to safeguard against hazards and to avoid congestion, and additional driveway connections may be provided particularly for, but not limited to, large tracts and uses of extensive scope, if traffic flow in the street will be facilitated by the additional connection.

7.8.D Existing Streets

1. Where the lot has frontage on an existing street, proper provision shall be made for grading and improvement of shoulders and sidewalk areas within the right-of-way of the street and for provision of curbs and sidewalks, as approved by the Commission and in accordance with the pattern of development along the street.
2. Where necessary to provide for suitable access or for a system of neighborhood circulation streets, provision shall also be made for appropriate continuation and improvement of streets terminating at the lot where the use is to be located.

7.8.E Access To Business Lands

Public access to a parcel of land located in any commercial, marine recreation or industrial district and being used for any commercial, marine recreation or industrial purpose shall be permitted only from street frontage within the boundaries of such district or districts.

7.8.F Emergency Access

Suitable provision shall be made on the lot for access to buildings and other structures by fire, police, and other emergency services and for fire hydrants where appropriate and where public water supply is available, in accordance with good fire protection practices.

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7.9. Sidewalks & Accessibility

7.9.A Purpose

With the passage of the Complete Streets Resolution in March 2020, Guilford has committed to building a transportation network that accommodates all road users of all ages and abilities, including pedestrians, bicyclists, transit users, motorists, and commercial and emergency vehicles.

Currently, many roads in Guilford are not able to safely accommodate all modes of travel, and there are parts of the Town that are difficult or dangerous to access without a car. Improving accessibility and safety for all road users promotes physical health, contributes to an integrated and equitable transportation network, supports economic development, addresses environmental issues associated with noise and air pollution, and contributes to an enhanced quality of life for all residents of the community.

Consistent with the Guilford Complete Streets Plan, this Section is intended to ensure that adequate provision is made for safe and convenient access by pedestrians and bicycles throughout the community.

7.9.B Applicability

The provisions of this Section shall apply to all non-residential development and all multiple-family residential development and/or in locations identified in any sidewalk plan adopted by the Commission.

Sidewalks



Bicycles



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7.9.C Pedestrian Design Standards

1. A system of safe and convenient pedestrian ways shall be provided:
 - a. Along all arterial street frontages,
 - b. Along all collector street frontages within the Town Center district,
 - c. Along all road frontages within ½ mile of a public school,
 - d. Between developments and linking developments to destinations in all districts where feasible,
 - e. Between such street frontages and buildings on the site,
 - f. Between individual buildings within the site, and
 - g. To-and-from existing or potential future pedestrian accommodations on adjacent sites following the recommendations of the Guilford Complete Streets Plan.

2. A system of safe and convenient pedestrian ways may also be required in business zones, for public facilities, and/or on collector streets.

3. Such pedestrian ways and sidewalks shall:
 - a. Provide safe separation or delineation from motor vehicle traffic,
 - b. Be designed, constructed, and maintained in accordance with the Americans with Disabilities Act (ADA) requirements,
 - c. Be constructed in accordance with Town of Guilford standards for sidewalks, and
 - d. Be constructed of concrete or other ADA-compliant paving material (except bituminous materials) acceptable to the Commission.

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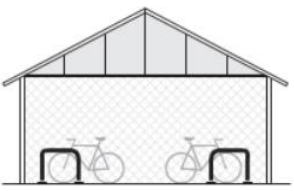




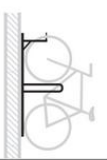


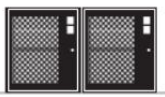
7.9.D Bicycle Design Standards

1. Convenient and appropriate bicycle parking facilities shall be provided as part of any new construction, changes of use, or substantial improvements.
2. Bicycle parking facilities shall be provided in accordance with the following minimum amounts:

| Use | Minimum Bicycle Parking Requirement |
|------------------------------|--|
| Residential (Multi – Family) | One bicycle parking space per dwelling unit |
| Commercial Uses | One bicycle parking space per 10 required vehicular parking spaces |
| Schools | One bicycle parking space for every 10 students and staff |
| Government | One bicycle parking space per every 10 employees |
| Industrial Uses | 1 bicycle parking space per 1000 SF of GFA |

3. Bicycle parking shall be provided in accordance with the following:
 - a. When vehicular parking is covered or partly covered the bicycle parking will be covered at the same ratio.
 - b. When more than 20 bicycle parking spaces are required, at least 25% of such parking shall be provided as long-term bicycle parking.
 - c. All projects submitted for site plan approval shall identify bicycle parking in accordance with these requirements.
 - d. When more than 10 bicycle parking spaces are required, the number of vehicular parking spaces required by [Section 7.3](#) of these Regulations may be reduced one vehicular parking space for every 10 bicycle spaces required.
4. Such bicycle parking spaces shall be located near each main building entrance, and in an area that is highly visible.
5. All bicycle parking devices provided shall be in accordance with the “Essentials of Bike Parking” (2015) as published by the Association of Pedestrian and Bicycle Professionals.

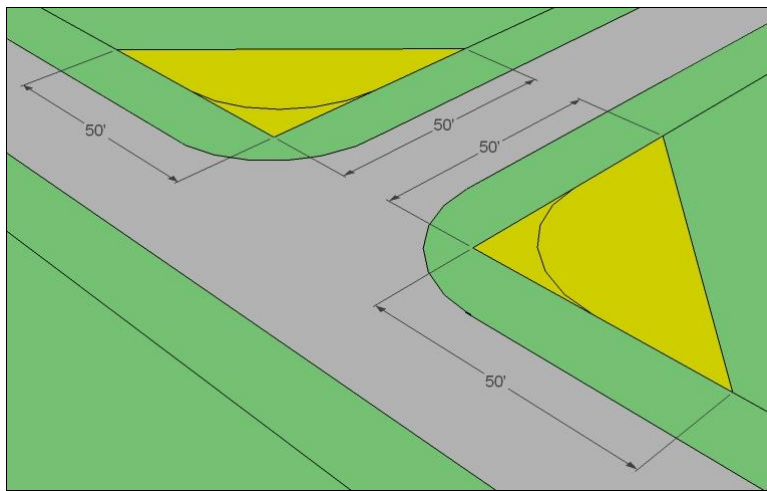
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| | Encouraged Fixture Types | Discouraged Fixture Types |
|---------------------------------|--|---|
| Short-Term | INVERTED U also called staple, loop  | WAVE also called undulating or serpentine  |
| | POST & RING  | SCHOOLYARD also called comb, grid  |
| | WHEELWELL-SECURE  | COATHANGER  |
| Short-Term – Weather Protection |  SHELTERED SECURE ENCLOSURE | WHEELWELL  BOLLARD  |
| Long Term | STAGGERED WHEELWELL-SECURE  | SPIRAL  |
| | VERTICAL  | SWING ARM SECURED  |
| | TWO-TIER  | |
| |  BIKE LOCKERS | |

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7.10. Corner Visibility

1. No wall, fence, structure, planting or other obstruction to vision shall be erected, maintained, placed, or planted on any lot which unreasonably or dangerously obstructs or interferes with visibility of drivers of vehicles on a curve or at any street intersection.
2. No wall, fence, structure, planting or other obstruction to vision more than two feet (2') in height above the street grade shall be erected, maintained, placed or planted within the triangular area formed by the intersecting street lines and a straight-line connecting point on said street lines, each of which points is fifty (50) feet distant from the point of intersection.



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7.11. Utilities And Services

1. Proper provision shall be made for:
 - a. The collection, storage, and disposal of solid wastes, accumulated in connection with the proposed use.
 - b. All development shall designate and locate a solid waste / recycling container area on any required plans, and such area shall be suitably screened and contain adequate containers for the proper separation of solid waste and recycling.
 - c. The location of a designated solid waste container area shall facilitate the servicing of the solid waste container(s) and shall not be located in any parking space, loading / unloading zone, or fire lane.
2. The site plan shall demonstrate how any toxic or hazardous substances are to be managed in accordance with applicable law and so as to avoid danger to the public health and degradation of surface and groundwater and tidal wetlands and inland wetlands.
3. Proper provision shall be made for any aboveground or in-ground storage of fuels, deicing salts and chemicals in a manner that protects stratified drift groundwater aquifers having potential for significant water supply.

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8. SPECIAL PROVISIONS

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8.1. Energy & Sustainability

8.1.A Purpose

This Section of the Regulations is intended to allow for and encourage conservation, economy, and efficiency in energy use and to promote sustainable practices in Guilford including the use of abundant, renewable, and nonpolluting energy resources such as solar and wind energy systems subject to reasonable conditions to protect the public health, safety, and welfare.

Roof Mounted Solar



Ground Mounted Solar



Residential Wind Turbine



Insulation Upgrade



| | |
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8.1.B Solar Energy Systems

1. **Roof-Mounted Solar Arrays (Accessory)** – Roof-mounted solar arrays shall be allowed by Zoning Permit on principal and accessory structures in all zones provided the array shall:
 - a. Be mounted flush or parallel to the roof surface if mounted on a sloped roof.
 - b. Not exceed the maximum height permitted in the zoning district.
 - c. Not extend more than 12 inches above the roofline or parapet of the structure or five (5) feet above a flat roof, whichever is less.
 - d. Not extend beyond the roof.

2. **Wall-Mounted Solar Arrays (Accessory)** – Wall-mounted solar arrays shall be allowed by Zoning Permit on principal and accessory structures in all zones provided the array shall:
 - a. Be mounted flush or parallel to the wall surface if visible from the street.
 - b. Comply with the setbacks required in the zoning district.
 - c. Not cause reflective glare onto a public street or other properties.
 - d. Not extend beyond the edges of the wall façade.

3. **Ground-Mounted Solar Arrays (Accessory)** – Fixed arrays, tracking arrays, agri-solar arrays, and other ground-mounted solar arrays shall be allowed by Zoning Permit as an accessory use and/or accessory structure on properties in all zones provided the array:
 - a. Complies with setbacks for a principal building.
 - b. Is not located in the area between the principal structure(s) and the front property line.
 - c. If a fixed array (as opposed to a tracking array), shall not cause reflective glare onto a public street or other properties.
 - d. Shall not exceed 25 feet in height (a tracking solar array is measured when the array is 60 degrees to horizontal).

4. **Alternative Solar Configurations (Accessory)** – Accessory solar arrays not in accordance with the above standards (including, but not limited to building coverage, height setbacks, projections, etc.) may be approved by the Commission by Special Permit.

5. **Ground-Mounted Solar Arrays (Principal)** – The Commission may, by Special Permit, approve a solar array as a principal use provided:
 - a. The solar arrays shall be set back from property lines at least twice the distance required by these Regulations unless otherwise approved by the Commission for good cause shown.
 - b. The maximum lot coverage of a solar array as a principal use shall not exceed 80 percent.

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8.1.C Wind Energy Systems

1. **Wind Energy Systems As Accessory Uses / Structures** – A small wind energy system may be allowed by Special Permit as an accessory use on properties in all zones subject to the guidelines of this Section.

For the purposes of this Section, a small wind energy system is defined as a wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion of electronics, which has a rated capacity of not more than 100 kilowatts and which is intended to primarily reduce on-site consumption of utility power.

2. **Setbacks** – Unless otherwise approved by the Commission by Special Permit:
 - a. The wind energy system shall be set back from all property lines and easements a distance equal to height of the top of the wind energy system components (including blades) above ground level plus 5 feet.
 - b. Guy wires and any other support devices shall be setback at least five (5) feet from all property lines, even when a reduction in setback is granted.
3. **Support Towers** – Monopole towers are the preferred support towers for wind energy systems.
4. **Tower Height** – Unless otherwise approved by the Commission by Special Permit:
 - a. The height from ground level to the hub centerline (if rotating) or the top of the wind turbine shall not exceed:
 - 65 feet on a parcel less than five (5) acres, and
 - 100 feet on parcels five (5) acres or more.
 - b. Greater heights may be allowed by Special Permit if the Commission finds that the increase in height will not cause:
 - A detrimental visual impact to the immediate neighborhood.
 - A detrimental visual impact to scenic areas, conservation areas or historic resources.
 - c. All wind systems shall comply with all applicable Federal Aviation Administration (FAA) requirements, including any necessary approvals for installation close to airports.
5. **Blade Clearance** – Unless otherwise approved by the Commission by Special Permit, the blade tip or vane of any small wind energy system shall have a minimum ground clearance of 15 feet as measured at the lowest point of the arc of the blades.

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6. **Noise** – Unless otherwise approved by the Commission by Special Permit:
 - a. Noise produced by the turbine under normal operating conditions, as measured at the property line of any adjacent property improved with a dwelling unit at the time of the issuance of the zoning certificate, shall not exceed 45 dBA for any period of time or shall comply with applicable state standards, whichever are more restrictive.
 - b. The 45-dBA sound level may be exceeded during short-term events beyond the owner’s control such as utility outages or severe windstorms.
 - c. The applicant shall, as part of any zoning application, submit information from the manufacturer indicating that the turbine will comply with the Town noise ordinance.

7. **Shadow/Flicker** – Unless otherwise approved by the Commission by Special Permit, wind energy facilities shall be sited in a manner that minimizes shadowing or flicker impacts. The applicant has the burden of demonstrating to the Commission that shadow and/or flicker will not have significant adverse impact on neighboring or adjacent uses or that such potential impact will be appropriately mitigated.

8. **Scenic Vistas and Historic Areas** – Except as may be approved by the Commission by Special Permit, the development of wind energy systems shall avoid:
 - a. Significant impairment of scenic vistas, nor
 - b. Locations which have an adverse impact on historic areas or properties as listed in the National Register of Historic Districts or Properties or as Local Historic Districts as approved by the Town of Guilford.

9. **Appearance, Color and Finish** – Unless otherwise approved by the Commission by Special Permit:
 - a. The turbine and tower shall remain painted or finished in the color that was originally applied by the manufacturer.
 - b. Bright, luminescent, or neon colors are prohibited.

10. **Signage** – Except as may be approved by the Commission by Special Permit, all signs, other than the manufacturer’s or installer’s identification, appropriate warning signs, or owner identification, on a wind generator, tower, building, or other structure associated with a small wind energy system visible from any public road, shall be prohibited.

11. **Lighting** – No lighting or illumination of the turbine, tower, or property is allowed (even if required by the FAA) unless such lighting or illumination is expressly approved by the Commission.

12. **Access** – Unless otherwise approved by the Commission by Special Permit:
 - a. To prevent unauthorized climbing, no foot pegs or rungs shall be located on the bottom 12 feet of a freestanding tower.
 - b. For lattice or guyed towers, sheets of metal or wood or similar barriers shall be fastened to the bottom tower section such that it cannot readily be climbed.

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13. **Engineered Drawings** – Applications for small wind energy systems shall be accompanied by standard drawings of the wind turbine structure and stamped engineered drawings of the tower, base, footings, and/or foundation as provided by the manufacturer.
14. **Abandonment** – Wind turbines which are inoperable or abandoned shall be restored to operating condition or removed within 6 months of a notice to cure from the Zoning Enforcement Officer. Failure to comply with the notice to cure shall be considered a zoning violation and may be subject to fines for each day of non-compliance.

8.1.D Insulation Upgrades

1. A six-inch (6”) *additional* intrusion from a pre-existing wall into a required setback is permitted by Zoning Permit provided such intrusion will be used to insulate and increase the energy efficiency of a structure in existence as of October 7, 2023.
2. Such intrusion is permitted for a building which may already be non-conforming as to setback provided that the existing and proposed yard dimension is documented to the satisfaction of the Zoning Enforcement Official prior to the work taking place.
3. Such intrusion is permitted one time only.

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8.2. Nonconforming Situations

8.2.A Purpose

It is the intent of these Regulations that nonconformities are not to be expanded, that they should be reduced to conformity as quickly as the fair interest of the parties permits and that the existence of any present nonconformity anywhere in the Town shall not in itself be considered grounds for the issuance of a variance for any other use, lot, building or other structure.

8.2.B Nonconforming Uses

A legal nonconforming use of land, buildings and other structures may be continued in accordance with the following provisions and limitations:

1. Except as may be provided in [Section 8.2.E](#), no nonconforming use of a lot shall be enlarged, extended, or altered if the result would be an increase in nonconformity.
2. Except as may be provided in [Section 8.2.E](#), no building or other structure or part thereof devoted to a nonconforming use shall be enlarged, extended, constructed, reconstructed, or structurally altered if the result would be an increase in nonconformity.
3. Except as may be provided in [Section 8.2.E](#), no nonconforming use of a building or other structure shall be extended to occupy a lot or lots outside such building or other structure or space in another building or other structure.
4. Except as may be provided in [Section 8.2.E](#):
 - a. No nonconforming use of a lot or lots shall be moved to another part of a lot or outside the lot;
 - b. No nonconforming use of a building or other structure shall be moved or extended to any part of the building or other structure not manifestly arranged and designed for such use at the time the use became nonconforming; and
 - c. No building or other structure containing a nonconforming use shall be moved unless the result of any such move is to end the nonconformity.
5. Except as may be provided in [Section 8.2.E](#), no nonconforming use of land, buildings or other structures shall be changed to any use which is substantially different in nature or purpose from the existing nonconforming use, except to a use which is permitted by right in the district in which the land, building or other structure is located.
6. Where any change is proposed to be made to a legal non-conforming use which is permitted in any district by Special Permit, such change may only be made by means of a Special Permit granted pursuant to [Section 9.4](#) of these Regulations.
7. No nonconforming use of land, buildings or other structures which is changed to conform or to more nearly conform to these Regulations shall thereafter be changed to a more nonconforming use.

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8. No nonconforming use of land, buildings or other structures which shall have been abandoned by one property owner shall thereafter be resumed by a subsequent property owner.
9. All nonconformities shall conform in all other respects to the requirements of the districts in which they are located.

8.2.C Nonconforming Buildings And Structures

A nonconforming building or other structure which contains a permitted use in the district in which it is located may be continued in accordance with the following provisions and limitations:

1. Except as may be provided in [Section 8.2.E](#), no nonconforming building or other structure shall be enlarged, extended, constructed, reconstructed, or altered if the result would be an increase in or an extension of the nonconformity. Where a building or structure is nonconforming with respect to a setback or setbacks, an increase in the building's height within the setback or width within the setback which does not conform with the required setback shall constitute such an extension of the nonconformity.
2. Except as may be provided in [Section 8.2.E](#), no nonconforming building or other structure shall be moved unless the result of such moving is to reduce or eliminate its nonconformity.
3. No nonconforming building or other structure, if once changed to conform or to more nearly conform to these Regulations, shall thereafter be changed so as to be less conforming.
4. Provided that such work does not increase nonconformity, nothing in these Regulations shall be deemed to prohibit:
 - a. Ordinary repair and maintenance of any nonconforming building or other structure,
 - b. Reconstruction of any nonconforming building or other structure necessitated by fire or other casualty,
 - c. Replacement of existing materials, or
 - d. Work ordered by the Building Official, Fire Marshal or Director of Health to protect the public health or safety.
5. Any structure which is non-conforming and that is not fully in compliance with the Guilford Floodplain Management Ordinance may be raised or otherwise modified to the extent, but only to the extent, necessary to achieve compliance with the Ordinance and provide ordinary means of access, provided that the height of the modified structure may not exceed the maximum allowed in the District (including any special height exceptions in coastal flood areas (see [Section 5.5.C.3](#))). No permit shall be issued for such alterations unless the applicant submits an affidavit from a Connecticut licensed civil engineer or other qualified professional that all of the proposed alterations are no greater or more extensive than is reasonably necessary to comply with the Floodplain Management Ordinance.

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8.2.D Nonconforming Lots

1. A nonconforming lot, as defined in these Regulations, may be built upon for any purpose permitted in the district in which it is located without a variance, despite its failure to comply with the area, shape, or frontage requirements of these Regulations, provided:
 - a. Adequate information is submitted to the Zoning Enforcement Officer to document the legal non-conforming status.
 - b. Since the effective date of the regulation which rendered the lot nonconforming, no owner of the lot has simultaneously owned any adjoining land.

2. **Common Ownership** – If two or more adjoining lots of record, one or more of which fails to meet the requirements of these Regulations with regard to lot area, shape or frontage, and are in single ownership at any time after the application of the provisions of these Regulations to such lots and if such lots taken together would form one or more lots, each meeting the requirements of these Regulations with regard to lot area, shape and frontage, such lots shall no longer be considered nonconforming and must be used in compliance with the current lot area, shape and frontage requirements, irrespective of subsequent changes of ownership.

3. **Accessory Structures** – Nothing in these Regulations shall prevent the construction of a building or other structure which is accessory to an existing building or other structure on a lot that does not conform to the area, shape or frontage requirements of these Regulations or the enlargement, extension or structural alteration of such a building or other structure, provided that such accessory building or other structural alterations conform in all other respects to the requirements of these Regulations.

4. **Lots On Private Roads** – Nothing in these Regulations shall prohibit the constructing of a single-family dwelling on a lot in an R-1 or R-2 District if such lot meets all the requirements of these Regulations, except frontage on a street as defined herein, provided that the lot existed at the time of adoption of these Regulations and provided that the access road is at least 25 feet in width, with a traveled way at least 15 feet in width, for access from a public road to the lot in question and the access road is privately or publicly maintained.

5. **Additions** – Nothing in these Regulations shall prohibit an addition to an existing building or other structure on a nonconforming lot, provided that such addition meets, in all respects, all other requirements of these Regulations.

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8.2.E Exception To Nonconforming Limitations

1. The Commission, upon due notice and public hearing as required by law, may grant a Special Permit authorizing:
 - a. Construction, reconstruction, enlargement, extension, moving or structural alteration of buildings and structures or site development on a lot having existing improvements that fail to conform to the standards of this Section,
 - b. Modification, expansion extension, enlargement of a non-conforming use, and/or
 - c. Continuation, enlargement, extension, moving or reconstruction of site improvements that fail to so conform.

2. Prior to granting any such Special Permit, the Commission shall find that the following standards are met:
 - a. The proposed construction shall result in a general improvement of the lot with regard to safe access, suitable drainage, and adequate landscaping.
 - b. Nonconforming signs and lighting shall be brought into a conforming or more nearly conforming condition.
 - c. Adequate provisions shall be made for landscaping and buffering, especially to adjacent residential uses and in any area required for setback from a residential district boundary line.
 - d. The overall result of the modifications shall result in a situation whereby, in the Commission’s sole opinion, the architectural and site improvements or operational changes will result in a net reduction in the overall impact of the nonconformity of buildings and other structures and site improvements.

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8.3. Excavation, Fill And Grading

8.3.A Purpose

This Section regulates the excavation and filling of earth materials so that such activities will minimize hazards from open pits and steep slopes; minimize nuisances from traffic, noise, odor, and dust; maintain productive use of land; minimize erosion and sedimentation; and minimize threats to the public's health, safety, and welfare.

8.3.B Applicability

Unless exempted per [Section 8.3.C](#) below, there shall be no excavation, removal or deposit of any earth, loam, topsoil, sand, gravel, clay, stone, or other material from or on any lot in any zone except pursuant to a Special Permit granted by the Commission in accordance with these Regulations.

When a change in the average ground elevation (from natural grade or pre-existing grade to finished grade) of more than five feet within 10-feet outside of wall of the building or structure or distinct portion shall require Site Plan approval by the Commission].

When any other regrading of a site or portion thereof results in a change in grade of over five feet and no Site Plan application is involved, the Zoning Enforcement Officer may require that a grading plan and an erosion and sediment control plan be submitted for Site Plan approval by the Commission.

8.3.C Exemptions

1. The provisions of this Section shall not apply to the following:
 - a. Excavation, removal, or deposit of material reasonably necessary in connection with the bona fide construction or alteration of a building or other structure for which a Zoning Permit has been approved and a building permit has been issued.
 - b. Bona fide landscaping operations on a lot, provided that no more than 250 cubic yards of material are to be removed off the lot in connection therewith and provided that the removal is not for the purpose of creating a pond or other body of water.
 - c. The construction of improvements and the changing of contours in accordance with subdivision construction plans and grading plans approved by the Commission under the Subdivision Regulations.
 - d. The deposit of not more than 250 cubic yards of earth, loam, topsoil, sand, gravel, clay, or stone on any one lot in any one calendar year.
 - e. The normal maintenance and repair of roads and driveways.
 - f. The normal excavation and filling of silage, manure, and similar farm materials when part of a farm agricultural operation.
 - g. A sanitary landfill operation of the Town of Guilford that has been approved by the State Department of Health.
 - h. Stockpiling of street maintenance material required by the Town of Guilford.

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8.3.D Application Processing

1. An application for a Special Permit shall be accompanied by:
 - a. A statement of the total amount of material to be cut, the total amount of material to be filled, and the total amount of material to be imported to or exported from the site,
 - b. A statement of the time period proposed for completion of all work,
 - c. Maps and plans drawn to an appropriate scale and prepared by and bearing the seal of a registered land surveyor or professional engineer, showing the following:
 - The names of the applicant and owner of the land.
 - The location and limits of the area to be excavated or filled.
 - Existing and proposed contour lines, shown at intervals not to exceed two feet.
 - Existing and proposed drainage on the premises.
 - Existing rivers, streams, watercourses, or salt marshes on or adjacent to the premises.
 - Adjoining lot lines, with the names of owners of record of adjacent land and streets with names.
 - Proposed vehicular access from a street.
 - The location of wooded areas, existing and proposed buildings, structures, and any processing equipment proposed to be used on the premises.
 - The zoning district of the area.
 - d. Where required under the Connecticut General Statutes or a public act of the State of Connecticut, written approval of the maps and plans by the United States Army Corps of Engineers, DEEP, DOT, the Connecticut Public Health Department and/or, in the case of an area including inland wetlands, a permit from the Guilford Inland Wetlands Commission.
 - e. Such further information as the Commission may deem necessary.

8.3.E Standards

Special Permits granted for soil, gravel or stone excavation, removal or deposit shall be subject to the following conditions:

1. The premises shall be excavated and graded or filled and graded within the limits shown on the approved plans and in conformity with the proposed contour plan as approved by the Commission.
2. Slopes resulting from excavation, removal or deposit shall not exceed one foot of rise for three feet of horizontal distance or such lesser slope as the Commission may specify as necessary for the public health or safety, soil stability or for the reasonable use of the property after completion of the excavation or deposit. Slopes shall be maintained during construction so as not to exceed one foot of rise for two feet of horizontal distance whenever the construction site is unattended.
3. No fixed machinery shall be erected or maintained within 200 feet of any lot line, and no stone-crushing machinery shall be used, unless specifically approved by the Commission.

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4. There shall be no excavation or removal within 100 feet of any lot line, unless such excavation or removal would result in finished grades at or above the elevation of the adjoining street or lot.
5. There shall be no sharp declivities, slopes, pits or depressions, and proper drainage shall be provided to avoid stagnant water, soil erosion and water pollution.
6. After excavation, removal or deposit, the lot shall be cleared of debris within the time provided in the permit.
7. In the case of excavation or removal, the top layer of soil, for a depth of at least four inches, shall be set aside and retained on the lot and shall be re-spread over the lot as work progresses, and, in the case of deposit, at least four inches of topsoil shall be spread over the lot, and a suitable ground cover shall be planted and grown to an erosion-resistant condition upon the completion of the work in accordance with the approved contour lines, and such work shall be completed within the time provided for in the permit.
8. The area to be excavated or filled or any portion thereof shall be enclosed within a fence of such type, height and location as the Commission may specify, if deemed necessary to meet the purpose of these Regulations.
9. The Commission may, at any time or on a periodic schedule, require the permittee to submit a report, prepared by and bearing the seal of a registered land surveyor or professional engineer, showing the status and progress of the excavation or deposit.
10. The Commission may establish such additional standards as it deems necessary to satisfy the purposes of these Regulations, including but not limited to the following:
 - a. A time period for the excavation, fill, and/or grading operation to be completed.
 - b. Limitations on the day of the week or the hours of the day during which any work, including any blasting, may be performed on the lot.
 - c. Limitations as to size and type of machinery to be used on the lot.
 - d. Limitations on the place and manner of disposal of excavated material on the lot.
 - e. Requirements as to the control of dust, noise, and lighting.
 - f. Limitations on the type of fill material permitted for deposit.

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8.3.F Following Approval

1. **Financial Guarantee** – As a condition of any Special Permit for excavation, fill, and/or grading, the applicant shall file a financial guarantee in accordance with CGS Section 8-3(g) and [Section 9.8.O](#) of these Regulations to assure the restoration of the disturbed areas of the site in order to avoid or minimize any future erosion or sedimentation.

2. **Renewal** – When the Commission has established a time period for the excavation, fill, and/or grading operation to be completed, the Special Permit may be renewed by the Commission in accordance with the procedures and standards of this Section and these Regulations.

3. **Enforcement** –
 - a. With regard to earthwork operations, the Zoning Enforcement Officer and/or the Commission may utilize any enforcement mechanisms as authorized by CGS Section 8-12 and/or these Regulations. Such mechanisms may include issuance of a cease and desist order, issuance of an order to restore, revocation of any permit, and/or other remedies.
 - b. Any Special Permit issued pursuant to the provisions of this Section may be revoked by the Commission for:
 - Violation of any condition of the permit,
 - Violation of any provision of this Section or any other law or other regulation relating to the work permitted, or
 - The existence of any condition or the doing of any act constituting or creating a nuisance or endangering the life or property of another.
 - c. No such revocation shall occur until:
 - The Commission shall have given notice, in writing, to the permittee describing the violation charged,
 - Such notice shall have either been delivered personally or mailed by certified mail to the permittee's address appearing on the application, and
 - The Commission shall have held a hearing to review the alleged violation, condition, or act.
 - d. The remedies and procedures provided in this [Section 8.3.E](#) shall be in addition to all other remedies and procedures as are provided by law.

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8.4. Communication Antennas And Facilities

8.4.A Purposes

The purposes of this Section are:

1. To accommodate the need for communication towers and antenna while regulating their location and number.
2. To avoid potential damage to adjacent properties from these facilities.
3. To minimize the number of communication towers, facilities and sites needed in the future.
4. To minimize adverse visual effects through Town-wide regulations.

8.4.B Applicability

1. No communication tower, antenna, cell site or related facility subject to municipal regulation (as opposed to regulation by the Connecticut Siting Council or the Public Utility Regulatory Authority) shall be erected in any zone except in accordance with the standards of these Regulations.
2. Amateur radio facilities, as defined by the Federal Communications Commission, are allowed in any zone subject to the requirements of this Section. The Commission shall consider the unique needs of this type of facility, particularly the likelihood of such facility being located in residential zones, when considering such applications.

8.4.C Definitions

When used in this Section, the following words or phrases shall have the meaning defined below:

ANTENNA – A device used to collect or transmit telecommunications or radio signals. Examples include panels, microwave dishes and single pole devices known as whips.

CELL SITE – The equipment and structures involved in receiving telecommunications or radio signals from a mobile radio communications source and transmitting those signals to another cell site or to a central switching computer which connects the mobile unit with land-based telephone lines.

COMMUNICATION TOWER – A structure intended or used to support equipment used to transmit, relay, and/or receive telecommunications signals including, but not limited to steel monopoles and lattice structures.

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8.4.D Approval Type

1. Antenna, cell sites and other communication facilities mounted on existing towers may be approved by Site Plan approval in accordance with [Section 9.3](#) of these Regulations.
2. All other antenna, cell sites and other communication facilities (including facilities mounted on an existing building) shall require Special Permit approval in accordance with [Section 9.4](#) of these Regulations.

8.4.E Standards

No Special Permit for a communication tower, antenna, cell site or facility shall be granted, except in conformance with the following standards:

1. Applicants must demonstrate how they have addressed the following locational preferences for antenna, cell sites and other communication facilities (in the following order of preference) before a Special Permit may be issued:
 - a. Mounting on an existing building.
 - b. In locations where the existing topography, vegetation, buildings, or other structures provide the greatest amount of screening.
 - c. On new communication towers in commercial and industrial districts.
 - d. On government or institutional structures in residential districts.
 - e. On new communications towers in residential districts.
2. The applicant must demonstrate that the proposed location is necessary to satisfy its function in the company's grid system.
3. Where a new communication tower or other facility is proposed in a residential zone, the applicant must demonstrate that no existing structures are suitable or available and that a location in a nonresidential area is not feasible.
4. For new communication towers or structures, joint use shall be accommodated and provided for. To minimize the number of antenna or communication towers in the future, proposed support structures shall be required to accommodate at least two other users, including other communications companies and public emergency service providers.
5. No communication tower, antenna, cell site or other communication facility shall be located or configured as to have an adverse visual impact on any scenic site or vista identified in Guilford's Plan of Conservation and Development, in the Guilford Preservation Alliance's Master Plan of Preservation and Scenic Conservation or on any National Register Historic District or on any other location whose scenic impact is demonstrated through evidence disclosed at a public hearing.
6. Mitigation of any adverse visual impacts will be required, including landscaping, fencing, painting and other measures.

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- 7. No lighting of any communication tower is permitted without the express approval of the Commission and any requirement of the Federal Aviation Administration or other agency for lighting shall be disclosed to the Commission as part of the application process.
- 8. No commercial advertising is permitted on any facility.
- 9. No communication tower or other facility shall exceed the height required to satisfy the minimum technical requirements of the facility and the requirement for co-location.
- 10. Communication facilities falling under the jurisdiction of this Section are required to meet the setback requirements for a principal structure on a lot.

8.4.F Application Information

- 1. As part of its review, the Commission may require that applicants provide simulations of tower locations and impacts as part of the review of the Special Permit application. Such simulations may entail erection of balloons or other devices necessary to visualize the proposed facility.
- 2. The Commission may also require propagation studies that illustrate the area serviced by the proposal. Such studies shall show the location of other communication towers within the service area.

8.4.G Removal

- 1. A facility built pursuant to this Section, when not in use for six months, shall be removed by the facility owner.
- 2. This removal shall occur within 90 days of the end of such six-month period.
- 3. Upon removal, the site shall be restored to its previous appearance.

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8.5. Adult Oriented Facilities

8.5.A Purpose

This Section of the Regulations is intended to establish special requirements for adult-oriented facilities since such facilities, as defined herein, if not properly regulated, will cause adverse impacts on adjacent property, increase crime, and impede the development of the Town in accordance with the Plan of Conservation and Development. Furthermore, it is further found that the concentration of such facilities in one area increases the likelihood of such adverse impacts.

8.5.B Definitions

ADULT ORIENTED FACILITIES – A retail store, bar, restaurant, cabaret, nightclub, or theatre including movie theatre where the products sold, entertainment provided or services rendered are primarily of a sexually explicit nature.

- a. For the purpose of this type of facility, “primarily” shall mean: (1) at least 33% of the dollar value of all merchandise, services, and entertainment provided at the facility at any time is of a sexually explicit nature; or (2) at least 33% of the floor area of the facility (excluding storerooms, stock areas, bathrooms, basements, or any portion of the business not open to the Public) is devoted to sexually explicit products, services, or entertainment.
- b. In the case of this type of facility, “sexually explicit” content includes depictions or descriptions of : (1) sexual references; (2) full or partial nudity, including depictions of uncovered female breasts, aroused or unaroused male or female genitalia, and the unrealistic or overly detailed genitalia; (3) bestiality; (4) sexual acts to or with minors (anyone under the age of 18); (5) sexual acts including, but not limited to, penetration/intercourse, and/or oral sex with or without another avatar or any other object, including overt sexual toys and/or sexual aids; or (6) sexual behavior that has a violent context.” ((Definition of sexually explicit content taken from Federal Trade Commission publication, “Virtual Worlds and Kids: Mapping the Risks,” December 2009).

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8.5.C Standards

1. No such facility shall be located closer than 1,000 feet to any residence or residential District boundary. The 1,000 feet shall be the straight horizontal distance from any portion of a building housing such a facility to any boundary of a residential District or to a building housing a residence. This standard shall not preclude the creation of a residential use within the 1,000-foot setback subsequent to the establishment of the adult oriented facility.
2. No such facility shall be located within 1,500 feet of any existing or approved adult-oriented facility. The 1,500 feet shall be the straight horizontal distance from any portion of a building housing such a use, to any part of the other building housing such a use.
3. Hours and operation of such facilities shall be limited to 10:00 AM to 10:00 PM, Monday through Saturday.
4. The sale of alcohol is prohibited at any adult oriented facility.
5. No such facility shall have a floor area of greater than 10,000 SF.

8.5.D Procedures

1. The establishment of an Adult Oriented Facility shall be in accordance with [Section 9.3](#) of these Regulations.
2. The Commission shall hold a Public Hearing in considering an application for an Adult Oriented Facility.

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8.6. Application Of State Or Federal Law

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

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

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9.1. Staff Procedures

9.1.A Zoning Permit

1. A Zoning Permit shall be required from the Zoning Enforcement Officer whenever:
 - a. A building, structure or part thereof shall be constructed, reconstructed, altered, extended, enlarged, moved, structurally altered, or occupied;
 - b. A Building Permit shall be issued,
 - c. There shall be filling, excavation, dredging, grading or substantial removal of trees upon any lot in a Commercial or Industrial Zone,
 - d. Where any nonresidential land, building, or other structure or part thereof shall be used, reused, occupied, or reoccupied (except for a permitted farm use where no building or other structure is involved),
 - e. A non-conforming use shall be altered, changed, intensified, or extended after the date of adoption of these Regulations, or
 - f. These Regulations provide that a Zoning Permit is required.
2. Pursuant to CGS Section 8-3(f), no Building Permit shall be issued until a Zoning Permit has been issued.
3. An application for a Zoning Permit shall be accompanied by plans and/or other information that comply with the requirements of these Regulations (including [Section 9.8](#)) and the appropriate fee.
4. Where required by any provision of these Regulations (including when a Coastal Site Plan application is required per CGS Section 22a-105), the application shall be referred to the Commission for its approval.
5. **Location Verification** – Unless the requirement for location verification has been waived by the ZEO, after a foundation has been completed and prior to any additional construction thereon, the Zoning Enforcement Officer shall be provided with an A-2 survey certified by a land surveyor currently licensed to practice in Connecticut showing the exact location of the foundation on the site and demonstrating compliance with approved plans and these Regulations.
6. In accordance with CGS Section 8-3(f), the recipient of a Zoning Permit may publish notice of issuance of the Zoning Permit in a newspaper with substantial circulation in Guilford in order to establish the appeal period per CGS Section 8-7. Any such notice to be published by the recipient shall contain:
 - a. A description of the building, use or structure and its location;
 - b. The identity of the applicant; and
 - c. A statement that an aggrieved person may appeal to the Zoning Board of Appeals in accordance with the provisions of CGS Section 8-7.

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- 7. Any Zoning Permit issued under these Regulations shall expire twelve months from the date of issuance unless:
 - a. A valid Building Permit for the use, construction and site development authorized by the Zoning Permit is in effect; or
 - b. The Zoning Enforcement Officer renews the Zoning Permit for periods not to exceed twelve months, when the building and/or site development authorized by the Zoning Permit is in conformity with these Regulations and any amendments made subsequent to the date of original issuance of the Zoning Permit, or
 - c. An alternate timetable is provided is provided by the Connecticut General Statutes.
- 8. In the event that any Zoning Permit is issued based on incorrect information or the specific conditions of approval are not strictly adhered to, such Zoning Permit shall be null and void.

9.1.B Certificate Of Zoning Compliance

- 1. A Certificate of Zoning Compliance shall be obtained from the Zoning Enforcement Officer prior to:
 - a. Land being occupied, used, or changed; and/or
 - b. The use of a building or structure being undertaken or changed.
- 2. Pursuant to CGS Section 8-3(f), no Certificate of Occupancy shall be issued until a Certificate of Zoning Compliance has been issued.
- 3. Unless the Zoning Enforcement Officer decides that such plan is not required to determine compliance with these Regulations and any requirement(s) of the Commission’s approval, the applicant shall submit the following documents certified by a Connecticut Licensed Surveyor to the Zoning Enforcement Officer:
 - a. An “as-built” plan to Class A-2 standards showing the completed project in sufficient detail to indicate compliance, and
 - b. A letter or note on the “as-built” plan certifying that all pins and monuments are in place.
- 4. In the event of substantial deviations from any plan approved by the Commission, the Zoning Enforcement Officer shall submit such "as built" drawings to the Commission for its determination of acceptance or need for plan amendment.
- 5. The Zoning Enforcement Officer shall approve an application for a Certificate Of Zoning Compliance if he/she determines:
 - a. Conformance of the building, structure or use with these Regulations and any requirement(s) of the Commission’s approval.
 - b. Compliance with a variance granted by the Zoning Board of Appeals, or
 - c. That the building, structure, or use is a valid nonconforming building, structure or use under these Regulations.

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6. If the site improvements cannot be completed because of weather or for other pertinent reasons, a conditional Certificate of Zoning Compliance may be issued by the Zoning Enforcement Officer for a period not to exceed 180 days, provided that a financial guarantee in accordance with CGS Section 8-3(g) and [Section 9.8.O](#) of these Regulations shall be posted in an amount sufficient to cover the cost of completing the remaining site improvements. Upon satisfactory completion of the remaining site improvements and the written request of the applicant, the Zoning Enforcement Officer and/or the Commission shall then release the financial guarantee.
7. In accordance with CGS Section 8-3(f), the recipient of a Certificate of Zoning Compliance may publish notice of issuance of the Zoning Permit in a newspaper with substantial circulation in Guilford in order to establish the appeal period per CGS Section 8-7. Any such notice to be published by the recipient shall contain:
 - a. A description of the building, use or structure and its location,
 - b. The identity of the applicant; and
 - c. A statement that an aggrieved person may appeal to the Zoning Board of Appeals in accordance with the provisions of CGS Section 8-7.
8. In the event that any Certificate of Zoning Compliance is issued based on incorrect information or the specific conditions of approval are not strictly adhered to, such Certificate of Zoning Compliance shall be null and void.

9.1.C Motor Vehicle Dealers / Repairers

1. In accordance with CGS 14-54, as may be amended, any person who desires to obtain a license from the Commissioner of Motor Vehicles for dealing in or repairing motor vehicles in Guilford shall first obtain a certificate of approval from the Zoning Enforcement Officer affirming that the proposed location and use of the property conform to the Zoning Regulations.
2. Issuance of a certificate of approval of location by the ZEO does not preclude any requirement for or approval of Site Plans or Special Permits by the Planning and Zoning Commission.

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9.2. Pre-Application Reviews (Staff / PZC)

9.2.A Pre-Application Review By Staff

1. Prior to the submission of an official application, it is recommended that the applicant meet with the Zoning Enforcement Officer to discuss the proposed application in order to:
 - a. Suggest possible enhancements and identify areas of concern or further study;
 - b. Identify the potential need for third party consultants in accordance with [Section 9.8.E](#) of these Regulations; and
 - c. Minimize delay, expense, and inconvenience to the applicant.
2. This meeting is recommended in order to facilitate consideration of factors that may be associated with a particular proposal before the applicant proceeds with preparation of detailed maps, plans and documents required for formal consideration.
3. Neither the pre-application plan nor the informal consideration by the Zoning Enforcement Officer shall be deemed to constitute any portion of the official and formal procedure of applying for any approval as contemplated herein or under the provision of the Connecticut General Statutes.

9.2.B Pre-Application Review By Design Review Committee

1. Prior to the submission of an official application, it is recommended that the applicant meet with the Design Review Committee to discuss the design elements of the proposed application in order to suggest possible enhancements.
2. Neither the pre-application plan nor the informal consideration by the Design Review Committee shall be deemed to constitute any portion of the official and formal procedure of applying for any approval as contemplated herein or under the provision of the Connecticut General Statutes.

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9.2.C Pre-Application Review By Commission

1. For larger or more complex applications, it is recommended that the applicant present a pre-application plan for informal consideration by the Commission prior to the submission of an official application in order to:
 - a. Facilitate consideration of factors that may be associated with a particular proposal before the applicant proceeds with preparation of materials required for formal consideration by the Commission; and/or
 - b. Identify the potential need for third party consultants in accordance with [Section 9.8.E](#) of these Regulations.
2. Such pre-application submission shall, at a minimum, include the following:
 - a. A plan providing sufficient information for the Commission to visualize how the proposed use or development might be configured and to identify the location of significant natural and proposed features, and other relevant information; and
 - b. A written summary of the project and/or issue the Commission is being asked to address.
3. The pre-application materials shall be submitted to the Zoning Enforcement Officer for scheduling on a future Commission agenda.
4. Neither the pre-application plan nor the informal consideration by the Commission shall be deemed to constitute any portion of the official and formal procedure of applying for any approval as contemplated herein or under the provision of the Connecticut General Statutes.
5. As provided in CGS Section 7-159b, such preapplication review and any results or information obtained from it may not be appealed under any provision of the general statutes, and shall not be binding on the applicant or any authority, commission, department, agency or other official having jurisdiction to review the proposed project.
6. While the meeting and optional pre-application plan should benefit any formal application, neither the applicant nor the Commission shall be bound by any statement made during such informal review, nor shall the statement of any Commission member be deemed to be an indication of prejudgment or prejudice, it being acknowledged by the applicant that the Commission response like the request itself are preliminary and subject to further refinement.

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9.3. Site Plan Application (PZC)

9.3.A Purpose

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

9.3.B Application Requirements

1. A Site Plan Application shall be submitted to the Planning and Zoning Office for any activity designated in the Regulations as requiring Site Plan Approval.
2. The application shall be accompanied by a fee, as provided in the fee schedule of the Town to cover the cost of administration.
3. Unless the Zoning Enforcement Officer determines that such materials are not needed due to the nature of the application, a Site Plan Application shall be accompanied by the maps, plans, reports, and other information specified in the application package (including [Section 9.8](#)) and such materials shall be signed and sealed by an appropriate professional.
4. Depending on the nature of the application, the Commission may require the submission of additional information as deemed necessary to make a reasonable review of the application.
5. As required by CGS Section 8-3(g), if a Site Plan Application involves an activity regulated pursuant to CGS Sections 22a-36 to 22a-45 inclusive, the applicant shall apply for a permit to the Inland Wetlands Commission not later than the day such application is filed with the Commission.
6. A Site Plan application in a coastal area may require processing of a Coastal Site Plan application as provided in CGS Section 22a-105 et seq.

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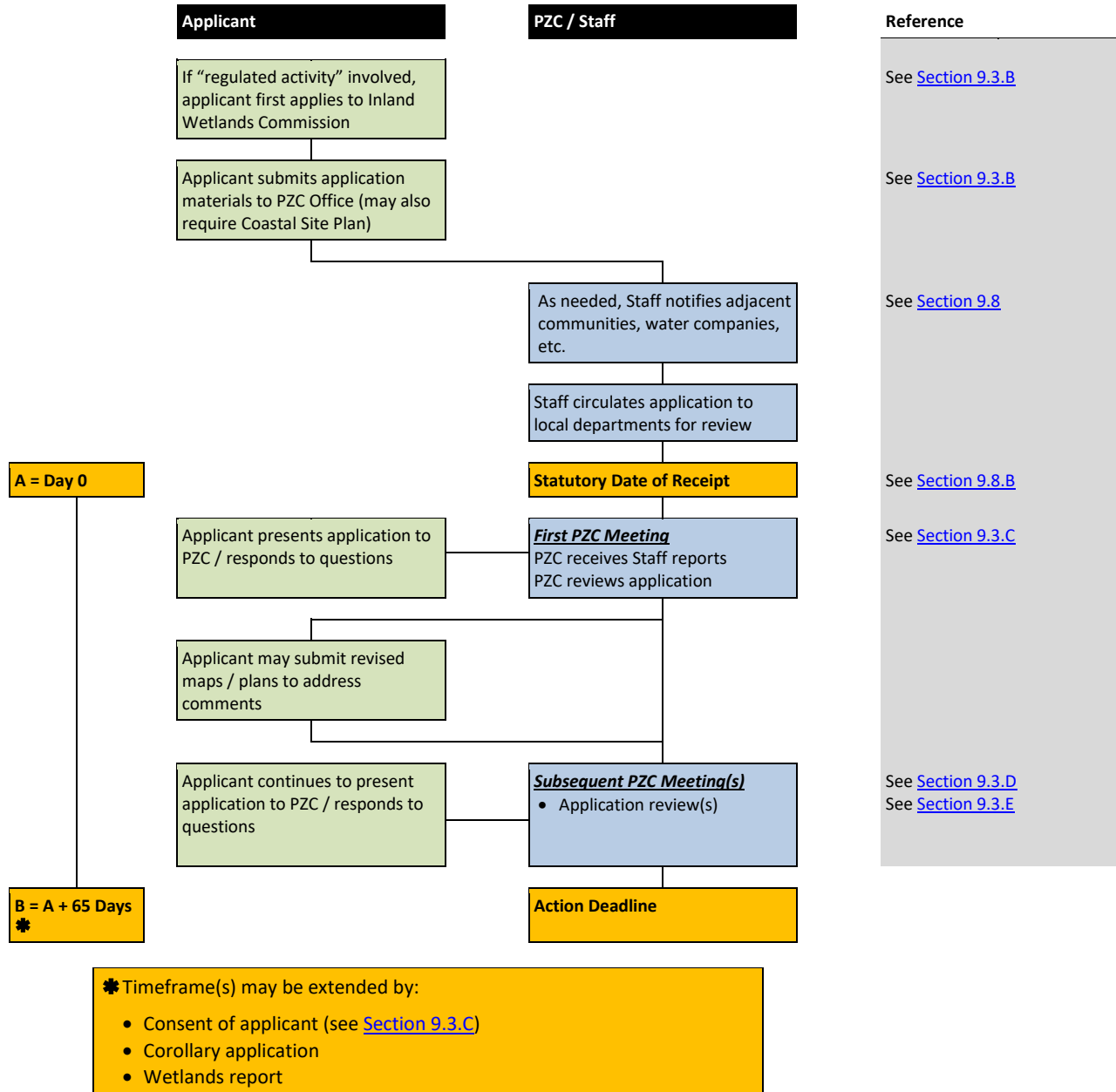
9.3.C Proceedings

1. The date of receipt for the Site Plan Application shall be determined in accordance with [Section 9.8.B](#).
2. An incomplete Site Plan Application may be denied in accordance with [Section 9.8.C](#).
3. Notification to adjoining municipalities may be required in accordance with the requirements of [Section 9.8.I](#).
4. Notification to water companies and/or the Connecticut Department Of Public Health may be required in accordance with the requirements of [Section 9.8.J](#).
5. Notification to historic organizations may be made in accordance with [Section 9.8.L](#).
6. A Coastal Site Plan may be referred to the Connecticut Department of Energy and Environmental Protection (DEEP).
7. The Commission may require the applicant make a written inquiry to the Connecticut Office of State Archeology to determine whether there is evidence or a likelihood of sites of archeological significance within the property. Such written inquiry shall be made part of the record. The lack of reply shall not delay the processing of the application.
8. Whenever approval of another application required by these Regulations (such as a Special Permit Application) must be approved before a Site Plan Application can be approved:
 - a. The time period for acting on the Site Plan Application shall coincide with the time period for acting on the related application; and
 - b. A decision on the application shall be rendered within sixty-five (65) days after the close of the public hearing on such other application except that the applicant may consent to one or more extensions of such period provided the total period of any such extension or extensions shall not exceed sixty-five (65) days.
9. Whenever approval of a Site Plan Application is the only approval required, a decision on the application shall be rendered within sixty-five (65) days after the date of receipt of such Site Plan Application, regardless of whether a public hearing is held, except that the applicant may consent to one or more extensions of such period provided the total period of any such extension or extensions shall not exceed sixty-five (65) days.
10. Notwithstanding the provisions of this Section, if an application involves an activity regulated pursuant to CGS Sections 22a-36 to 22a-45, inclusive and the time for a decision by the Commission would elapse prior to the thirty-fifth day after a decision by the Inland Wetlands Commission, the time period for a decision shall be extended to thirty-five (35) days after the decision of such Commission.
11. The applicant may withdraw such application at any time prior to action by the Commission.

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Conceptual Flowchart

This flowchart is illustrative only and is not intended to replace statutory requirements or limitations or other applicable timeframes.



9.3.D Decision Considerations

1. On a Site Plan Application involving an activity regulated pursuant to CGS Sections 22a-36 to 22a-45, inclusive, the Commission shall:
 - a. Wait to render its decision until the Inland Wetlands Commission, acting as the Inland Wetlands Agency for the Town, has submitted a report with its final decision; and
 - b. Give due consideration to any report of the Inland Wetlands Commission when making its decision.
2. On a Site Plan Application involving notice to DEEP, the Connecticut Office of State Archeology, council(s) of government, adjoining municipalities, water companies, or other agencies, the Commission shall give due consideration to any report received.
3. Before the Commission approves a Site Plan Application, it shall determine that the application is in conformance with the applicable provisions of these Regulations.
4. The Commission may request reports on the application from Town Departments and/or any other agency deemed appropriate by the Commission.
5. In approving a Site Plan Application, the Commission may impose conditions deemed necessary to ensure compliance with these Regulations as well as protect the public health, safety, and welfare.
6. In accordance with CGS Section 8-3(g), the Commission may require that a financial guarantee be posted in accordance with CGS Section 8-3(g) and [Section 9.8.O](#) of these Regulations before any permits are issued for the activities shown on the approved plan.
7. In accordance with CGS Section 8-3(g), the Commission may require that a financial guarantee be posted in accordance with the provisions of before any permits are issued for the activities shown on the approved plan, in an amount and form acceptable to the Commission or its designee, to ensure:
 - a. The implementation of any erosion and sediment controls required during construction activities;
 - b. The timely and adequate completion of any site improvements that will be conveyed to or controlled by the municipality; and/or
 - c. The maintenance of roads, streets, retention or detention basins or other improvements approved with such site plan for up to one year after the date on which such improvements have been completed to the reasonable satisfaction of the Commission or the Zoning Enforcement Officer or accepted by the Town.

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9.3.E Action Documentation

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

9.3.F Following Approval

1. Following approval of a Site Plan Application, one paper (1) set and a digital set in PDF format of the approved plan(s) with any required revisions to reflect Commission approval shall be submitted to the Planning and Zoning Office, unless the ZEO determines that such materials are not required. Such plans shall:
 - a. Bear the seal of the appropriate professionals which prepared the drawing(s) unless deemed not necessary by the Zoning Enforcement Officer;
 - b. Bear a copy of the decision letter of the Commission and any other Town regulatory agencies authorizing the activity; and
 - c. Contain a signature block where the Zoning Enforcement Officer can indicate that the record plans conform to the approval of the Commission.
2. After determining that the record plans conform to the approval of the Commission and signing of the map(s), the ZEO shall be authorized to issue a Zoning Permit as described in Section 9.1.A for work to commence.
3. Minor changes in an approved and signed Site Plan may be approved by the Zoning Enforcement Officer or other Commission designee, when in the discretion of the ZEO or other Commission designee, such changes do not significantly affect the overall layout, design, density, impact, or nature of the approved Site Plan. The Zoning Enforcement Officer or other Commission designee shall report the approval of minor changes to an approved Site Plan to the Commission at their next regularly scheduled meeting and the modified plans shall be signed and filed in accordance with [Section 9.3.F.1](#). Minor changes shall include, but are not limited to:
 - a. Minor grading changes due to field conditions, that do not significantly impact drainage patterns;
 - b. Minor changes in pavement or pavement marking;
 - c. (Re)location of underground utilities;
 - d. Location and screening of utility equipment;
 - e. Location of directional or informational signage;
 - f. Substitution of plant species due to availability or disease; and
 - g. Any other minor technical change that does not materially detract from the original development concept.

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4. Whenever a change to an approved Site Plan is determined to be a major change by the ZEO, a formal amendment shall be submitted by the applicant to the Commission for its consideration for subsequent approval and signing. Major changes shall include, but are not limited to:
 - a. Change in use;
 - b. Substantial reduction of the landscaping or open space area;
 - c. Expansion, demolition, or reconstruction of any structure or building;
 - d. Additional signage other than directional or informational signs;
 - e. Significant changes in grading so as to affect the drainage system; and
 - f. Any other change that may be construed to detract materially from the original development concept.
5. In accordance with CGS Section 8-3(g), no Certificate of Occupancy shall be issued before a required financial guarantee in accordance with CGS Section 8-3(g) and [Section 9.8.O](#) of these Regulations is posted and/or the approved site improvements are completed to the reasonable satisfaction of the Commission or the ZEO.
6. If an “as-built” plan is required by the ZEO, no Certificate of Occupancy shall be issued until such “as-built” plan has been submitted and found acceptable.
7. Unless the ZEO decides that such plan is not required to determine compliance with these Regulations and any requirement(s) of the Commission’s approval, the applicant shall submit to the ZEO an “as-built” plan to Class A-2 standards certified by a Connecticut Licensed Surveyor of the completed project in sufficient detail to indicate compliance.

9.3.G Expiration And Completion

1. Unless otherwise provided by State law (such as CGS Section 8-3(g)), all work in connection with a site plan shall be completed within five (5) years after the approval of the plan and failure to complete all work within such five-year period shall result in automatic expiration of the approval of such site plan unless the Commission shall have granted an extension of the time to complete work in connection with such site plan.
2. The Commission may grant one or more extensions of the time to complete all or part of the work in connection with the site plan provided the total extension or extensions shall not exceed ten years from the date such site plan is approved.
3. The Commission may condition the approval of such extension on a determination of the adequacy of any financial guarantee required in accordance with [Section 9.3.D.6](#) of these Regulations.

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9.4. Special Permit Application (PZC)

9.4.A Purpose

The purpose of a Special Permit Application is to review the appropriateness of certain uses or activities in a specific location or configuration in order to evaluate overall impacts of the specific application, ensure compliance with these Regulations, and promote the health, safety, and general welfare of the community.

9.4.B Application Requirements

1. A Special Permit Application shall be submitted to the Planning and Zoning Office for any activity designated in the Regulations as requiring approval of a Special Permit.
2. A Special Permit Application shall be accompanied by the application fee as specified in the fee schedule of the Town.
3. Each application for a Special Permit shall be accompanied by the maps, plans, reports, and other information specified in the application package (including [Section 9.8](#)) and such materials shall be signed and sealed by an appropriate professional.
4. In addition, the Special Permit Application shall be accompanied by the following information:
 - a. A detailed statement describing the proposed use or uses;
 - b. A detailed statement describing how the Special Permit criteria in [Section 9.4.D](#) are addressed;
 - c. Any approval from any local, regional, state, or federal agency or department having jurisdiction over any aspect of the application; and
 - d. A list of all property owners, together with addresses, required to be notified by [Section 9.8.H](#) or other section of these Regulations.
5. The Commission or its designee may waive any item required above if it is determined that such item is unnecessary to PZC consideration of the application.
6. The Commission may require the submission of additional information as deemed necessary to make a reasonable review of the application.
7. As required by CGS Section 8-3(g), if a Special Permit Application involves an activity regulated pursuant to CGS Sections 22a-36 to 22a-45, inclusive, the applicant shall apply for a permit to the Inland Wetlands Commission not later than the day such application is filed with the Commission.
8. A Special Permit application in a coastal area may require processing of a Coastal Site Plan application as provided in CGS Section 22a-105 et seq.
9. The Commission shall not be required to hear the same Special Permit application, or substantially the same Special Permit application for a period of 12 months after a decision by the Commission or by a Court on an earlier such application.

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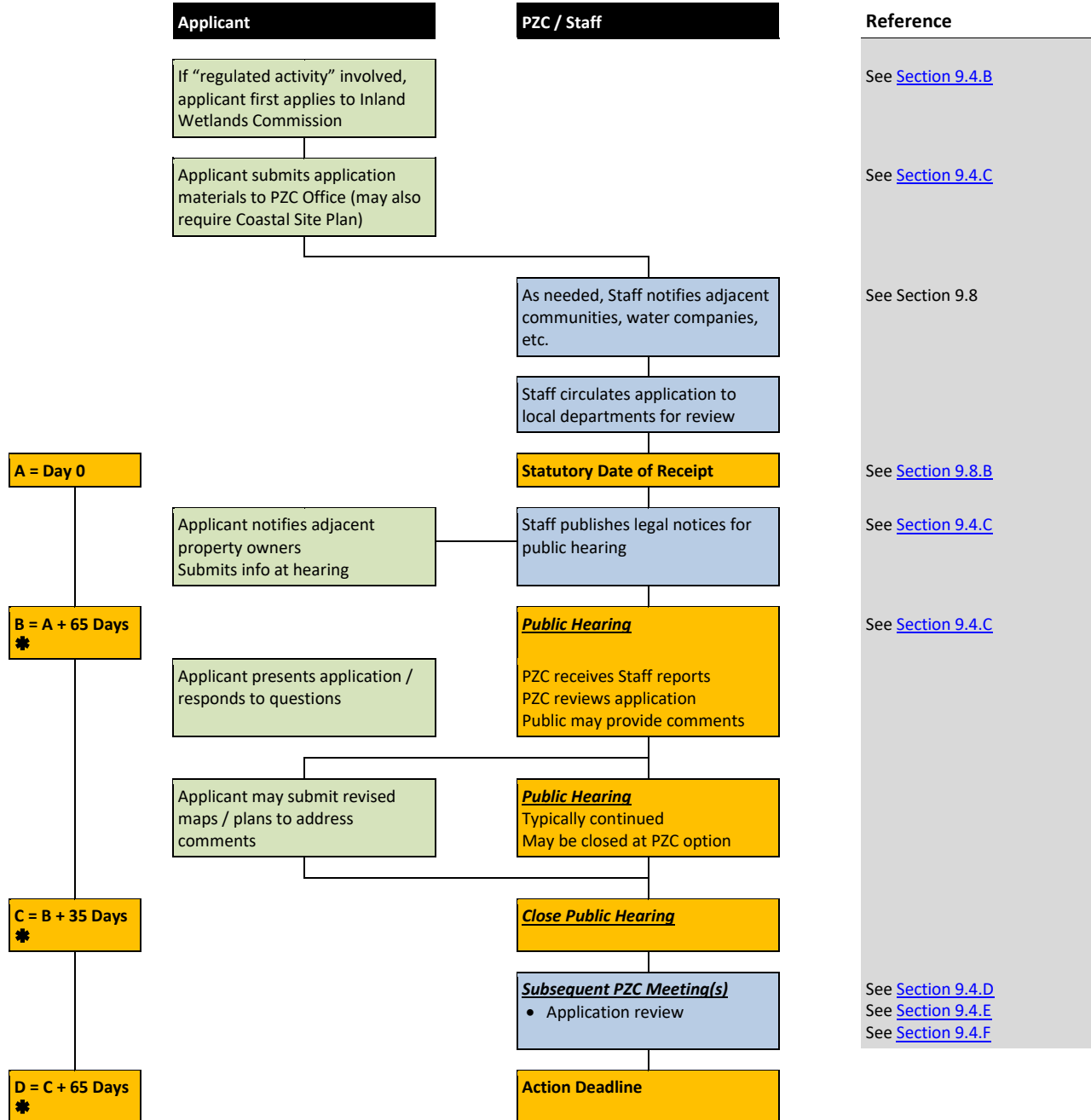
9.4.C Proceedings

1. The date of receipt of the Special Permit Application shall be determined in accordance with [Section 9.8.B](#).
2. An incomplete Special Permit Application may be denied in accordance with [Section 9.8.C](#).
3. The Commission shall hold a public hearing on the Special Permit Application and:
 - a. Publish a legal notice in accordance with the requirements of [Section 9.8.F](#);
 - b. A sign shall be posted in accordance with [Section 9.8.G](#), and
 - c. Require that the applicant give notice to property owners within 100 feet in accordance with the requirements of [Section 9.8.H](#).
4. Prior to the scheduled meeting regarding the application, the applicant shall submit the following to the Planning and Zoning Office or the application shall be considered incomplete:
 - a. A list of the property owners to whom the notices were required to be sent as per [Section 9.4.B.4.d](#), [Section 9.8.H](#), or other section of these Regulations; and
 - b. Proof of mailing to such property owners, and
 - c. A copy of the complete package of information sent to such property owners.
5. A Special Permit application in the coastal area may be referred to the Connecticut Department of Energy and Environmental Protection (DEEP).
6. Notification to adjoining municipalities may be required in accordance with the requirements of [Section 9.8.I](#).
7. Notification to water companies and/or the Connecticut Department Of Public Health may be required in accordance with the requirements of [Section 9.8.J](#).
8. Notification to historic organizations may be made in accordance with [Section 9.8.L](#).
9. The Commission may require the applicant make a written inquiry to the Connecticut Office of State Archeology to determine whether there is evidence or a likelihood of sites of archeological significance within the property. Such written inquiry shall be made part of the record. The lack of reply shall not delay the processing of the application.
10. The Commission shall process the Special Permit Application within the period of time permitted under CGS Section 8-7d:
 - a. The public hearing shall commence within sixty-five (65) days after receipt of the application;
 - b. The public hearing shall be completed within thirty-five (35) days after such hearing commences;
 - c. All decisions shall be rendered within sixty-five (65) days after completion of such hearing; and
 - d. The applicant may consent to one or more extensions of any period specified in this Subsection provided the total extension of all such periods shall not be for longer than sixty-five (65) days.

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Conceptual Flowchart

This flowchart is illustrative only and is not intended to replace statutory requirements or limitations or other applicable timeframes.



✳️ Timeframe may be extended by:

- Consent of applicant (see [Section 9.4.C](#))
- Corollary application
- Wetlands report

11. Notwithstanding the provisions of this Section, if an application involves an activity regulated pursuant to CGS Sections 22a-36 to 22a-45, inclusive and the time for a decision by the Commission would elapse prior to the thirty-fifth day after a decision by the Inland Wetlands Commission, the time period for a decision shall be extended to thirty-five (35) days after the decision of such Commission.
12. The applicant may, at any time prior to action by the Commission, withdraw such application.

9.4.D Decision Considerations

1. On a Special Permit Application involving an activity regulated pursuant to CGS Sections 22a-36 to 22a-45, inclusive, the Commission shall:
 - a. Wait to render its decision until the Inland Wetlands Commission has submitted a report with its final decision; and
 - b. Give due consideration to any report of the Inland Wetlands Commission when making its decision.
2. On a Special Permit Application involving notice to DEEP, the Connecticut Office of State Archeology, council(s) of government, adjoining municipalities, water companies, or other agencies, the Commission shall give due consideration to any report received.
3. Before the Commission approves a Special Permit Application, it shall determine that the application:
 - a. Is in conformance with the applicable provisions of these Regulations;
 - b. Has, in the sole discretion of the Commission, satisfied the Special Permit Criteria in [Section 9.4.E](#); and
 - c. Is in harmony with the purposes and intent of these Regulations and the currently adopted Plan of Conservation and Development.
4. Before granting a Special Permit, the Commission shall determine that any accompanying Site Plan Application is in conformance with the applicable provisions of these Regulations.
5. In granting a Special Permit, the Commission may:
 - a. Stipulate such conditions as are reasonable and necessary to protect or promote the public health, safety, or general welfare; the environment; sound planning and zoning principles; improved land use, site planning and land development; or better overall neighborhood compatibility; and
 - b. Impose additional requirements, conditions, or safeguards as a prerequisite to the issuance of the Certificate of Zoning Compliance by the Zoning Enforcement Officer, if it shall be found necessary in order as reasonably necessary to serve public safety and welfare.

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6. In the event an appeal is taken from the Commission approval of a Special Permit, then the time period shall commence on the date of final disposition of such litigation.
7. Unless otherwise specified by the Commission, a Special Permit shall expire if the “work” authorized thereby is not completed within the timeframe provided by [Section 9.3.G.1](#) of these Regulations
8. An expired Special Permit shall be considered null and void.
9. Where the Commission finds or has reason to believe that circumstances or conditions upon which a Special Permit is warranted may change over time, the Commission may:
 - a. Limit the time during which the Special Permit shall remain valid, and/or
 - b. Require periodic renewal of the Special Permit in order to review and substantiate the justifying circumstances or conditions at periodic intervals.
10. Whenever the Commission acts upon a Special Permit, it shall state upon its records the reason for its decision.

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9.4.E Special Permit Criteria

A. Suitable Location for Use –

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

B. Appropriate Improvements –

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

C. Suitable Transportation Conditions –

- 1. The design, location, and specific details of the proposed use or activity shall not adversely affect safety in the streets and shall not interfere with the pattern of vehicular circulation in such a manner as to create or exacerbate unsafe traffic conditions.
 - 2. The proposed use or activity shall adequately address and/or mitigate traffic congestion in the area.
 - 3. The design, location, and specific details of the proposed use or activity shall provide for pedestrian and/or bicycle circulation as appropriate and shall not create or exacerbate unsafe conditions for pedestrians or bicyclists.
 - 4. Parking area or areas will be of adequate size for the particular use and shall be suitably screened from adjoining residential uses and entrance and exit drives will be laid out so as to prevent traffic hazards and nuisances.
- B.
- 1. Streets and other rights-of-way will be of such size, condition, and capacity (in terms of width, grade, alignment, and visibility) to adequately accommodate the traffic to be generated by the particular proposed use.

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C. Adequate Utilities and Services –

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

D. Environmental Protection & Conservation –

1. Appropriate consideration shall be given to the protection, preservation, and/or enhancement of natural resources and unique resources including, where appropriate, the use of conservation restrictions to protect and permanently preserve such resources and features.
2. Appropriate consideration shall be given to whether the proposed development is compatible with soil types, terrain, and the natural capacity of the land.
3. Appropriate consideration shall be given to the protection, preservation, and/or enhancement of historic and archeologic resources including, where appropriate, the use of conservation restrictions to protect and permanently preserve such resources and features.
4. Appropriate consideration shall be given to the protection, preservation, and/or enhancement of scenic resources including, where appropriate, the use of conservation restrictions to protect and permanently preserve such resources and features.
5. The proposed use or activity will not adversely impact efforts to become a more sustainable and resilient community.

E. Long Term Viability –

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

F. Consistency With Overall Objectives –

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

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9.4.F Action Documentation

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

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9.4.G Following Approval

1. A Special Permit granted by the Commission shall only become effective upon the filing of a copy, certified by the ZEO, in the land records of the Town, in accordance with the provisions of CGS Section 8-3d.
2. A Special Permit granted by the Commission shall be filed within 90 days of the date of decision or shall be considered null and void.
3. A Special Permit shall only authorize the particular use or uses specified in the Commission's approval.
4. Failure to adhere strictly to the documents, plans, terms, conditions, and/or safeguards approved by the Commission or its staff shall be a violation of these Regulations.
5. Following approval of a Special Permit Application, one paper (1) sets and a digital set in PDF format of the approved plan(s) with any required revisions to reflect Commission approval shall be submitted to the Planning and Zoning Office, unless there are no physical changes on the property and/or the ZEO determines that such materials are not required. Such plans shall:
 - a. Bearing the seal of the appropriate professionals which prepared the drawing(s) unless deemed not necessary by the Zoning Enforcement Officer;
 - b. Bearing a copy of the decision letter of the Commission and any other Town regulatory agencies authorizing the activity; and
 - c. Containing a signature block where the Chairman of the Commission can indicate the approval of the Commission.
6. A Special Permit may be amended or modified in like manner as provided above for the granting of a Special Permit except that amendments which shall be found to be of a minor nature or which do not materially alter the Special Permit, as determined by the Commission, may be authorized with Commission approval following a public hearing.
7. Any condition or safeguards attached to the granting of a Special Permit shall remain with the property as long as the Special Permit use shall be in operation. These condition and safeguards shall continue in force regardless of any change in ownership of the property.
8. Any authorized Special Permit shall be subject to revocation by the Commission if any condition or safeguard imposed by the Commission upon buildings, structures, land or uses for said permit shall not be strictly adhered to by the applicant, user and/or owner. Notification thereof shall be filed in the Office of the Town Clerk.

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9.5. Regulation Amendment Application (PZC)

9.5.A Application Requirements

1. A Regulation Amendment Application shall be submitted for any proposal to amend, change, or repeal any Section of these Regulations.
2. Any Regulation Amendment Application shall be accompanied by the proposed text and any reports and/or other information specified in the application package (including [Section 9.8](#)).
3. The application shall be accompanied by a fee as provided in the Town’s fee schedule, except that no fee shall be required for any proposed amendment to these Regulations initiated by the Commission.
4. The Commission may require the submission of additional information as deemed necessary to make a reasonable review of the application.
5. The Commission shall not be required to hear any petition or petitions relating to the same changes, or substantially the same changes, more than once in a period of twelve months unless it finds, on facts presented in writing, that a material change in the situation justifies this action. A change of ownership of property or any interest therein shall not be deemed a material change in the situation for the purpose of this Section.

9.5.B Proceedings

1. The date of receipt for the Regulation Amendment Application shall be determined in accordance with [Section 9.8.B](#).
2. An incomplete Regulation Amendment Application may be denied in accordance with [Section 9.8.C](#).
3. The Commission shall hold a public hearing on the Regulation Amendment Application and:
 - a. Shall cause a legal notice to be published in accordance with the requirements of [Section 9.8.F](#);
 - b. A sign shall be posted by the applicant in accordance with [Section 9.8.G](#) if the application applies to a particular property or location, and
 - c. May publish the full text of such proposed regulation in full in such notice.
4. For any proposed amendment to these Regulations initiated by the Commission, the notice requirements of [Section 9.8.F](#) shall be sufficient.
5. The Commission may refer any application to amend these Regulations to any Town department, State agency, or other agency the Commission deems appropriate and may request any such department or agency to submit a report to the Commission on matters that are of concern to it in connection with its own responsibility.

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6. A Regulation Amendment application within the coastal boundary shall be referred to the Department of Energy and Environmental Protection.
7. Notification to regional councils of governments may be required in accordance with the requirements of [Section 9.8.K](#).
8. Notification to adjoining municipalities may be required in accordance with the requirements of [Section 9.8.I](#).
9. Notification to water companies and/or the Connecticut Department Of Public Health may be required in accordance with the requirements of [Section 9.8.J](#).
10. Notification to historic organizations may be made in accordance with [Section 9.8.L](#).
11. The Commission may require the applicant make a written inquiry to the Connecticut Office of State Archeology to determine whether there is evidence or a likelihood of sites of archeological significance within the property. Such written inquiry shall be made part of the record. The lack of reply shall not delay the processing of the application.
12. A copy of the proposed regulation shall be filed by the applicant in the Office of the Town Clerk for public inspection at least ten (10) days before the public hearing.
13. In accordance with CGS Section 8-7d(g), the Commission shall notify any person or organization on the public notice registry at least seven (7) days prior to the commencement of the public hearing on the Regulation Amendment application.
14. The Commission shall process the Regulation Amendment Application within the period of time permitted under CGS Section 8-7d:
 - a. The public hearing shall commence within sixty-five (65) days after receipt of the application;
 - b. The public hearing shall be completed within thirty-five (35) days after such hearing commences;
 - c. All decisions shall be rendered within sixty-five (65) days after completion of such hearing;
 - d. The applicant may consent to one (1) or more extensions of any period specified in this Subsection provided the total extension of all such periods shall not be for longer than sixty-five (65) days; and
 - e. These provisions shall not apply to any action initiated by the Commission regarding adoption or change of any Regulation.
15. The applicant may, at any time prior to action by the Commission, withdraw such application.

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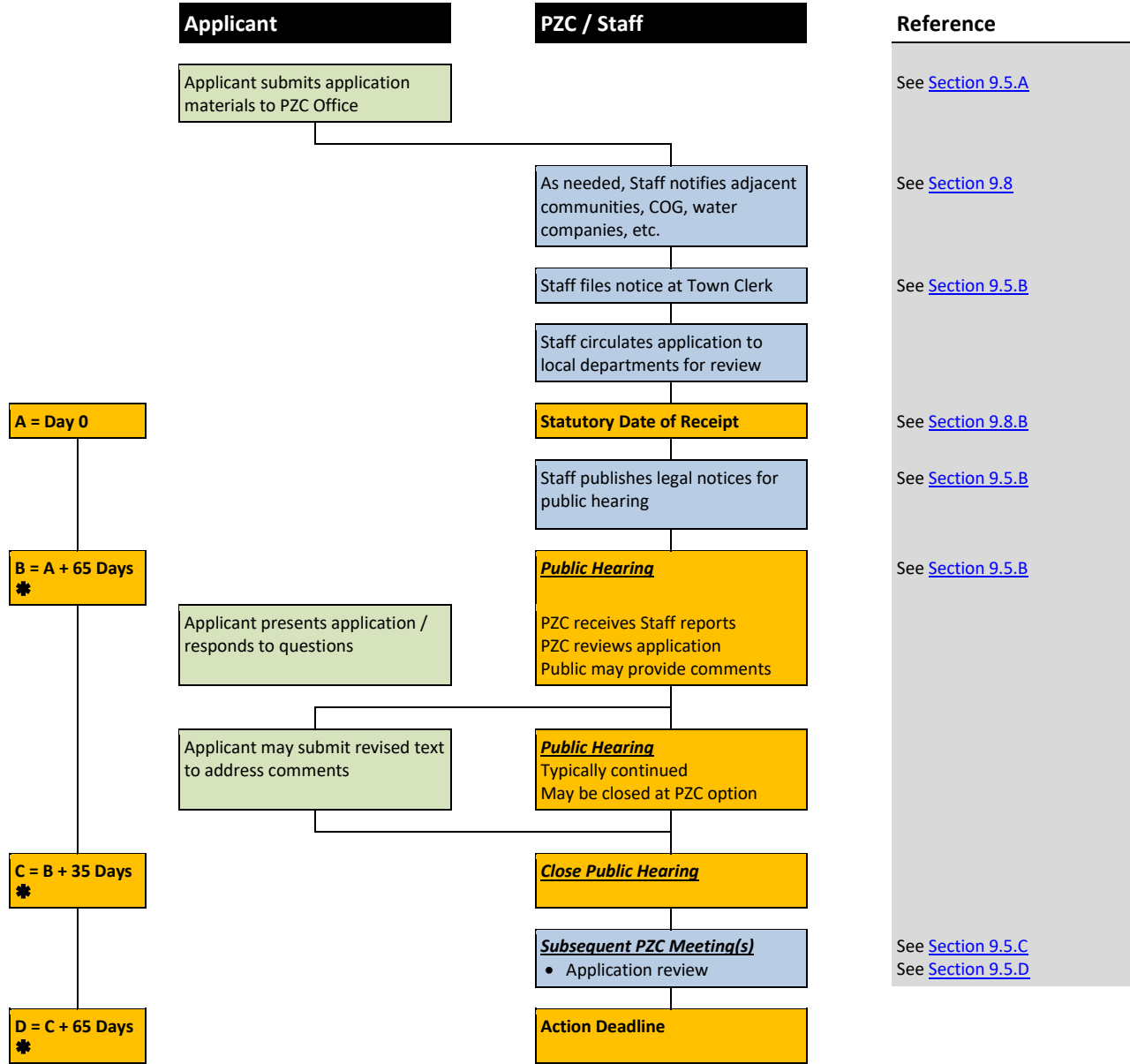
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Conceptual Flowchart

This flowchart is illustrative only and is not intended to replace statutory requirements or limitations or other applicable timeframes.



✳️ Timeframe may be extended by:

- Consent of applicant (see [Section 9.5.C](#))
- Provision that Regulation Amendment applications initiated by the Commission are not subject to statutory timeframes and the timeframes may be extended.

9.5.C Decision Considerations

1. The Commission shall act upon the changes requested in such Regulation Amendment Application.
2. Any report from an adjacent municipality or a regional council of governments shall be made a part of the record of such hearing.
3. On a Regulation Amendment Application involving notice to DEEP, the Connecticut Office of State Archeology, council(s) of government, adjoining municipalities, water companies, or other agencies, the Commission shall give due consideration to any report received.
4. In making its decision the Commission shall take into consideration the Plan of Conservation and Development, prepared pursuant to CGS Section 8-23.
5. Before approving any Regulation Amendment Application, the Commission shall determine that the proposed regulation change will aid in:
 - a. Protecting the public health, safety, or general welfare;
 - b. Attaining the purposes of these Regulations; and
 - c. Accomplishing the provisions contained in Section 8-2(a) of the Connecticut General Statutes.
6. Such Regulation(s) shall be established, changed, or repealed only by a majority vote of all the members of the Commission.

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9.5.D Action Documentation

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

9.5.E Following Approval

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

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9.6. Zoning Map Amendment Application (PZC)

9.6.A Application Requirements

1. A Zoning Map Amendment Application shall be submitted in writing on forms provided by the Commission for any proposal to alter the zoning designation of any parcel of land or part thereof.
2. If a Zoning Map Amendment Application is initiated by petition, the application shall include evidence that notification was sent, in accordance with the requirements of the Connecticut General Statutes, to the affected property owner(s) at least fifteen (15) days before the initial public hearing on the request.
3. Unless such application is initiated by the Commission, the application shall include:
 - a. A detailed description of the land to be included in the proposed zone change(s);
 - b. Written reason(s) for the proposed zone change(s);
 - c. Maps, plans, reports, and other information specified in the application package (including [Section 9.8](#)) and such materials shall be signed and sealed by an appropriate professional;
 - d. A list of names, addresses, tax map and lot numbers of all property owners subject to the proposed zoning map amendment;
 - e. A list of names, addresses, tax map and lot numbers of all property owners required to be notified in [Section 9.8.H](#);
 - f. A map showing all property owners within 500 feet and a list or spreadsheet of names, addresses, tax map / lot numbers, and the parcel area for each property, and
 - g. A fee, as provided in the fee schedule of the Town to cover the cost of administration.
4. A Zoning Map Amendment application in a coastal area shall be referred to the Department of Energy and Environmental Protection and may require processing of a Coastal Site Plan application as provided in CGS Section 22a-105 et seq.
5. The Commission shall not be required to hear a Zoning Map Amendment Application that has been rejected within one (1) year from the date of rejection unless it finds, on facts presented in writing, that a material change in the situation justifies this action. A change of ownership of property or any interest therein shall not be deemed a material change in the situation for the purpose of this Section.

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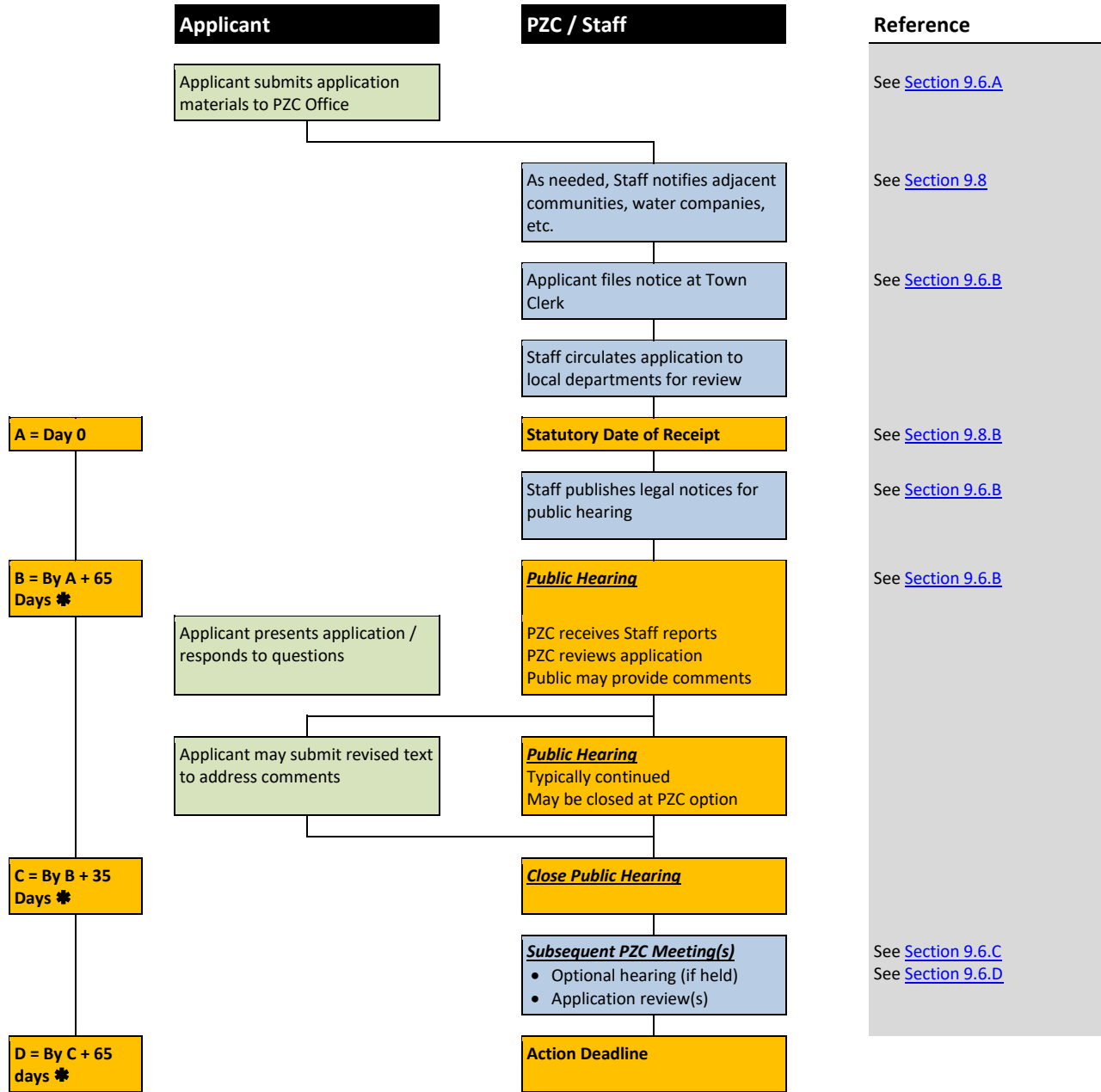
9.6.B Proceedings

1. The date of receipt of the Zoning Map Amendment Application shall be determined in accordance with [Section 9.8.B](#).
2. The Commission shall hold a public hearing on a Zoning Map Amendment Application and shall:
 - a. Cause a legal notice to be published in accordance with the requirements of [Section 9.8.F](#);
 - b. Require a sign be posted by the applicant in accordance with [Section 9.8.G](#),
 - c. Require that the applicant give notice to property owners affected by the zone change, and
 - d. Require property owners be notified in accordance with the requirements of [Section 9.8.H](#).
3. The Commission may refer any application to amend the Zoning Map to any Town department, State agency, or other agency the Commission deems appropriate and may request any such department or agency to submit a report to the Commission on matters that are of concern to it in connection with its own responsibility.
4. In accordance with [Section 9.8.K](#) of these Regulations, any proposed change of zone affecting any properties within 500 feet of the Town line shall be referred to the regional council of governments.
5. Notification to adjoining municipalities may be required in accordance with the requirements of [Section 9.8.I](#).
6. Notification to water companies and/or the Connecticut Department Of Public Health may be required in accordance with the requirements of [Section 9.8.J](#).
7. Notification to historic organizations may be made in accordance with [Section 9.8.L](#).
8. The Commission may require the applicant make a written inquiry to the Connecticut Office of State Archeology to determine whether there is evidence or a likelihood of sites of archeological significance within the property. Such written inquiry shall be made part of the record. The lack of reply shall not delay the processing of the application.
9. A copy of the proposed zone change shall be filed by the applicant in the Office of the Town Clerk for public inspection at least ten (10) days before the public hearing.

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Conceptual Flowchart

This flowchart is illustrative only and is not intended to replace statutory requirements or limitations or other applicable timeframes.



* Timeframe may be extended by:

- Consent of applicant (see [Section 9.6.C](#))
- Provision that Regulation Amendment applications initiated by the Commission are not subject to statutory timeframes and the timeframes may be extended.

10. The Commission shall process the Zoning Map Amendment Application within the period of time permitted under CGS Section 8-7d:
 - a. The public hearing shall commence within sixty-five (65) days after receipt of the application;
 - b. The public hearing shall be completed within thirty-five (35) days after such hearing commences;
 - c. All decisions shall be rendered within sixty-five (65) days after completion of such hearing;
 - d. The applicant may consent to one or more extensions of any period specified in this Subsection provided the total extension of all such periods shall not be for longer than sixty-five (65) days; and
 - e. These provisions shall not apply to any action initiated by the Commission regarding a Zoning Map Amendment Application.
11. In accordance with CGS Section 8-7d(g), the Commission shall notify any person or organization on the public notice registry at least seven (7) days prior to the commencement of the public hearing on the of the Zoning Map Amendment application.
12. The applicant may at any time prior to action by the Commission, withdraw such application.

9.6.C Decision Considerations

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

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9.6.D Action Documentation

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

9.6.E Following Approval

1. A Zoning Map Amendment Application approved by the Commission shall be filed in the Office of the Town Clerk before the effective date.

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9.7. Zoning Board Of Appeals (ZBA)

9.7.A General Provisions

1. **Appointment** – There shall be a Zoning Board of Appeals (ZBA) established pursuant to the provisions adopted by the General Assembly and any Charter provisions adopted by the Town.
2. **Powers And Duties** – As provided in Chapter 124 of the Connecticut General Statutes, the Board shall have the following powers and duties:
 - a. To hear and decide appeals where it is alleged that there is an error in any order, requirement or decision made by the Zoning Enforcement Officer except that no order, requirement, or decision made by the Planning and Zoning Commission shall be subject to a review by the Board of Appeals;
 - b. To determine and vary the application of the Zoning Regulations solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of these Regulations would result in exceptional difficulty or unusual hardship and only when such determination or variance shall:
 - Be in harmony with the general purpose and intent of these Regulations,
 - Give due consideration for conserving the public health, safety, and general welfare; and
 - Result in substantial justice being done and the public safety and welfare secured.
 - c. To hear and decide all matters referred to it and upon which it shall be required to pass under any provision of these Regulations or State law.

9.7.B Appeals Of Enforcement Decisions

1. **Authority** – In accordance with CGS Section 8-7, an appeal may be taken to the Board of Appeals by a person alleging to be aggrieved by an order, requirement, or decision made by the Zoning Enforcement Officer.
2. **Application Materials** –
 - a. Any such appeal shall be taken within thirty (30)-days of the issuance of the order, requirement, or decision by filing a notice of appeal on the application forms provided by the Town with the Zoning Enforcement Officer and the Zoning Board of Appeals specifying the grounds thereof.
 - b. An appeal shall be accompanied by a fee as provided in these Regulations.
 - c. The Zoning Enforcement Officer shall forthwith transmit to said Board all the papers constituting the record upon which the appeal was taken.
 - d. The Board of Appeals may require the filing of a survey meeting the Class A-2 accuracy standards of the Code of Practice for Standards of Accuracy of Surveys and Maps, by the Connecticut Association of Land Surveyors, Inc., when warranted by the proximity of the proposed change of use or construction or alteration of a structure to any property line.

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- 3. **Effect of Appeal –**
 - a. Where such appealable decision by the Zoning Enforcement Officer prohibits further construction or expansion of a use in violation of the Zoning Regulations, an appeal shall not be cause for such construction or expansion to continue except to such extent that the Board may allow when ruling on the appeal.
 - b. In situations other than that described in [Section 9.7.B.3.a](#) above, an appeal shall temporarily stop all zoning enforcement and proceedings with regard to such order, requirement or decision unless the Zoning Enforcement Officer certifies to the Board of Appeals after the appeal has been filed that, by reason of facts stated in the certificate, a stay would cause imminent peril to life or property.
 - c. If the Zoning Enforcement Officer certifies to the Board of Appeals that a stay would cause imminent peril to life or property, enforcement and proceedings shall only be stayed by a restraining order granted by a court of record, on notice to the Zoning Enforcement Officer and on due cause shown.

- 4. **Proceedings –**
 - a. The Board shall hold a public hearing on the appeal and shall publish a legal notice in accordance with the requirements of [Section 9.8.F](#).
 - b. At such hearing, any party may appear in person or may be represented by agent or by attorney.
 - c. Notification to adjoining municipalities may be required in accordance with the requirements of [Section 9.8.I](#).
 - d. Notification to water companies and/or the Connecticut Department Of Public Health may be required in accordance with the requirements of [Section 9.8.J](#).
 - e. The Board shall process the appeal within the period of time permitted under CGS Section 8-7d:
 - The public hearing shall commence within sixty-five (65) days after receipt of the appeal;
 - The public hearing shall be completed within thirty-five (35) days after such hearing commences;
 - all decisions shall be rendered within sixty-five (65) days after completion of such hearing; and
 - The applicant may consent to one or more extensions of any period specified in this Subsection provided the total extension of all such periods shall not be for longer than sixty-five (65) days.
 - f. The applicant may, at any time prior to action by the Board, withdraw such application.

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5. **Considerations –**

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

6. **Action Documentation –**

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

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9.7.C Variances

1. **Authority** – In accordance with CGS Section 8-6, the Board of Appeals shall have the power and duty to determine and vary the application of the Regulations solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of these Regulations would result in exceptional difficulty or unusual hardship.
2. **Nature of Variance** –
 - a. Any variance granted by a Board of Appeals shall run with the land and shall not be personal in nature to the person who applies for and receives the variance.
 - b. A variance shall not be extinguished solely because of the transfer of title to the property or the invalidity of any condition attached to the variance that would affect the transfer of the property from the person who initially applied for and received the variance.
 - c. A variance shall only authorize the particular activity specified in the Board's approval.
3. **Application Requirements** –
 - a. Unless the Zoning Enforcement Officer determines that such materials are not needed due to the nature of the application (or an alternative submission is acceptable), a Variance Application shall be accompanied by the maps, plans, reports, and other information specified in the application package (including [Section 9.8](#)) and such materials shall be signed and sealed by an appropriate professional.
 - b. An application to the ZBA shall be accompanied by a fee as provided in [Section 9.8.A](#) of these Regulations.
 - c. An accurate and detailed plan drawn to scale is required showing the type and the degree of the variance requested, however, the Board of Appeals may require the filing of a survey meeting the Class A-2 accuracy standards of the Code of Practice for Standards of Accuracy of Surveys and Maps, by the Connecticut Association of Land Surveyors, Inc., when the variance is dimensional in nature or such survey is integral to the understanding of the application.

The ZBA may accept:

- An “improvement location survey” with side-angle-side or angle-side-angle rather than an A-2 survey of the entire property provided such “improvement location survey” meets the Class A-2 accuracy standards as described above.
- An “as-built survey” showing the existing building being added onto or improved in conjunction with a drawing prepared by a professional architect or professional engineer showing the proposed improvement(s) provided such “as-built survey” meets the Class A-2 accuracy standards as described above.
- The Assessor card and/or Town GIS map if the variance request is related only to building height or building coverage.

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4. A Variance application in a coastal area may require processing of a Coastal Site Plan application as provided in CGS Section 22a-105 et seq.
5. **Proceedings** –
 - a. The date of receipt for the Variance Application shall be determined in accordance with [Section 9.8.B.](#)
 - b. The Board shall hold a public hearing on the Variance Application and:
 - Publish a legal notice in accordance with the requirements of [Section 9.8.F.](#)
 - At least fifteen (15) days before the subject hearing, the applicant shall mail a copy of the legal notice of the hearing to the owners of each parcel or property within 100 feet of the appellant's property, as determined from the latest real estate list of the Town in the Tax Assessor's Office; and
 - At the hearing, the applicant, or his/her legal representative, shall submit evidence of the required mailing in the form of U.S. Postal Service Certificates of Mailing, a list showing the names and address of the owners of all such properties, and a copy of the notification (including attachments) which were mailed.
 - c. At such hearing, any party may appear in person or may be represented by agent or by attorney.
 - d. Notification to adjoining municipalities may be required in accordance with the requirements of [Section 9.8.I.](#)
 - e. Notification to water companies and/or the Connecticut Department Of Public Health may be required in accordance with the requirements of [Section 9.8.J.](#)
 - f. An incomplete Variance Application may be denied in accordance with [Section 9.8.C.](#)
 - g. The Board shall process the Variance Application within the period of time permitted under CGS Section 8-7d:
 - The public hearing shall commence within sixty-five (65) days after receipt of the application;
 - The public hearing shall be completed within thirty-five (35) days after such hearing commences;
 - All decisions shall be rendered within sixty-five (65) days after completion of such hearing; and
 - The applicant may consent to one or more extensions of any period specified in this Subsection provided the total extension of all such periods shall not be for longer than sixty-five (65) days.
 - h. The applicant may, at any time prior to action by the Board, withdraw such application.
 - i. The Board shall not be required to hear any application for the same variance or substantially the same variance for a period of six (6) months after a decision by the Board or by a court on an earlier such application.

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6. **Decision Considerations –**
- a. Whenever a Variance Application is joined with an enforcement appeal pursuant to [Section 9.7.B](#), the Board shall first decide the issues presented by such appeal.
 - b. Whenever the Board of Appeals grants or denies any variance in the Zoning Regulations applicable to any property it shall state upon its records:
 - The reason for its decision;
 - The Regulation which is varied in its application; and
 - When a variance is granted, a specific description of the exceptional difficulty or unusual hardship on which its decision is based.
 - c. The concurring vote of four (4) members of the Board shall be necessary to vary the application of the Zoning Regulations.
7. **Action Documentation –**
- a. The Board shall, whenever it grants or denies a Variance Application, state upon its record the reason(s) for its decision.
 - b. Notice of the decision of the Board shall, in accordance with the requirements of the Connecticut General Statutes, be sent to any applicant to the Board within fifteen (15) days after such decision has been rendered. Such notice shall:
 - State the name of the owner of record,
 - Contain a description of the premises to which it relates,
 - State the nature of the hardship claimed; and
 - Specify the nature of such variance including the Regulation which is varied in its application.
 - c. Notice of the decision of the Board shall be published in a newspaper having a substantial circulation in the community within fifteen (15) days after such decision has been rendered.
 - d. In any case in which such notice is not published within such fifteen (15) day period, the applicant may provide for the publication of such notice within ten (10) days thereafter.

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8. **Following Approval –**

- a. A variance granted by the Board shall only become effective upon the filing of a copy, certified by the Board, in the Office of the Town Clerk, in accordance with the provisions of CGS Section 8-3d.
- b. A variance granted by the Board shall be filed within 90 days of the date of decision or shall be considered null and void.

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9.8. Procedural Elements

9.8.A Application Submittal Requirements

1. Applications to the Commission or the Board of Appeals shall be submitted to the Planning and Zoning Office.
2. Applications shall be submitted on forms obtained from the Planning and Zoning Office for the type of application being submitted.
3. Applications shall be accompanied by the appropriate fee(s) except that the Commission and the Town shall be exempt from any application fee.
4. Applications shall be documented by plans, materials, and other information as required by these Regulations and such documents shall be signed and sealed by the design professional licensed by the State of Connecticut to prepare that specific document such as:
 - a. Survey – licensed surveyor
 - b. Engineering – licensed professional engineer
 - c. Architecture – Licensed architect
 - d. Landscaping – Licensed landscape architect
5. Applications shall be signed by the applicant and, if applicable, the owner of the property affected.

9.8.B Date Of Receipt

For the purposes of calculating statutory time frames for processing applications, the date of receipt of an application to the Commission or the Board of Appeals shall be:

1. The day of the next regularly scheduled meeting of the Commission or the Board of Appeals immediately following the day of submission of the application to the Planning and Zoning Office; or
2. Thirty-five (35) days after submission, whichever is sooner.

9.8.C Incomplete Applications

1. Each application shall be reviewed to determine whether the application is substantially complete.
2. An application shall not be considered actually complete until all of the information as required by these Regulations, the Commission, or the Board of Appeals has been received by the Commission or the Board of Appeals at a regularly scheduled meeting.
3. An application considered by the Commission or Board to be incomplete or an application submitted without the requisite fee may be denied.

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9.8.D Public Hearings

1. Where a proposed development or activity requires multiple applications, the Commission may conduct any public hearings simultaneously or in the order they deem appropriate.
2. The Commission shall generally continue a required Public hearing to a subsequent date(s) so that the public has a full opportunity to comment on an application except that the Commission may, by a vote of 3/4th of the members, waive this requirement after considering the complexity of the proposed change, the interest of the public in the proposal, and/or the need for more information about the application.

9.8.E Consultations

On any application, the Commission or Board may:

1. Seek the advice and opinion of other officials, boards, or commissions to assist it in evaluating applications;
2. Retain an architect, landscape architect, professional land use planner, or other consultant to review, comment, and guide its deliberations on any application; and
3. Require that the applicant, in accordance with Town Ordinance #166:
 - a. Deposit funds with the Commission or Board for the costs of any consulting review fees, or
 - b. Reimburse the Commission or Board for the cost of such consulting review.

9.8.F Notice By Publication

1. If required by the Connecticut General Statutes, when a public hearing is required by these Regulations or scheduled by the Commission, the Commission shall cause notice of the hearing to be published in a newspaper having a general circulation in the community or as otherwise provided by statute.
2. Such notice shall be published at least twice at intervals of not less than two days, the first not more than fifteen days, nor less than ten days, and the last not less than two days before the date of the hearing.

9.8.G Notice By Posting Of Sign

1. Where posting of a sign is required by these Regulations, the applicant shall erect a sign on each street frontage of the property which is the subject of the application at least 14 days prior to the hearing.
2. Said sign shall:
 - a. Legibly describe the type of application and provide the time and place of the public hearing, and
 - b. Be placed where it will be visible and legible from the adjacent public street.
3. Said sign shall be removed within two days after the hearing's conclusion.

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9.8.H Notice To Nearby Property Owners

1. Applicants or their representatives shall be responsible for notifying owners of property within 100 feet of the subject property of any pending application for Special Permit, Zoning Map Amendment Application, or Variance.
2. As part of any such application, the applicant shall submit:
 - a. A list of the names and addresses of owners of property within 100 feet of the subject property utilizing the latest records of the Town Tax Assessor to determine the owner of each property; and
 - b. A map showing the subject property, the surrounding properties, and the approximate location of structures within 100 feet of the subject property, including tax lot numbers.
3. The applicant shall notify each property owner within 100 feet of the subject property of the time, place, date, and purpose of the hearing by sending a copy of the legal notice to each property owner within 100 feet not less than ten (10) days prior to the scheduled hearing.
4. Notices from the applicant to the property owners within 100 feet shall be sent via mail and proof of mailing shall be evidenced by Certificates of Mailing from the United States Postal Service.
5. Prior to the date of the Commission's Public Hearing regarding the application, the applicant shall submit:
 - a. The Certificates of Mailing;
 - b. A list of the property owners to whom the notices were sent; and
 - c. A copy of the letter and any enclosures sent to the property owners.

9.8.I Notification Of Adjoining Municipalities

1. In accordance with CGS Section 8-7d(f), the Commission or Board of Appeals shall notify the clerk of an adjoining municipality of any application concerning any project on any site in which:
 - a. Any portion of the property affected by a decision is within five hundred (500) feet of the boundary of the adjoining municipality;
 - b. A significant portion of the traffic to the completed project shall use streets within the adjoining municipality to enter or exit the site;
 - c. A significant portion of the sewer or water drainage from the project shall flow through and significantly impact the drainage or sewerage system within the adjoining municipality; or
 - d. Water runoff from the improved site shall impact streets or other municipal or private property within the adjoining municipality.

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2. Unless electronic mail is permitted by the Connecticut General Statutes, such notice shall be made by Certified Mail, return receipt requested, and shall be mailed within seven (7) days of the day of the submission to the Planning and Zoning Office of the application, petition, request, or plan.
3. No hearing shall be conducted on any application, petition, request, or plan unless the adjoining municipality has received the notice required under this Section.
4. Such adjoining municipality, through a representative, may appear and be heard at any hearing on any such application, petition, request, or plan.

9.8.J Notification Of Water Companies

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

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9.8.K Referrals To Councils of Governments

1. The Commission shall give written notice to the regional council(s) of governments when any portion of the land affected by a Zoning Regulation or boundary change affecting the use of a district is located within five hundred (500) feet of the boundary of another municipality.
2. Such notice shall be made not later than thirty (30) days before the public hearing.
3. Such notice may be made by electronic mail, except that, if no confirmation of electronic receipt is received on a timely basis, such notice shall then be made by Certified Mail, return receipt requested, not later than twenty-five (25) days before the public hearing.
4. The regional council(s) of governments may submit advisory findings and recommendations to the Commission at or before the hearing.
5. The Commission shall acknowledge and summarize any comments submitted by the regional council(s) of governments and incorporate such comments into the record of any public hearing held on the application.
6. The lack of a response from any such regional council(s) of governments shall not delay the processing of the application.

9.8.L Referral To Historic Organizations

1. In order to obtain more information regarding historic resources, the Commission may consult with the Historic District Commission and/or other local and state organizations regarding the best way to preserve historic resources, especially those located in a National Register Historic District or listed in the Historic Resources Inventory of Guilford.
2. In making its decision, the Commission shall give due consideration to any reports received from such agencies.
3. The failure to receive a report in a timely manner shall not affect the mandated time requirements for Commission action.

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9.8.M Beneficiaries Of A Trust

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

9.8.N Conservation Restrictions

1. In accordance with CGS Section 47-42d, any person filing a zoning application for property that is subject to a conservation restriction or a preservation restriction shall provide proof that the applicant has, at least sixty days prior to the filing of the permit application, provided written notice of such application, by Certified Mail, return receipt requested, to the party holding such restriction, including, but not limited to, any state agency that holds such restriction.
2. In lieu of such notice, the applicant may submit a letter from the holder of such restriction or from the holder's authorized agent, verifying that the application complies with the terms of the restriction.
3. Such notice shall not be required if the application is only for interior work in an existing building or for exterior work on an existing building that does not expand or alter the footprint of such existing building.
4. If the holder of the restriction provides proof that granting of the permit application will violate the terms of the restriction, such agency, official or director shall not grant the permit.
5. If the applicant fails to comply with the notice provisions of CGS Section 47-42d, the applicant and/or any successor entity may be subject to the penalties or other enforcement provisions contained in CGS Section 47-42d.

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9.8.0 Financial Guarantee Requirements

Where a financial guarantee is required by any section of these Regulations, the Zoning Enforcement Officer shall require evidence of compliance with the following standards before accepting any financial guarantee. A financial guarantee may be required for one or more of the following:

- Installation and/or maintenance of erosion and sediment control measures required during construction activities,
 - The timely and adequate completion of any site improvements that will be conveyed to or controlled by the municipality or otherwise constitute public improvements,
 - Unfinished improvements which would preclude issuance of a Certificate of Zoning Compliance (term of guarantee not to exceed 180 days), and/or
 - The maintenance of roads, streets, retention or detention basins or other improvements for up to one year after the date on which such improvements have been completed to the reasonable satisfaction of the Commission or the Zoning Enforcement Officer or accepted by the Town.
1. The required amount of any financial guarantee will be established by the Commission, the Zoning Enforcement Officer or other Commission designee based on information provided by the applicant of the type and estimated quantities of materials needed to ensure the timely and adequate completion of any relevant site improvements.
 2. The Commission may require a separate financial guarantee for erosion and sedimentation controls required as part of any Zoning approval. Such financial guarantee shall:
 - a. Be in the amount of at least 110 percent of the estimated cost of installing and maintaining erosion and sediment control measures, and
 - b. Shall be either:
 - Cash deposited with the Town; or
 - Certified check(s) payable to the Town, when the amount of any check is fully insured by the Federal Deposit Insurance Corporation.
 3. In accordance with CGS Section 8-3(g)(2), any other financial guarantee may, at the discretion of the person posting such financial guarantee, be posted at any time before all approved site improvements are completed.
 4. No Certificate of Occupancy shall be issued before the approved site improvements are completed to the reasonable satisfaction of the Commission or its agent or a financial guarantee is posted.
 5. For any site plan that is approved for development in phases, the financial guarantee provisions of this Section shall apply as if each phase was approved as a separate site plan.
 6. A financial guarantee shall not be required to be in force and effect for more than one year after the date on which such improvements have been completed to the reasonable satisfaction of the Commission or its agent or accepted by the municipality.

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7. **Acceptable Forms of Financial Guarantees**– Financial guarantees shall be in form, amount, and surety acceptable to the Town and shall generally be in one or more of the following forms:
- a. Cash deposited with the Town;
 - b. Certified check(s) payable to the Town, when the amount of any check is fully insured by the Federal Deposit Insurance Corporation (FDIC);
 - c. Bank deposit(s) assigned solely and irrevocably to the Town, when the amount of any deposit is fully insured by the Federal Deposit Insurance Corporation (FDIC); and/or
 - d. An irrevocable letter of credit naming the Town as sole beneficiary provided that:
 - Such letter of credit shall be issued by a branch of a bank in Connecticut or by a branch of a bank in the United States provided that:
 - o Such bank is included in the most recent list issued by the Securities Valuation Office of the National Association of Insurance Commissioners (or any successor office or organization, “NAIC”) as a bank meeting NAIC standards for issuing letters of credit for reinsurance purposes; or
 - o The long-term unsecured debt of such bank (or the long-term unsecured debt of its holding company) is rated BBB or better by Standard & Poor's rating service or Baa or better by Moody's rating service;
 - The terms and conditions of such letter of credit shall be acceptable in form and substance to the Town; and
 - When through the passage of time, such letter of credit shall have less than thirty (30)-days remaining until its expiration or lapse date, and such expiration date has not been extended, the Town may draw the full amount under said letter of credit and the proceeds may be retained by the Town as the financial guarantee.
8. Upon completion of the proposed and required improvements, the applicant may be required to submit to the Commission:
- a. An as-built, A-2 survey of the improvements;
 - b. Certification of accurate monument location by a land surveyor registered in the State of Connecticut;
 - c. Easements (if required) in a form satisfactory to the Commission; and
 - d. Proof of fulfillment of any other requirements or conditions.

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9. At the written request of the applicant, the Commission or its agent may authorize release of all or the balance of any financial guarantee provided that:
 - a. The Town Engineer and/or Zoning Enforcement Officer has/have submitted a letter stating that the required improvements have been satisfactorily completed; and
 - b. The applicant's engineer or surveyor has certified to the Commission that the improvements are in accordance with approved site plans and submitted a set of detailed "record" plans on mylar; and
 - c. The Commission or its agent shall, not later than sixty-five days after receiving such request:
 - Release or authorize the release of any such financial guarantee or portion thereof or
 - Provide the person posting such financial guarantee with a written explanation as to the additional improvements that must be completed before such financial guarantee or portion thereof may be released.
10. To promote public health and safety and to safeguard the Town in regard to the future maintenance of said improvement, the Commission may retain a financial guarantee for maintenance, in cash or certified check, in the amount of ten percent (10%) of the total required financial guarantee for a period of one (1) year following completion of all proposed and required improvements.
11. If all work associated with a Site Plan Application approved by the Commission is not completed within the prescribed amount of time, the Site Plan approval shall expire and become null and void. Any financial guarantee shall be defaulted and the Town may use the proceeds to ensure public health and safety and to safeguard the Town in regard to the future maintenance of said improvement.

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9.8.P Village District Procedures

1. **Applicability** – All new construction, substantial reconstruction, and rehabilitation of properties in a Village District and any changes of use or new uses not exempted below shall require Commission approval as specified in this Section.
2. **Exempted Activities** –
 - a. **Change of Use** – Village District review shall not be required, and a Zoning Permit may be issued by the Zoning Enforcement Officer for a change of use within the Village District when:
 - No modifications or only minor modifications to the site or structure are proposed;
 - Such proposed use is permitted in the zone; and
 - Such proposed use is substantially similar to the previous use or deemed to have less neighborhood impact and similar or less parking requirements than a previously permitted use.
 - b. **Routine Maintenance / Minor Modification** –
 - Village District review shall not be required, and a Zoning Permit may be issued by the Zoning Enforcement Officer for routine maintenance and minor modifications within view from any public roadway when the Town Planner determines that such routine maintenance or minor modification will be consistent with the overall village district as well as all other applicable requirements of this Section.
 - c. **New Construction Not Visible** –
 - d. Village District review shall not be required for any new construction, any addition, any alteration or any other structural or site plan modification within the Village District when the entirety of such work is not within view from any public roadway.
 - e. Such new construction, addition, alteration or other structural or site plan modification within the Village District shall still require Site Plan or Special Permit approval from the Commission as appropriate and as set forth in these Regulations.
 - f. Any proposed construction shall be consistent with the overall village district as well as all other applicable requirements of this Section.
3. **Professional Drawings Required** –
 - a. Unless the Commission determines that professional drawings are not necessary due to the nature of the improvements proposed or other material provided, drawings of buildings and structures within a Village District shall be prepared by a Connecticut-licensed architect.
 - b. Unless the Commission determines that professional drawings are not necessary due to the nature of the improvements proposed or other material provided, site plans and landscape plans within a Village District shall be prepared by a Connecticut-licensed landscape architect.

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4. **Standards And Criteria** – All applications submitted within the Village District shall be reviewed against the standards and criteria included in the CGS Section 8-2j, as contained elsewhere in these Regulations, and specifically the following:
 - a. The proposed buildings or modifications to existing buildings shall be harmoniously related to their surroundings, and the terrain in the district and to the use, scale, and architecture of existing buildings in the district that have a functional or visual relationship to a proposed building or modification;
 - b. All spaces, structures, and related site improvements visible from public roadways shall be designed to be compatible with the elements of the area of the Village District in and around the proposed building or modification;
 - c. The color, size, height, location, proportion of openings, roof treatments, building materials and landscaping of commercial or residential property and any proposed signs and lighting be evaluated for compatibility with the local architectural motif and the maintenance of views, historic buildings, monuments, and landscaping;
 - d. The applicant shall provide information within the application indicating that the proposed building(s) architecture is compatible with the existing architecture of buildings within 200 feet of the site in question within the Village District;
 - e. The removal or disruption of historic traditional or significant structures Or architectural elements shall be minimized; and
 - f. Any proposed construction shall be consistent with the design guidelines incorporated in the Appendix of these Regulations.

5. **Compatibility Objectives** – In addition, all development in the Village District shall be designed to achieve the following compatibility objectives:
 - a. The building and layout of buildings and included site improvements shall reinforce existing buildings and streetscape patterns and the placement of buildings and included site improvements shall assure there is no adverse impact on the district;
 - b. Proposed streets and or driveway shall be connected to the existing Village District road and driveway network, wherever possible;
 - c. Pedestrian access shall be provided to connect with adjacent Village District sidewalks, uses, and buildings;
 - d. Open spaces within the proposed development shall reinforce open space patterns of the district, in form and siting;
 - e. Locally significant features of the site such as distinctive buildings, specimen trees, or sight lines or vistas from within the district shall be integrated into the site design;
 - f. The landscape design shall complement the district’s landscape patterns;
 - g. The accessory features and structures common in the Village District shall be continued in a uniform architectural theme throughout the proposed development and shall be compatible with their surroundings (including exterior signs, colonial style site lighting, white picket fences, brick paver walks, etc.); and
 - h. The scale, proportions, massing and detailing of any proposed building shall be in proportion to the scale, proportion, massing and detailing in the district.

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6. Procedure –

- a. All applications for new construction or substantial reconstruction within the Village District and in view from public roadways shall be subject to review and recommendation by the Design Review Committee acting as the "Village District Consultant" provided for in CGS Section 8-2j.
 - The Design Review Committee shall review the application and report to the Commission within 35 days of the official receipt of an application with regard to compliance with the Village District criteria contained herein.
 - Failure of the Design Review Committee to report within 35 days shall not alter or delay statutory time limits.
 - The report of the Design Review Committee shall be entered into the record of the public hearing and may be considered by the Commission in making its decision. The applicant shall be afforded the opportunity to review and comment upon any such report and to offer additional information to the Commission in response to said report.
- b. The Commission may additionally seek the recommendation of any Town or regional agency or outside specialists with which it consults, including but not limited to, any historical organizations, the South Central Regional Council of Governments, the Connecticut Trust for Historic Preservation, and The University of Connecticut College of Agriculture and Natural Resources. Any report from such agency or organization shall be entered into the record of the public hearing and may be considered by the Commission in making its decision. The applicant shall be afforded the opportunity to review and comment upon any such report and to offer additional information to the Commission in response to said report.
- c. No approval of the Commission shall be effective until a copy thereof, certified by the Commission, containing the name of the owner of record, a description of the premises to which it relates and specifying the reasons for its decision, is recorded in the land records of the Town of Guilford. The Town Clerk shall index the same in the Grantor's index under the name of the then record owner and the record owner shall pay for such recording.

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10.1. Design Guidelines

10.1.A Overall Consistency

1. **POCD Consistency** – Any site plan application should demonstrate conformance with the purpose and intent of the Plan of Conservation and Development (POCD) adopted by the Commission under the provisions of CGS Section 8-23.
2. **Neighborhood Consistency** –
 - a. The location and bulk of buildings and other structures and site development should harmonize with the neighborhood, to accomplish a transition in between areas of unlike characteristics, and to preserve and enhance the appearance and beauty of the community.
 - b. The exterior design of buildings and other structures, including finish and color, should harmonize with, and enhance the appearance and beauty of, the community.

10.1.B Building-Related Guidelines

1. **General** –
 - a. Buildings and structures should be designed to harmonize and be compatible within community.
 - b. The design of all buildings and other structures, including the building materials and exterior elevations, should harmonize with the neighborhood, to accomplish a transition between areas of unlike characteristics, to preserve the appearance of the community and to conserve energy.
 - c. Buildings should be of such scale and mass to relate well to each other and the street and, preserve and enhance the aesthetic qualities associated with a coastal New England community.
 - d. In so far as the majority of buildings in Guilford are of a traditional style and construction, preserving and enhancing aesthetic quality means adhering to the patterns of design and the materials and methods of traditional architecture where appropriate.
 - e. Trademark building designs (a building or structure which, by virtue of its distinctive architectural style or colors, identifies the owner or occupant of the building or has come to be generally associated with a particular owner or occupant) should be discouraged in any district in Guilford since buildings whose architecture is itself an advertising image detract from the coherent and distinctive identity of the Town of Guilford.
 - f. Franchise-type businesses should design buildings and/or structures to harmonize with the historic and distinctive characteristics of the Town.

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2. **Mass / Bulk –**
 - a. Lengthy, unbroken facades should be avoided and, as a general guide, the maximum horizontal length of an unbroken façade plane on a commercial building should be seventy-five (75) feet and on a residential building should be forty (40) feet.
 - b. Façade offsets should be sufficient to create a strong shadow line.
 - c. Visual and functional focal points should be established for all large developments.

3. **Roofs –**
 - a. Roof mass and building façade should form a consistent composition.
 - b. Roof lines should be simple, functional, and reflective of the broader community building stock.
 - c. Multiple changes in roof slope should be avoided.
 - d. Where gabled or hipped roofs are proposed, they should have a pitch with at least a five (5) inch rise in a twelve (12) inch run.
 - e. Roofs should project enough beyond the façade to create an overhang and cast a shadow.
 - f. Preferred roof materials are slate, standing seam metal, wood shakes, or architectural asphalt shingles. Innovative designs such as green roofs are encouraged.

4. **Roof Dormers –**
 - a. Dormer roofs should be compatible in design and pitch with the primary roof and the dormer window size and style should relate to the windows in the rest of the building.
 - b. Dormers should be set within the field of the roof – back from the face of the main building and below the ridge of the main roof.
 - c. Gabled or hip dormers should be placed in relation to the pattern of windows on the body of the building.
 - d. If the dormer is to contain more than one window, a shed dormer is generally preferred.
 - e. Shed dormers should start below the spring line and not extend the entire length of the primary roof.
 - f. The pitch of a shed dormer should not be flatter than a four inch (4”) rise in a twelve inch (12”) run.

5. **Mechanical Equipment –**
 - a. No mechanical equipment should be located on the roof of a building if visible from any street or any other lot, unless such equipment is housed or screened from view in a manner consistent with the architectural design of the building.
 - b. Where this is not possible, mechanical elements should be located so that they are not visible from public streets or adjacent residential uses or districts and/or are visually screened by fencing, landscaping, or other means.
 - c. Utility services located out of doors, such as transformers and electric or gas meters, should be screened from view.

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6. **Building Features –**
 - a. Windows should be appropriately scaled and arranged with a balanced spacing and conscious rhythm.
 - b. True divided lite or simulated divided lite windows are encouraged where they are appropriate to the architectural style of the building.
 - c. Shutters should be operable or appear operable and be sized to fit the window when closed.
 - d. Architectural detailing should be historically correct and applied consistently throughout.
 - e. Main entrances should be clearly visible and identifiable from the primary public vantage points or public right-of-way with a logical and visually appealing approach.

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

8. **Signs –**
 - a. Signs affixed to buildings should be in harmony with the architectural style and integrity of the buildings.
 - b. Signs on multiple-tenant buildings should be of the same general type, character, and relative location so as to provide a harmonious design and, where a sign design plan for a multiple-tenant commercial building does not exist, the Design Review Committee, may select an existing sign on the building, or the sign submitted for approval as a prototype for all future signs.

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10.1.C Site-Related Guidelines

1. Landscaping and Screening –

- a. Landscape composition should be complementary to scale and style of the existing and proposed buildings.
- b. Existing mature vegetation and natural terrain should be preserved to the extent feasible.
- c. Where preservation of existing mature vegetation is not feasible, appropriate landscaping (such as trees, shrubs, lawns, or other suitable landscaping) should be provided and permanently maintained for all portions of the lot not covered by buildings and other structures, off-street parking, loading and driveways.
- d. Native plant species should be used and the introduction of invasive plant species is prohibited.
- e. Landscaping should serve to integrate the proposed development to the site, with particular consideration for natural topography and existing vegetation including, where the terrain is uneven, developing parking areas at different levels.
- f. For all new landscaping, an ample variety and quantity of ornamental plants should be provided, with a few dominant types chosen to create unity and subordinate types interspersed for accent and with variety achieved with respect to seasonal changes, species selected, texture, color, and size at maturity.
- g. Landscaping should be provided on the lot with an intent to reduce excessive heat, glare, and dust, to provide privacy from noise and visual intrusion, to control erosion of soil and stormwater runoff, to enable recharge of groundwater and to avoid degradation of groundwater, inland wetlands, tidal wetlands, and watercourses.
- h. Eradication of existing invasive species is strongly encouraged.
- i. All parking, service and storage areas should be reasonably screened by landscaping and/or fences or walls; the general grading, improvement and landscaping of the site should be designed so as to protect and enhance the historic and rural characteristics of the Town and the subject neighborhood, and to provide strong, clear boundaries between different land uses or different neighborhood densities.
- j. The use of stone walls and decorative fences along the street line is encouraged.
- k. Low Impact Development techniques should be fully integrated with the overall landscaping of the site.
- l. Failure to maintain any landscaped area or buffer strip required by these regulations should constitute a violation of these Regulations.

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10.2. Index Of Amendments

| Section | Eff. Date | Description |
|------------|-------------------------------------|---|
| 1.0 | Introduction | |
| 2.0 | Words and Terms | |
| 2.2 | 4/20/2024 | Adult Day Care - Added definitions and grouped as a result of statutory change related to child care |
| 2.2 | 4/20/2024 | Child Care - Modified definitions and grouped as a result of statutory change related to child care |
| 2.2 | 6/22/2024 | Removed extraneous reference to “Short Term Rental” |
| 2.2 | 1/25/25 | Updated cross reference in definition of Building Height |
| 3.0 | Residential Districts / Uses | |
| 3.2.C | 4/20/2024 | Child Care / Adult Day Care - Modified principal use tables to reflect new terms for child care and adult day care |
| 3.3.A | 3/15/2025 | Accessory Dwelling Unit – Added clarification for ADU size and added click link to Section 3.9.A. |
| 3.3.B | 4/20/2024 | Child Care / Adult Day Care - Modified accessory use tables to reflect new terms for child care and adult day care |
| 3.4.A | 4/20/2024 | Modified format of table for area and dimensional standards in R-1 zone for clarity and user friendliness |
| 3.4.B | 4/20/2024 | Modified format of tables for area and dimensional standards in R-2 zone for clarity and user friendliness |
| 3.4.C | 4/20/2024 | Modified format of tables for area and dimensional standards in R-3 zone for clarity and user friendliness |
| 3.4.D | 4/20/2024 | Modified format of tables for area and dimensional standards in R-4 zone for clarity and user friendliness |
| 3.4.E | 4/20/2024 | Modified format of tables for area and dimensional standards in R-5 zone for clarity and user friendliness |
| 3.4.F | 4/20/2024 | Modified format of tables for area and dimensional standards in R-6 zone for clarity and user friendliness |
| 3.4.G | 4/20/2024 | Modified format of tables for area and dimensional standards in R-7 zone for clarity and user friendliness |
| 3.4.H | 4/20/2024 | Modified format of tables for area and dimensional standards in R-8 zone for clarity and user friendliness |
| 3.9.A | 6/22/2024 | Removed provision prohibiting renting of accessory dwelling unit or principal dwelling unit |
| 3.9.A | 3/15/2025 | Added provision for PZC to allow second driveway for ADU by Site Plan Review and added click link for user-friendliness |

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| Section | Eff. Date | Description |
|------------|----------------------------------|---|
| 4.0 | Business Districts / Uses | |
| 4.0 | 1/1/25 | Changed regulations on solar panels in all business zones to allow by Zoning Permit |
| 4.1.B.3 | 4/20/2024 | Updated use list in GGB zone to reflect new terms for child care and adult day care |
| 4.8.B.4.g | 5/23/25 | Amended PRB-2 provisions related to motor vehicle refueling stations |
| 4.9.B.4.f | 5/23/25 | Amended PRB-3 provisions related to motor vehicle refueling stations |
| 4.10.B.3 | 4/20/2024 | Updated use list in PRB-4 zone to reflect new terms for child care and adult day care |
| 4.10.B.4 | 4/20/2024 | Updated use list in PRB-4 zone to reflect new term of animal day care |
| 4.11.B.3 | 4/20/2024 | Updated use list in SC zone to reflect new terms for child care and adult day care |
| 4.11.B.4 | 4/20/2024 | Updated use list in SC zone to reflect new term of animal day care |
| 4.2.B.3 | 4/20/2024 | Updated use list in C zone to reflect new terms for child care and adult day care |
| 4.2.B.4 | 4/20/2024 | Updated use list in C zone to reflect new term of animal day care |
| 4.3.B.4 | 4/20/2024 | Updated use list in I zone to reflect new terms for child care and adult day care and new term of animal day care |
| 4.5.B.3 | 4/20/2024 | Updated use list in BMU zone to reflect new terms for child care and adult day care |
| 4.5.B.4 | 4/20/2024 | Updated use list in BMUC zone to reflect new term of animal day care |
| 4.6.B.4 | 4/20/2024 | Updated use list in SSN zone to reflect new terms for child care and adult day care |
| 4.7.B.3 | 4/20/2024 | Updated use list in PRB-1 zone to reflect new terms for child care and adult day care |
| 4.7.B.4 | 4/20/2024 | Updated use list in PRB-1 zone to reflect new term of animal day care |
| 4.8.B.3 | 4/20/2024 | Updated use list in PRB-2 zone to reflect new terms for child care and adult day care |
| 4.8.B.4 | 4/20/2024 | Updated use list in PRB-2 zone to reflect new term of animal day care |
| 4.9.B.3 | 4/20/2024 | Updated use list in PRB-3 zone to reflect new terms for child care and adult day care |
| 4.9.B.4 | 4/20/2024 | Updated use list in PRB-3 zone to reflect new term of animal day care |
| 5.0 | Special Districts / Uses | |
| 5.8.1.5 | 6/22/2024 | Modified provisions relative to financial guarantees |

| Section | Eff. Date | Description |
|------------|-------------------------------|--|
| 6.0 | Use Related Provisions | |
| 6.1.D | 3/15/2025 | Corrected number sequence |
| 6.2.E | 4/20/2024 | Modify section to reflect new term of animal day care |
| 6.12 | 4/20/2024 | Insert new section as a result of statutory change related to child care |
| 7.0 | Standards | |
| 7.1.B | 6/22/2024 | Modified applicability provisions relative to design review |
| 7.3.C | 4/20/2024 | Insert new parking standard for day care center |
| 7.3 | 1/25/25 | Changed former Section 7.3.E.5 from numbered provision to an explanatory blue box within Section 7.3.G |
| 7.4.B | 6/22/2024 | Modified applicability provisions relative to landscaping and screening |
| 7.4.E.2 | 6/22/2024 | Modified provisions relative to financial guarantees |
| 7.5.B | 6/22/2024 | Modified applicability provisions relative to exterior lighting |
| 7.7.B.6 | 6/22/2024 | Modified provisions relative to financial guarantees |
| 7.7.C.5 | 6/22/2024 | Deleted provisions relative to financial guarantees |
| 8.0 | Special Provisions | |
| 8.1.B | 1/1/25 | Changed regulations on solar panels to allow by Zoning Permit in all business zones |
| 8.3.F.1 | 6/22/2024 | Modified provisions relative to financial guarantees |
| 9.0 | Procedures | |
| 9.1.B.6 | 6/22/2024 | Modified provisions relative to financial guarantees |
| 9.1.C | 4/20/2024 | Insert new section as a result of statutory change related to ZEO approval of Motor Vehicle Dealers / Repairers |
| 9.3.D.6 | 6/22/2024 | Modified provisions relative to financial guarantees |
| 9.3.F | 6/22/2024 | Changed provisions requiring Chairman signature of approved Site Plan to ZEO |
| 9.3.F.5 | 6/22/2024 | Modified provisions relative to financial guarantees |
| 9.3.G.3 | 6/22/2024 | Modified provisions relative to financial guarantees |
| 9.4.G.6 | 3/15/2025 | Added provision requiring a public hearing to modify a Special Permit |
| 9.7.D | 4/20/2024 | Remove prior section as a result of statutory change removing approval of Motor Vehicle Dealers / Repairers from ZBA |
| 9.8.O | 6/22/2024 | Modified section relative to financial guarantees |

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