# ZONING REGULATIONS
# OF THE
# TOWN OF MANSFIELD, CONNECTICUT

Revised to September 12, 2016

**THESE REGULATIONS REPLACE ALL REGULATIONS PREVIOUSLY ADOPTED AND AMENDED BY THE PLANNING AND ZONING COMMISSION SINCE APRIL 28, 1959**

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# Article One

## Intent and Purpose

### A. Enacting Clause And Short Title

The Mansfield Planning and Zoning Commission, acting under authority of the Town Referendum held on March 28, 1958, and Chapter 124 of the General Statutes of the State of Connecticut, hereby adopts and enacts these regulations as the "Zoning Regulations of the Town of Mansfield."

### B. Purpose

These regulations have been adopted in accordance with the provisions of Chapter 124 of the General Statutes of the State of Connecticut. These regulations are designed to meet statutory responsibilities and to achieve the following purposes:

1) To promote and protect the overall health, safety, convenience and welfare of the residents of Mansfield, Connecticut and the general public;
2) To provide for and facilitate the orderly growth and expansion of the municipality, thereby preventing an undue concentration of population and an overcrowding of the land, and thereby facilitating suitable provisions for transportation, potable water, sewerage and waste disposal, schools, parks, open space and other public requirements;
3) To protect the character and maintain the stability and property values of residential, business and industrial areas within the Town, including areas and properties of historic value;
4) To provide for the protection of the physical environment, including air quality, potential surface and ground drinking water supplies, and specific environmentally sensitive areas such as wetlands and watercourses and areas subject to flooding and/or erosion and sedimentation problems;
5) To encourage safe and efficient vehicular and pedestrian facilities and circulation patterns and thereby avoid traffic hazards and congestion;
6) To provide protection against fire, flood, explosion, hazardous materials and other potential dangers associated with existing or proposed land uses;
7) To provide for energy-efficient patterns of development, the use of solar and other renewable forms of energy and energy conservation;
8) To encourage the use of aesthetic considerations in designing proposed buildings and site improvements, thereby promoting attractive projects that are compatible with the character of the site and subject neighborhood, and promote the value of properties in the neighborhood and the Town;
9) To divide the Town into various zones, restricting and regulating therein the location of construction, reconstruction, alteration and use of land, buildings, structures and associated improvements for residence, business and industrial and other uses, with a view toward conserving the value of properties, encouraging a variety of housing and economic development opportunities, and encouraging compatible and appropriate uses of land within the various zones and throughout the town;
10) To protect residents from nuisances from sight and/or sound;
11) To define the powers and the duties of the administrative officers and bodies as provided herein.

*This page reserved for future use.*

# Article Two

## Establishment Of Districts And Provisions For Official Zoning Maps

### A. Establishment Of Zoning Districts

The Town of Mansfield is hereby divided into the following zoning districts:

| | |
|---|---|
| R-20 | Residence 20 Zone |
| R-90 | Residence 90 Zone |
| RAR-90 | Rural Agriculture Residence 90 Zone |
| ARH | Age-Restricted Housing |
| DMR | Design Multiple Residence Zone |
| PRD | Planned Residence District Zone |
| PB-1 | Planned Business 1 Zone |
| PB-2 | Planned Business 2 Zone |
| PB-3 | Planned Business 3 Zone |
| PB-4 | Planned Business 4 Zone |
| PB-4 | Planned Business 5 Zone |
| B | Business Zone |
| NB-1 | Neighborhood Business 1 Zone |
| NB-2 | Neighborhood Business 2 Zone |
| PO-1 | Professional Office 1 Zone |
| RD/LI | Research & Development/Limited Industrial Zone |
| FH | Flood Hazard Zone |
| I | Institutional Zone |
| SC-SDD | Storrs Center Special Design District |
| PVRA | Pleasant Valley Residence/Agriculture Zone |
| PVCA | Pleasant Valley Commercial/Agriculture Zone |
| W | Water Pipeline Overlay Zone |

### B. Designation of “Design Development” Districts

The following zones are designated as "Design Development" districts and in addition to all other requirements shall comply with the provisions of Article X, Section A:

DMR - Design Multiple Residence; PRD - Planned Residence District; PB-1, PB-2, PB-3, PB-4, PB-5, Planned Business 1 through 5; NB-1, NB-2, Neighborhood Business 1 and 2; PO-1, Professional Office 1; RD/LI - Research and Development/Limited Industrial;

PVRA- Pleasant Valley Residence/Agriculture; PVCA-Pleasant Valley Commercial/Agriculture Zone; and I – Institutional.

## C. Provisions For Official Zoning Map

The boundaries of districts are established as shown on the current Zoning Map entitled "Zoning Map of the Town of Mansfield, Connecticut" and filed in the office of the Town Clerk. This map, together with all explanatory matter therein, is hereby adopted by reference and declared to be a part of these Regulations.

1. Zoning Boundaries

   Where uncertainty exists as to the boundaries of districts as shown on the Zoning Map, the following rules shall apply:

   a. Boundaries indicated as abutting right-of-way lines of streets, highways or alleys shall be construed as extending to the center line of such streets, highways, or alleys;

   b. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;

   c. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;

   d. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with actual shore line; boundaries indicated as approximately following the center line of streams, rivers, or other bodies of water shall be construed to follow such center lines;

   e. Boundaries indicated as parallel to or extensions of features indicated in subsection (a) through (d) above shall be so construed. Distances not specifically indicated on the Zoning Map shall be determined by the scale of the map;

   f. In cases of uncertainty, the Town Planning and Zoning Commission shall determine the location of the boundary;

   g. In cases of uncertainty in definition of Flood Hazard Areas, the Flood Insurance Rate Maps, Floodway maps and Flood Insurance Study shall take precedence over the Zoning Map.

# Article Three

## General Provisions

### A. Temporary and Limited Moratorium on Multi-Family Housing Applications

1. **Statement of Purpose**
   This section has been adopted to provide the Commission with the time necessary to consider adoption of potential changes to the Zoning Map and Zoning Regulations pursuant to Section 8-2 of the Connecticut General Statutes.

   The Mansfield Tomorrow Plan of Conservation and Development (POCD) recommends numerous changes to the Zoning and Subdivision Regulations to achieve the goals established in the Plan. Since the POCD became effective in October 2015, the Commission has been working on updates to various regulations. As described in the proposed approach to updating multi-family housing regulations dated May 25, 2016, proposed revisions related to multi-family housing will need to address numerous recommendations contained in the POCD and are expected to include the development of new design guidelines and sustainability requirements.

   To ensure that new multi-family housing is consistent with the vision and goals established by the POCD, this temporary and limited-term moratorium has been adopted to provide the time necessary to meet statutory responsibilities and protect and promote the public's health, safety and general welfare.

2. **Applicability**
   During this temporary and limited-term moratorium, the Commission will not receive, accept, consider or act on any of the following applications for review and action:

   a. Petitions to amend the Zoning Map to establish or expand a Design Multiple Residence (DMR), Age-Restricted Housing (ARH), Planned Residence District (PRD), or Pleasant Valley Residence/Agriculture (PVRA) zone.

   b. Petitions to amend the Zoning Regulations to permit multi-family dwellings in any zone where they are not currently permitted or to establish a new zone which would include multi-family dwellings.

   c. Petitions to amend the Zoning Regulations related to multi-family housing development in any Zone.

   d. Special Permit applications to expand nonconforming multi-family housing developments in any Zone.

   e. Special Permit applications to establish or expand multi-family housing in any Zone.

3. **Effective Date/Term**
   This temporary and limited-term moratorium shall become effective on Monday, September 12, 2016 or upon subsequent publication of the notice of adoption and shall remain in effect for a period of nine (9) months.

## B. Conformity With All Applicable Zoning Provisions

No building, structure or land shall hereafter be used or occupied and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered unless in conformity with all applicable provisions of these regulations.

## C. Minimum Requirements/Uniformity

The requirements established within these regulations shall be minimum requirements and, except where specific exceptions are made within these regulations, shall apply uniformly to each piece of property, category of use or kind of structure.

## D. Other Local, State And Federal Requirements

All land uses in Mansfield shall comply with all other applicable local, state and federal requirements, including but not limited to: compliance with the Mansfield Subdivision Regulations administered by the Planning and Zoning Commission, and the receipt of permits where necessary from the Mansfield Inland Wetland Agency, the Mansfield Water Pollution Control Authority, the Mansfield Fire Marshal, the Mansfield Historic District Commission and the State Departments of Health, Environmental Protection and Transportation.

## E. Lots In Two Zoning Districts or Two Municipalities

Where any established or proposed lot falls into two or more zoning districts or two or more municipalities, any questions of uncertainty as to district boundaries, permitted uses, setbacks and other regulatory requirements shall be determined by the Mansfield Planning and Zoning Commission, after taking into account the portion of the lot within each zone or municipality.

## F. Prohibition Regarding The Creation Of Non Conforming Lots

No lot shall be reduced in area or dimension below the minimum requirements set forth in these regulations. All lots created shall meet the minimum area and other dimensional requirements established in these regulations. (See Article VIII for lot area and other dimensional requirements.)

## G. Limitation On The Number Of Residential Buildings Per Lot

Except where specifically permitted by these regulations, not more than one residential building shall be located per lot.

## H. Street Classifications

To facilitate the development of a system of major streets and highways and the completion of necessary street improvements, and to facilitate the establishment of appropriate regulatory provisions for specific uses that may have significant traffic impacts, each public road in Mansfield has been designated as either an Arterial, Collector or Local Street. The following listing designates Arterial, Collector and Local Streets in Mansfield.

**1. Arterial Streets**

Rt. 66, Rt. 31, Higgins Highway; Rt. 32, Stafford Rd.; Rt. 44, Middle Turnpike; Rt. 89, Warrenville Rd.; Rt. 195, Storrs Rd; Rt. 275, South Eagleville Rd.; Rt. 320,

Willington Hill Rd.; Rt. 430, North Eagleville Rd. from Rt. 195 to Hunting Lodge Rd., and North and South Frontage Rds.

**2. Collector Streets**

Atwoodville Rd.; Bassetts Bridge Rd.; Baxter Rd. from Rt. 44 to Rt. 195; Birch Rd., from Hunting Lodge Rd. to Rt. 44; Browns Rd.; Cedar Swamp Rd.; Chaffeeville Rd.; Clover Mill Rd.; Codfish Falls Rd.; Conantville Rd.; Depot Rd.; Gurleyville Rd.; Hillside Circle from Westwood Rd. to the UConn Campus; Hunting Lodge Rd.; Knowlton Hill Rd. from Wormwood Hill Rd. to Ashford town line; Mansfield City Rd.; Maple Rd.; Meadowbrook Ln.; Moulton Rd.; Mount Hope Rd.; North Eagleville Rd. from Hunting Lodge Rd. to Rt. 32; Pleasant Valley Rd.; Puddin Ln.; Separatist Rd. from South Eagleville Rd. to Hunting Lodge Rd.; Spring Hill Rd.; Westwood Rd.; Wormwood Hill Rd. from Warrenville Rd. to Knowlton Hill Rd.

**3. Local Street**

All other streets in Mansfield.

## I. Application Fees

Many of the land uses permitted within these regulations require permit applications and the payment of an application fee. The current schedule of Planning and Zoning Commission and Zoning Agent fees is on file in the Mansfield Planning and Town Clerk's offices.

## J. Waiver Provisions

In specific sections of these regulations, provisions for varying dimensional requirements and waiving other requirements are incorporated to provide development flexibility and help reduce application costs. In cases where waivers are granted, the Commission shall cite the reasons for its action. In no case shall the Commission vary or waive these regulations without specific authority for its regulatory action.

## K. Community Sewerage Systems

As approved by the Mansfield Water Pollution Control on Dec. 14, 1987, the Planning and Zoning Commission shall limit its consideration of proposed community sewerage systems, as defined by the Connecticut General Statutes, to:

1. those community sewerage systems which are directly connected to sewer collection systems served by either the Town of Windham, the University of Connecticut or the Mansfield Training School sewer treatment facilities; or
2. those community sewerage systems which are determined by the WPCA to be necessary to correct sewerage disposal problems for existing land uses

## L. Necessity For Neighborhood Notification

In situations where a pending application submitted to the Planning and Zoning Commission or Zoning Board of Appeals involves any of the criteria noted below, the Commission or Board shall notify, by certified mail, return receipt requested, within 7 days of the receipt of the application, the Clerk of any adjoining municipality of the pending application. No Hearing shall be conducted unless the adjoining municipality has received said notice.

1. Any portion of the property affected by a decision of the Commission or Board is within five hundred feet of the boundary of the adjoining municipality;
2. A significant portion of the traffic to the completed project on the site will use streets within the adjoining municipality to enter or exit the site;
3. A significant portion of the sewer or water drainage from the project on the site will flow through and significantly impact the drainage or sewerage system within the adjoining municipality; or
4. Water run-off from the improved site will impact streets or other municipal or private property within the adjoining municipality

## M. Notification Of Water Company and Connecticut Department of Public Health

When an applicant files with the Planning and Zoning Commission or Zoning Board of Appeals an application, petition, request or plan concerning any project on any site that is within the aquifer protection area delineated pursuant to Section 22a-354c or the watershed of a water company, the applicant shall provide written notice of the application, petition, request or plan to the watery company and the Commissioner of Public Health in a format prescribed by the Commissioner (provided such water company or said Commissioner has filed a map showing the boundaries of the watershed on the Mansfield Land Records and with the Planning and Zoning Commission or Zoning Board of Appeals or the aquifer protection area has been delineated in accordance with Section 22a-354c, as the case may be). Such notice shall be made by certified mail, return receipt requested, and shall be mailed not later than seven days after the date of the application. Such water company and the Commissioner of Public Health may, through a representative, appear and be heard at any hearing on any such application, petition, request or plan.

# Article Four

## Rules And Definitions

### A. Rules

In the construction of these regulations, the rules and definitions contained in this Article shall be observed and applied, except where the context clearly indicates otherwise.

1. Uses of land, buildings or structures not permitted in the various zoning districts are prohibited.
2. Words used in the singular shall include the plural, the plural the singular; and words used in the present tense shall include the future.
3. The word "shall" is mandatory and not discretionary.
4. The word "may" is permissive.
5. (The word "lot" shall include the words "piece" and "parcel".
6. The words "Zone, zoning district", and "district" have the same meaning.
7. The phrase "used for" shall include the phrases "arranged for", "designed for", "intended for", "maintained for", and "occupied for"
8. The phrase "these Regulations" shall refer to the entire Zoning Regulations.

### B. Definitions

For the purpose of these regulations, certain terms and words used herein shall be used, interpreted and defined as set forth in this section.

Any questions that arise regarding the regulatory meaning of other words and terms shall be determined by the Planning and Zoning Commission with reference to the Connecticut General Statutes and the Random House Dictionary of the English Language, unabridged edition, respectively.

1. **Accessory**. The term applied to a building or use, which is clearly incidental or subordinate to, and customarily in connection with, the principal building or use and located on the same lot with such principal building or use. Any accessory building attached to a principal building is deemed to be part of such building in applying the Area Regulations to such building.
2. **Agent**. A person appointed by the Commission to be its representative.
3. **Basement**. A story partly underground but having at least one-half of its height above the average level of the adjoining ground.
4. **Billboard**. See “Sign, Advertising”.
5. **Boarding House**. A dwelling unit in which more than three (3) persons, not a family, reside.
6. **Brewpub/Restaurant.** A restaurant where beer is manufactured, stored, bottled and sold to be consumed on premises. A limited amount of beer may be sold at retail in sealed containers for consumption off premises as accessory to the restaurant use.

7. **Brewery.** A facility where beer can be manufactured, stored, bottled and sold at wholesale or at retail in sealed containers for consumption off premises or offered for on-site tasting.
8. **Buffer Zone**. An area separating use districts either planted or defined by a wall or other structure as required by these regulations for the purpose of protecting adjoining properties from noise, glare, dust, and unsightly conditions.
9. **Building Coverage**. That percentage of the total lot area covered by the combined area of all buildings on a lot.
10. **Building Line**. Line defined by minimum front yard setback.
11. **Bulk**. The size and shape of building and non-building uses; and the physical relationships of their exterior walls or their location to lot lines and other walls of the same building, and all open spaces required in connection with a building. Bulk regulations include regulations dealing with floor area ratio, building height, lot area per dwelling unit, lot frontage, lot width, required yards, courts, usable open space, and spacing between buildings on a single lot.
12. **Bulk Non-Conforming**. That part of a building or non-building use which does not conform to one or more of the applicable Bulk Regulations of these regulations either on its effective date, or as a result of subsequent amendments thereof.
13. **Business**. Any use facilitating the barter, sale, or exchange of things of value, or sale of services, or exchange of services, and includes the storage of goods.
14. **Cellar**. A story partly underground having more than half of its clear unobstructed height below the average finished grade of the ground adjoining the building.
15. **Club**. An organization of persons incorporated pursuant to the provisions of the General Statutes and which is the owner, lessee, or occupant of an establishment, operated solely for a recreational, social, patriotic, political, benevolent or athletic purpose, but not for pecuniary gain, and includes the establishment so operated. A club shall cater only to its members or guests accompanying them.
16. **Commercial**. See business.
17. **Community Residence**. Defined in accordance with the provisions of Public Act 83-341.
18. **Design Review Panel**. Design Review Panel. An advisory group appointed by the Planning and Zoning Commission, to provide application review assistance. The panel shall include at least three and not more than five people competent in such fields as architecture, landscape architecture, business, engineering and art.
19. **Dormitory**. A building or group of buildings used for the purpose of accommodating students, faculty or members of religious orders with sleeping quarters with or without communal kitchen facilities and administered by a bona fide educational, religious or fraternal institution. The term dormitory includes fraternity and sorority houses, convents, priories, seminaries and monasteries, but does not include clubs.
20. **Dustless Surface**. Dustless surface shall mean adequately covered with screening stone, concrete, asphalt, or bituminous products, or gravel, adequately treated with oil, calcium chloride, or similar dust inhibiting substances.
21. **Dwelling**. A building or portion thereof used for residential occupancy.

22. **Dwelling, Seasonal**. A structure designed and intended for human habitation of a seasonal or recreational nature, and not as a permanent dwelling constructed of permanent weatherproof materials, and having a safe water supply with adequate sanitary sewage facilities. Seasonal shall mean occupancy from June 1, to November 1, and not more than 30 days from November 1, to June l.

23. **Dwelling Unit**. A building, or portion thereof, providing independent living facilities for one family, including provisions for living, sleeping, eating, cooking and sanitation.

24. **Elderly Person**. Any person 62 years of age or over, or a person who has been certified by the Social Security Board as being totally disabled under the Federal Social Security Act.

25. **Family**. A person living alone, or any of the following groups living together as a single non-profit housekeeping unit and sharing common living, sleeping, cooking and eating facilities:

    1. Any number of people related by blood, marriage, civil union, adoption, foster care, guardianship or other duly authorized custodial relationship, gratuitous guests, domestic help and not more than one (1) additional unrelated person. (Related by blood shall include only persons having one of the following relationships with another individual(s) residing within the same dwelling unit: parents, grandparents, children, sisters, brothers, grandchildren, stepchildren, first cousins, aunts, uncles, nieces and nephews);

    2. Two (2) unrelated persons and any children related to either of them;

    3. A cumulative total of up to three (3) adult persons. More than three (3) adult persons may qualify as a family pursuant to other categories of this definition;

    4. Persons living together as a functional family as determined by the criteria listed below. For the purpose of enforcing these regulations, it shall be assumed (presumptive evidence) that more than three (3) persons living together, who do not qualify as a family based on categories one or two of this definition, do not constitute a functional family. To qualify as a functional family, the following criteria shall be met:

        A. The occupants must share the entire dwelling unit and live and cook together as a single housekeeping unit. A unit in which the various occupants act as separate roomers may not be deemed to be occupied by a functional family;
        B. The group shares expenses for food, rent or ownership costs, utilities and other household expenses;
        C. The group is permanent and stable. Evidence of such permanency and stability may include:
            1. The presence of minor dependent children regularly residing in the household who are enrolled in local schools;
            2. Members of the household have the same address for purposes of voter's registration, driver's license, motor vehicle registration and filing of taxes;
            3. Members of the household are employed in the area;
            4. The household has been living together as a unit for a year or more whether in the current dwelling unit or other dwelling units;

5. There is common ownership of furniture and appliances among the members of the household; and
6. The group is not transient or temporary in nature;

D. Any other factor reasonably related to whether or not the group is the functional equivalent of a family.

E. Occupancy in a dormitory, fraternity, sorority, club, tourist home, emergency shelter, rooming or boarding house, group home or similar group occupancy shall not be construed to be a family. Many of these land uses are defined in Article IV, Section B.

5. Any group protected by the "reasonable accommodation" criteria of the Federal Americans with Disabilities Act or Fair Housing Act in that group members are the functional equivalent of a family sharing and in continued pursuit of their common commitment to rehabilitation or recovery from chronic drug or alcohol addiction or abuse, evidenced by substantial compliance with the following criteria, listed in order of importance:

A. The residence facility is certified by the Department of Mental Health and Addiction Services as congregate sober housing.

B. Collectively, the residents lease the entire residence rather than any particular room.

C. Residents may remain indefinitely, but are required to leave the residence if they use drugs or alcohol.

D. Residents share equally most household expenses, including rent, a single household budget, most household chores, including cleaning, shopping and cooking, and the work of maintaining the premises.

E. Weekly meetings are used to discuss household, financial, logistical or interpersonal issues, and household safety, including fire safety.

F. Residents prepare food and eat together on a frequent basis and there is shared food in the refrigerator.

26. **Flood Hazard Area**. Areas subject to 100 year flooding as shown on the Federal Emergency Management Agency "Flood Insurance Study" and "Floodway" and "Flood Insurance Rate Maps" effective January 2, 1981 and further revisions.

27. **Floor Area, Gross**. The sum of the gross area (horizontal) of every floor of a building measured from the exterior faces of the walls or from the center line of party or common walls separating two buildings, including (a) basement space; (b) attic space whether or not a floor has been laid, over which there is structural headroom of 7 1/2 feet or more; (c) floor space used for mechanical equipment with structural headroom of 7 1/2 feet; (d) roofed porches, breezeways, interior balconies and mezzanines; (e) any roofed space such as a garage or carport for off-street parking accessory to a single-family or two-family dwelling not located in a cellar. However, floor area does not include: (a) cellar space (except that cellar space used for a retail sales use shall be included for the purpose of calculating requirements of such use for accessory off-street parking spaces and accessory off-street loading berths); (b) elevator and stair bulkheads, accessory water tanks and cooling towers; and (c) terraces, unroofed open porches and steps.

28. **Floor Area, Livable**. Livable floor areas may include rooms, halls, and closets, but shall not include rooms for heating equipment, garages, open or closed outside vestibules, or porches, or verandas. Unfinished basement spaces will not qualify for

required livable area. Livable floor area as used herein means those portions of the building, soundly and permanently constructed and finished with materials and methods conforming to generally accepted practice. Floor area for livable quarters shall be computed from the outside dimensions.

29. **Floor Area, Net Retail**. The sum of the gross area within a commercial building designed and intended to be used in association with the sale of goods and personal services but excluding areas used for utilities and storage areas up to 10% of each tenant space.

30. **Fraternity/Sorority**. Any group of persons organized for a common purpose, interest or pleasure, and recognized by the Office of Greek Life at the University of Connecticut or Eastern Conn. State University

31. **Fraternity/Sorority House**. Any building or portion of a building used by a fraternity or sorority for the purpose of lodging fraternity or sorority members, or as a site for the conduct of fraternity or sorority-sponsored entertainment or assemblage.

32. **Group Home**. A continuously supervised residential care facility licensed by the State of Connecticut and providing housing and care to eight or fewer individuals who are aged, handicapped, disabled or otherwise in need of specialized services to meet their needs. For the purposes of these regulations, group homes shall not include out-patient services or treatment or supervision services for any of following: (1) acutely ill individuals; (2) individuals who are dangerous to themselves or others (as defined by Section 17-176 of the State Statutes), (3) individuals whose psychiatric disorder is drug or alcohol dependence (as defined by Sections 21a-240 and 17-1551 of the State Statutes) and (4) individuals whose needs are related to criminal behavior or the State Department of Corrections. Group homes under these regulations shall not house or provide services to more than eight individuals, excluding staff residents (also see definition of community residence).

33. **Height**. The vertical distance measured from the average elevation of the proposed finished grade along the wall of a building to the highest point of such building.

34. **Home Occupation**. See provisions of Art. X, Sec. N.

35. **Hotel**. A building which has a common entrance or entrances and contains living and sleeping accommodations for hire for ten or more persons.

36. **Industry**. Any process whereby the nature, size, or shape of articles is changed, or where articles are assembled or packaged in quantity.

37. **Junk**. Any article or material or collection thereof which is worn out, cast off, or discarded, and which is ready for destruction or has been collected or stored for salvage or conversion.

38. **Junk yard**. Except for the specific exceptions noted below, the use of any area of any lot, whether inside or outside a building for any of the following purposes:

    a. the storage, keeping or abandonment of junk, scrap or discarded materials or equipment, including old metal, glass, paper, cordage or other waste or discarded or secondhand material; or

    b. the dismantling, demolition or abandonment of automobiles, other vehicles, machinery, equipment or parts thereof; or

    c. any other place of storage or deposit, including any business, which has stored or deposited two or more unregistered motor vehicles or used parts of motor

vehicles or old iron, metal, glass, paper, cordage or other waste or discarded or secondhand material which has been a part, or intended to be a part, of any motor vehicle, the sum of which parts or material shall be equal in bulk to two or more motor vehicles.

As specific exceptions, the following shall not be considered a junk yard:

1. The display of unregistered vehicles for the specific purpose of sale in association with an authorized and licensed automotive dealership;
2. the accessory storage of unregistered vehicles, equipment or parts associated with a permitted or proposed business, provided said storage has been specifically approved by the Planning and Zoning Commission;
3. the parking of unregistered farm vehicles and associated equipment and parts for use on site in association with an active farm; or
4. the interior storage of unregistered vehicles as per the accessory use provisions of Article VII, Section D.7.f.

39. **Lot**. One or more contiguous parcels of land under single ownership or control that conforms with all applicable Zoning Regulations as a tract to be used, developed or built upon as a unit. It may or may not coincide with the deed description thereof filed for record or otherwise, and it may be subsequently subdivided into two or more lots, provided all such lots conform to all applicable Zoning and Subdivision Regulations.

40. **Lot, Corner**. A corner lot is a lot whose street lot lines have an interior angle of less than 135 degrees at the intersection of the two lines. A lot abutting on a curved street shall be deemed as a corner lot if the tangents to the curve at the points of intersection of the side lot lines intersect at an interior angle of less than 135 degrees.

41. **Lot frontage**. The horizontal distance measured along the full length of the front lot line. At existing, proposed or future streetline intersections with a radius, the frontage may be measured along the full length of the front lot line to the point of intersection of the front lot lines extended beyond the radius to their point of intersection.

42. **Lot line**. A property line bounding a lot. For zoning purposes, town boundary lines are not assumed to be lot lines and a Mansfield lot may extend into an adjacent municipality.

43. **Lot, Rear.** A single lot or parcel existing as of the date of adoption of this amendment which does not have adequate frontage on an accepted town street and is accessible only by a permanent, unobstructed right of access (amendment effective May 15, 1976.)

44. **Lot line, Front**. A front lot line is the line of a street on which a lot abuts.

45. **Lot line, Rear**. A rear lot line is any lot line, other than another front lot line on another street, which is the farthest lot line from the street.

46. **Lot Width**. The average distance between side lot lines measured along two lines parallel to a line connecting the end points of the front lot line and drawn through those two points of the principal building closest to the farthest from the street.

47. **Lot Line, Side**. Any lot line not a front lot line or a rear lot line, bounding a lot and extending from the street toward the rear in a direction approximately perpendicular or radial to the street.

48. **Lot Through**. A lot, other than a corner lot, having frontage on two streets.

49. **Mobile Homes**. See Trailer.

50. **Monument**. A stone or other permanent object to mark a boundary or angle point.

51. **Motel**. A building or a group of buildings containing individual sleeping quarters and individual entrances, and designed, altered or used primarily for rental to transients on a nightly basis.

52. **Neighborhood of Given Lot**. The neighborhood of a lot refers to all areas within five hundred feet of any point on any boundary line of the given lot.

53. **Non-building Use**. A principal use of land to which the buildings on the lot, if any, are accessory, such as trailer park, junk yard, public parking lot, or an open storage yard for materials.

54. **Nonconforming Use**. See Use, Nonconforming.

55. **Parking, Off-street**. Parking space as required for specific uses which is located off a public right-of-way.

56. **Places of Assembly-Banquet Hall**. A hospitality use group that is specific to special events/special occasions such as weddings, wedding receptions, rehearsals and banquets generally not used on a daily basis.

57. **Pool, Commercial Swimming**. A pool for admission to which a fee is charged.

58. **Pool, Swimming**. A structure of relatively impervious material intended for bathing or swimming purposes, located either indoors or outdoors and provided with a controlled water supply.

59. **Premises**. A lot and all the buildings and uses thereon.

60. **Public Garage**. A building used for the storage of more than three registered motor vehicles which are owned by persons other than the owner or occupants of the premises, or in which repairs are made upon motor vehicles for profit.

61. **Public Parking Lot**. Any lot used for the storage of motor vehicles which contains space available to the general public by the hours, day, week, month or year.

62. **Recreation, Private**. An area or use maintained for recreational purposes by private individuals, supported primarily by dues of its members, and not open to the general public.

63. **Recreation, Public**. An area or use maintained for recreational purposes which is open to the general public.

64. **R-Districts**. All residential areas in the town.

65. **Residence**. One or more dwelling units for permanent occupancy.

66. **Residence, Single Family**. A one-family dwelling unit, including any building, trailer or other structure, occupied by a single-family.

67. **Residence, Single-Family Detached**. A single-family residence which is separated from lot lines or other buildings by open space.

68. **Residence, Single-Family Attached**. A single-family residence having one or two party walls on side lot lines.

69. **Residence, Multi-Family**. A building or part thereof containing three or more dwelling units and includes apartments, row houses, and town houses.

70. **Restaurants, Taverns, Grilles, and Package Stores**. Shall have the meaning given them in the State Liquor Control Act.

71. **Resubdivision**. A change in a map of an approved or recorded subdivision or resubdivision if such change a) affects any street layout shown on such map, or b) affects any area reserved thereon for public use, or c) diminishes the size of any lot shown thereon and creates an additional building lot, if any of the lots shown thereon have been conveyed after the approval or recording of such map.

72. **Rooming House**. See Boarding House.

73. **Setback, Building**. The distance that a building or other structure must be from the lot line

74. **Sewer, Municipal**. A municipally maintained underground sewage disposal system serving two or more dwelling units.

75. **Street**. Any existing highway that is accepted and actively maintained by either the Town of Mansfield or the State of Connecticut; or any proposed roadway, which is shown on a subdivision map approved by the Planning and Zoning Commission and duly recorded in the Mansfield Land Records, and which is formally bonded for completion and dedication to the Town of Mansfield.

76. **Street, Accepted**. A street which has become public by virtue of dedication and formal acceptance by the Town of Mansfield.

77. **Street Center Line**. A line equidistant from each street line; or if no street line is established, the center line of the existing pavement, or if the street is unpaved, the center line of the existing traveled way.

78. **Street Line**. The right-of-way of an established street or, if not established, a line 25 feet from the street center line as defined.

79. **Subdivision**. Means the division of a tract or parcel of land into three or more parts or lots for the purposes, whether immediate or future, of sale or building development expressly excluding development for municipal, conservation, or agricultural purposes, and includes resubdivision.

80. **Tourist Home**. A residence in which sleeping accommodations for more than three and less than ten persons are hired out for transient occupancy.

81. **Trailer, Travel Trailer, Trailer Coach, or Mobile Manufactured Home**. Any vehicle which is designed to be used as sleeping or living quarters, and which is or may be mounted on wheels, and does not include modular homes.

82. **Trailer, Individual**. Any trailer, travel trailer, trailer coach or mobile home which is the only one on a lot or parcel of land.

83. **Trailer Park**. Any lot or parcel of land which is used or allowed for the parking of two or more occupied trailers, trailer coaches or mobile homes.

84. **Trailer Permittee**. Any person, firm or corporation receiving a permit to conduct or maintain a trailer park or individual trailer.

85. **Trailer Space**. That section of ground in a trailer park used or allotted for use as a location for a single trailer, travel trailer, trailer coach or mobile home and includes space for parking of one private automobile.

86. **Trailer, Transient**. A trailer, travel trailer, trailer coach or mobile home owned by a non-resident of the Town, and who is passing through Town or visiting a resident for a limited length of time.

87. **Use**. The term employed to refer to any purpose for which buildings or other structures or land may be occupied.

88. **Use, Nonconforming**. A use of a building or land or both, which does not conform to the applicable Use Regulations of these regulations either on its effective date, or as a result of subsequent amendments thereof. It may or may not involve any principal building or land use.

89. **Water Supply, Community**. A privately installed and maintained well or reservoir and appurtenant facilities serving two or more dwelling units.

90. **Yard, Required**. Open and unobstructed ground area of the lot extended inward from a lot line for the distance specified in the Regulations for the district in which the lot is located.

91. **Yard, Required Front**. A required yard extending along the full length of the front lot line to a depth required by these regulations.

92. **Yard, Required Rear**. A required yard extending along the full length of the rear lot line to a depth required by these regulations.

93. **Yard, Required Side**. A required yard extending along a side lot line to a depth required by these.

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# Article Five

## Special Permit And Site Plan Requirements

### A. Site Plan Requirements

1. Intent

   As required in other sections of these Zoning Regulations, the approval of a site plan may be necessary for new construction, including expansion; site modifications; new uses and changes in use. The following site plan requirements are designed to ensure the appropriate and orderly use and development of land within Mansfield's assorted Zoning Districts; to minimize any detrimental effects on neighborhood character, the natural environment and property values; and to protect and promote Mansfield's health, welfare and safety.

   For all projects involving new construction, the Architectural and Design Standards contained in Article X, Section R shall be utilized as determinants to organize a site layout and to develop the composition and character of new buildings and site improvements. The use of these standards will facilitate Mansfield's application review and approval processes.

2. Procedure

   Prior to the issuance of a zoning permit for any use which requires site plan approval, an application with accompanying information shall be submitted to the Planning and Zoning Commission for its review. Applications shall only be received at a regular meeting of the Commission. Applications should be filed in the Mansfield Planning Office at least 7 days prior to a regular meeting for analysis and placement on the agenda. If an application involves activities within regulated areas, as defined by the Mansfield Inland Wetland Agency (IWA), the application shall not be received unless a license application for said activities has been received by the IWA and is currently under IWA review; or unless a license for said activities has been approved by the IWA; or unless the proposed activities have been ruled by the IWA to be exempt from licensing requirements. Once an application has been received as complete, the Planning and Zoning Commission shall conduct its review and, within statutory time limitations, approve, approve subject to modification or deny the site plan application. As appropriate, neighboring municipalities shall be notified as per the provisions of the State Statutes and Article III, Section K. As deemed appropriate, the Commission may conduct a Public Hearing on the application. No new information shall be received from the applicant or the public after the close of the Public Hearing. The Commission shall cite reasons for its action. Upon receipt of a site plan application, the Commission may refer the plan to local staff members, including the Health and Public Works Departments, the Commission's appointed Design Review Panel, and other local, State or Federal agencies. Final action shall be based on the application as originally received unless the Planning and Zoning Commission agrees to accept revised information and unless the applicant agrees to waive statutory time restrictions.

   All potential site plan applicants are encouraged to arrange with the Director of Planning and Development a pre-application conference to discuss application requirements and procedures. Such a meeting will help identify potential problem

areas and expedite the application review process. Whenever a proposed site plan application involves inland wetlands and watercourses and/or areas within 150 feet of inland wetlands or watercourses, the approval of the Mansfield Inland Wetland Agency may be necessary. The applicant shall be responsible for contacting the Inland Wetland Agency and any necessary Inland Wetland approvals should be obtained prior to final action of the Planning and Zoning Commission. As appropriate Inland Wetland Agency requirements shall be incorporated into the site plan application.

3. Application Requirements

   It is recommended that the Director of Planning and Development be contacted for assistance in determining what information may be required for a specific site plan application. Unless waived as per the provisions of Article V., Section A.4, the following information shall be required for site plan applications:

   a. **A completed application form including fee payment**. Said application must be signed by the owner of the subject property or by an individual with a legally binding contract to purchase the subject property.

   b. **Statement of Use**: A written statement describing the proposed use in sufficient detail to determine compliance with the permitted use provisions of these regulations. Said statement shall also address Mansfield Inland Wetland Agency (IWA) requirements by stating whether proposed activities are under the jurisdiction of the IWA and by relating the current status of any IWA license application. No application involving proposed activities within regulated areas, as defined by the IWA, shall be received unless the IWA has authorized the activities or unless the IWA has received and is processing a license application for proposed activities in regulated areas. (Any questions regarding IWA requirements should be reviewed with the Mansfield Inland Wetlands Agent.)

   c. **Notification of Abutting Property Owners**: The applicant shall be responsible for notifying all property owners abutting the site of a proposed use or activity requiring site plan approval, including property owners across the street from a subject site (as measured at right angles to straight street lines and radial to curved street lines). Said notification, which shall be sent by Certified Mail, within seven (7) days of the Commission's receipt of the application, shall include the applicant's Statement of Use and mapping that depicts areas of proposed activity. The notice also shall reference the fact that the complete application is available for review in the Mansfield Planning Office. Notification forms available in the Mansfield Planning Office shall be utilized for notifying abutting property owners.

   d. **Site Plan**: Five (5) copies* of a site plan drawn to a scale of not less than 1 inch equals 20 feet or more than 1 inch equals 40 feet, appropriately signed and sealed by a professional engineer and/or land surveyor and/or landscape architect licensed in the State of Connecticut. The site plan, which shall incorporate all applicable architectural and design standards of Article X, Section R, shall include the following information, unless waived pursuant to subsection A.4 of this article (*additional copies may be required):

      1. A title block showing the property owner, the applicant, the scale and the drawing date, including all revision dates;

2. The original signature and seal of the professional engineer and/or land surveyor responsible for the submissions. Unless waived by the Commission, all survey data shall be to an A-2 standard. Waivers shall not be granted for applications involving new principal buildings or major additions or for applications where A-2 survey data is required to verify compliance with these Regulations.

3. Plans shall be signed and sealed by a landscape architect licensed by the State of Connecticut whenever:

   - The application involves the construction of multi-family residential, commercial, industrial or other non-residential structures exceeding a size of 1,000 square feet of gross floor area (Article IV, B.25); or

   - The Commission determines that a landscape architect's participation in preparing the plans is necessary to address the application requirements and approval criteria of these regulations.

4. A location map at a scale of 1 inch equals 1,000 feet showing surrounding properties within 500 feet of the subject site; identifying adjacent property in the same ownership or in control of the applicant; and including roads, watercourses, zoning district boundaries and any other physical features within 3,000 feet of the subject site which relate to the proposed site development. (Dependent on the nature of the proposal, a separate map at a more detailed scale may be required.)

5. The property lines and square footage of the subject lot(s); appropriate yard or setback requirements, north arrow and zone classifications(s)

6. Both sides of adjacent streets; existing utility poles and/or underground lines; stone walls, fences and other pertinent roadside features.

7. Names and addresses of all abutting property owners, including those across any street, as determined from the current Assessor's records.

8. Location and size of existing and proposed buildings, structures, and signs and including floor elevations of buildings. As possible, buildings on adjacent land that might be affected by the proposal should be shown.

9. Existing and proposed contours with intervals adequate to indicate drainage and grades and including topographic bench marks and the source of topographic information. Contour intervals shall not exceed 5 feet and dependent on the nature of the proposal, spot elevations and 2-foot contour intervals obtained from onsite survey may be required, particularly in areas to be regraded. An estimate of the amount of fill or the amount of material to be removed shall be noted on the plan.

10. Watercourses, swamps and other water related features, specifically including, regulated inland wetlands, flood hazard areas, state designated channel encroachment lines and identified aquifers on the site or within 500 feet of the site. For more information on flood hazard areas see Article X, Section E and Article IV (definition of flood hazard area). For more information on aquifer areas see Article VI, Section B.4.m.

11. Exposed ledge and areas shallow to bedrock. Depending on the nature of the proposal, an on-site soil survey by a registered soil scientist may be required.

12. Waste disposal and water supply facilities, including the locations and findings of all test pits, borings and percolation tests, and the location of public drinking water wells within 500 feet of the site.

13. Existing and proposed drainage ways, storm drainage facilities, roadways, bridges, sidewalks, bikeways, paths and trails, utility features including existing and proposed underground utility lines and any other drainage or circulation features. Construction details, existing and proposed easements, rights to drain, and proposed sediment and erosion control measures shall be shown on the site plan.

14. Existing and proposed off-street parking and loading areas, fire access lanes, outside storage and refuse areas, and underground and aboveground fuel and chemical storage tanks. All required parking spaces, loading areas, fire lanes, etc. shall be clearly delineated with pavement markings or other suitable measures. All refuse areas shall be adequately sized for both refuse and materials to be recycled and shall be screened to minimize visual impact.

15. Existing and proposed fencing, walls, screening, buffer and landscaped areas, including the location, size and type of significant existing vegetation and unique or special landscape elements; historic features including but not limited to old foundations, dams, sluiceways, mill races, rip-rapping, wells and other utility features, walks, paths, hitching posts and former gardens, arbors or enclosed areas; and the location, size and type of proposed trees and/or shrubs. Plants identified in the current State Department of Environmental Protection Agency listing of invasive species shall not be used. Native species or species appropriate to the historic period should be considered.

16. Areas to remain as natural or undisturbed and areas to be protected through the use of conservation easements shall be identified on the site plan.

17. Existing and proposed outdoor illumination, including method and intensity of proposed lighting and manufacturer's installation charts. Comprehensive lighting plans with foot candle details can be required as determined by the Commission.

18. Location of existing and proposed recreational facilities including appropriate construction details for trails, ball fields, playgrounds, swimming pools, tennis, volleyball or basketball courts or other recreational improvements.

19. Architectural plans of all proposed buildings, structures and signs, including exterior elevations, floor plans, perspective drawings and information on the nature and color of building materials (see architectural and design standards of Article X, Section R)

e. **Sanitation Report**: The application shall submit a written sanitation report, with information on site characteristics and the proposed sanitary systems, including water supply and waste disposal. As necessary said report shall be prepared by the applicant's registered professional engineer or registered sanitarian. The report shall demonstrate that the subject sanitary systems will comply with state and local Health Department requirements and all other applicable regulations including the Town's Sand and Gravel Regulations. Where a separate permit to fill a site is necessary, said permit shall be obtained and the fill shall be placed

prior to the submission of a site plan application for the subject use or development project. Necessary onsite testing must be coordinated with the Town Health Officer.

f. **Erosion and Sediment Control Plan**: The applicant shall submit an Erosion and Sediment Control Plan in accordance with the requirements of Article VI, Section B.4.s. of these Regulations.

g. **Other information**: Dependent on the nature of the proposal, the Commission shall have the right to require additional detailed information if it finds the information is necessary to review the application and determine compliance with applicable regulations and performance standards. Such information may include but shall not be limited to: traffic impact analysis, including specific information on how construction traffic will be regulated, routed and monitored; aquifer, watershed and flooding data; drainage calculations and documentation of necessary drainage rights or easements; environmental and neighborhood impact analysis; erosion and sedimentation control plans, future plans for adjacent land under the control of the subject applicant or owner; information on homeowner or property-owner associations; maintenance provisions; estimates of site improvements costs, and bonding agreements.

4. Waiver of Application Requirement

Dependent on the nature of the proposal, the Planning and Zoning Commission may, by majority vote, waive the submission of all or part of the information required in preceding Section d (Site Plan). These requirements may be waived only in situations where the information clearly is not needed to determine compliance with these Regulations. In general, these waiver provisions are most applicable to expansions of existing buildings and uses and changes in the use of existing buildings.

5. Approval Criteria

In reviewing and approving any proposed site plan application, the Planning and Zoning Commission shall determine that the public's health, welfare and safety have been protected and that the following criteria have been met:

a. All required or necessary information has been provided by the applicant so that compliance with applicable regulations can be determined;

b. The proposal complies with all other applicable sections of the Zoning Regulations including but not limited to: parking and loading; landscaping and buffering; aquifer areas; prohibited uses, performance standards; architectural and design standards; height and area requirements; signs, bonding, filling, grading, excavation, removal, processing of soil, stone, sand and gravel, peat moss, and other similar materials regulations and any special provisions applying to the subject use;

c. The application has considered all other applicable local, state and federal requirements, including subdivision approval and necessary permits from the Mansfield Inland Wetlands Agency, the Mansfield Water Pollution Control Authority, the Mansfield Fire Marshal, the Mansfield Historic District Commission and the state Departments of Health, Environmental Protection and Transportation. For applications involving concurrent Inland Wetland Agency (IWA) license applications, no decision shall be made until the IWA has submitted a report with its final decision;

d. The proposal has made safe and suitable provisions for water supply, waste disposal, flood control, fire and police protection, the protection of the natural environment, including air quality and surface and groundwater quality and the protection of existing aquifers and existing and potential public water supplies, cemeteries, historic structures and other features of historic value.

   For all properties within one of the ten (10) historic village areas identified in Article X, Section J, the special historic village area review criteria contained in Article X, Section J.2 also shall be complied with;

e. Vehicular and pedestrian access to the property and egress from the property and internal vehicular and pedestrian traffic patterns are safe and suitable and have been designed to maximize safety and avoid hazards and congestion. Adequate provisions have been made to address accessibility problems of handicapped individuals. All curb cuts shall have adequate sightlines and adjacent streets shall have adequate capacity to safely accommodate the traffic flows associated with the proposed use(s). As deemed necessary, offsite road and drainage improvements may be required by the Commission;

   Sidewalks, bikeways, trails and/or other improvements designed to encourage and enhance safe pedestrian and bicycle use shall be required, unless specifically waived by a three-quarter (3/4) vote of the entire Commission (7 votes), for all sites within or proximate to Plan of Conservation and Development designated "Planned Development Areas"; proximate to schools, playgrounds, parks and other public facilities; or proximate to existing or planned walkway, bicycle or trail routes. In evaluating any waiver request, the Commission shall consider the size and the location of the proposed development, its relationship to existing or planned development, school sites, playground areas and other public areas and the location and nature of existing or planned sidewalk, bikeway or trail improvements.

f. Off-street parking and loading, storm drainage improvements and grading plans are adequate, having been designed to promote vehicular and pedestrian safety and to prevent flooding, storm drainage and sediment and erosion problems. All required easements have been obtained by the applicant;

g. The proposal has adequately considered all potential nuisances such as noise and outdoor lighting. Except where specifically authorized by these Regulations, all lighting shall be the minimum necessary to address safety and security needs taking into account manufacturer's installation charts and spacing recommendations for the proposed lighting. All lighting fixtures shall be designed to prevent undesirable illumination or glare above the site or beyond the site's property lines. All lighting fixtures shall be shielded and aimed downward unless it can be demonstrated that alternative designs will not result in spill light (undesirable light that falls outside the area of intended illumination).

h. Passive solar and energy conservation techniques have been considered in the design of structures, structure orientation, street and lot layout, placement of vegetation, use of natural and manmade topographical features and protection of solar access within a development;

i. The proposal has adequately considered construction traffic and potential onsite and offsite vehicular and pedestrian safety problems, potential neighborhood

impact problems and potential road and property damage that could occur due to the nature and timing of proposed construction activity;

j. Unless specifically waived by the Commission due to site and environmental constraints or adverse impacts to stonewalls or other historic features, existing significant trees or other natural or manmade features, all new wired utility lines (telephone, electric, cable, etc.) shall be installed underground within suitable conduits. For significant land use projects, the Commission also may require existing overhead utility lines to be replaced with underground lines.

k. The basic design of the proposed uses, buildings or development; the relationship between the buildings and the land; the relationships between uses and between buildings or structures; and the overall physical appearance of the proposed use, building or development; comply with all applicable architectural and design standards of Article X, Section R, are in general harmony with the character of the surrounding neighborhood and will not serve to blight or detract from the value of abutting residences or other property.

6. Conditions of Approval

a. In accordance with the provisions of Article VI, Section C. the posting of a performance bond and/or maintenance bond may be required. For developments involving the construction of new site improvements, extensive site grading, filling or earth removal or the implementation of an erosion and sedimentation control plan prepared in accordance with Article VI, Section B.4.s of these Regulations, the Commission may require the posting of a cash bond with written bond agreement. Said cash bond, which shall be in an amount approved by the Commission, shall ensure the satisfactory completion of approved site work, including the approved erosion and sedimentation control plan, and shall provide readily available funds to address any ongoing erosion or sediment control problem. The amount of any cash bond shall be based on the nature of the subject development and site characteristics, and said cash bond may be less than the full cost of approved site improvements or site work.;

b. No Zoning Permit shall be issued for a use requiring site plan approval until the Chairman of the Planning and Zoning Commission has signed the final plans. Final plans shall not be signed until appropriate conditions of approval have been met and until other necessary approvals have been obtained. Development in phases may be authorized by the Planning and Zoning Commission;

c. Certificates of Compliance: Except as noted below no Certificate of Compliance shall be issued for a use requiring site plan approval until the approved site improvements have been satisfactorily completed and, in situations where an approved plan was prepared by a professional land surveyor or engineer, until the professional(s) responsible for the plan have certified in writing that the approved plan has been followed. Maintenance bonds may also be required by the Planning and Zoning Commission prior to the issuance of a Certificate of Compliance;

In situations where public health and safety components of the project or sections thereof have been satisfactorily completed, the Planning and Zoning Commission may authorize the issuance of a Certificate of Compliance provided a suitable bond with written bond agreement has been submitted and approved for the remaining site work or provided acceptable alternative arrangements are approved by the Commission;

d. Maintenance: All improvements shown or required on the approved site plan, including, but not limited to road and drainage facilities, water supply and waste disposal facilities, parking areas, pedestrian ways, lighting and signs, must be maintained, on a continuing basis, in good order and repair and in proper appearance. All plantings and landscaped areas shall be maintained in a healthy state and the site shall be maintained free of debris, sand, salt, litter, weeds and other unsightly or deleterious matter or vegetation. As deemed necessary, the Planning and Zoning Commission may require written agreements between the Town and the applicant/owner, to ensure continued maintenance of site improvements;

e. Expiration: Except for site plan projects that qualify for longer approval periods pursuant to Section 8-3 of the State Statutes, any person, firm or corporation having obtained approval of a site plan application under this section shall complete all work in conjunction with such site plan within five years after the approval of the plan. Unless the Commission authorizes an extension or extensions as per Section 8-3 of the State Statutes, failure to complete all work (all physical improvements required by the approved plan) shall result in automatic expiration of the site plan approval. The date on which such five-year period expires shall be stated in the certification of approval of such site plan.

7. Violation of Approval

   Wherever the Zoning Agent and/or the Planning and Zoning Commission determines that the terms, conditions or restrictions upon which a site plan was approved have been violated, or that required site improvements have not been maintained, the Agent shall issue a violation notice to the subject property owner and any other persons, firms or corporations responsible. If the violation is not corrected within the time limits set by the Zoning Agent and/or the Planning and Zoning Commission, the Certificate of Zoning Compliance shall be revoked, and enforcement shall be pursued through the legal remedies provided by State Statutes.

8. Revisions

   Whereas all site plan approvals are based on the submitted plans and specifications, all proposed revisions to an approved project are required to receive prior approval as per the following provisions. All revisions are subject to the requirements of the Mansfield Inland Wetland Agency (IWA) and revisions shall not be approved unless all necessary IWA licenses or license modifications have been granted. Minor changes of approved plans may, with the concurrence of the Chairman of the Planning and Zoning Commission and the Zoning Agent, be made provided such changes do not affect the overall layout, design or nature of existing or proposed buildings or site improvements. All authorized minor changes shall be reported to the Commission.

9. Commission approval shall be required for:

   a. Any substantial revision of approved site and building plans including, but not limited to, changes in entrance drive design or location, overall parking layout, traffic patterns, storm drainage or waste disposal systems;

   b. Substantive changes in exterior building design, signs, or building materials;

   c. Changes in the use of an approved plan prior to initial occupancy;

d. Interior alterations or renovations that alter or intensify a land use, such as, but not limited to, increases in finished floor area for the subject use, alterations affecting the nature of occupancy or number of possible occupants or customers, alterations affecting water supply or waste disposal needs or alterations to uses involving hazardous materials

The Commission, in the reasonable exercise of its discretion, shall have the right to approve the revision without the submission of a new application; or where the proposed revision is considered a significant alteration of the approved plans, the Commission shall have the right to require the submission and processing of a new site plan application. Revisions to signs shall not require the submission and processing of a new site plan application.

Failure to obtain necessary approval for revisions to approved plans shall be considered a violation and pursued in accordance with the provisions of Article XI of these Regulations.

## B. Special Permit Requirements

1. Intent

It is recognized that there are certain uses that would only be appropriate in Town if controlled as to area, location, or relation to the neighborhood so as to promote the public health, safety and general welfare. As provided for elsewhere in these regulations, such uses shall be treated as special permit uses and provided procedures, standards and conditions set forth or referenced herein are complied with, these uses may be permitted in their respective zoning districts. All such uses are considered to have special characteristics and accordingly each application must be carefully reviewed on a case-by-case basis.

For all projects involving new construction, the Architectural and Design Standards contained in Article X, Section R shall be utilized as determinants to organize a site layout and to develop the composition and character of new buildings and site improvements. The use of these standards will facilitate Mansfield's application review and approval processes.

2. Procedure

Prior to the issuance of a zoning permit for any use requiring special permit approval, an application with accompanying information shall be submitted to the Planning and Zoning Commission for its review. Applications shall only be received at a regular meeting of the Commission. Applications should be filed in the Mansfield Planning Office at least 7 days prior to such meeting for analysis and placement on the agenda. If an application involves activities within regulated areas, as defined by the Mansfield Inland Wetland Agency (IWA), the application shall not be received unless a license application for said activities has been received by the IWA and is currently under IWA review; or unless a license for said activities has been approved by the IWA; or unless the proposed activities have been ruled by the IWA to be exempt from licensing requirements. Once the application has been received as complete, the Planning and Zoning Commission shall hold a formal Public Hearing, complete its review and within statutory time limitations, grant, grant subject to conditions, or deny the special permit application. As appropriate, neighboring municipalities shall be notified as per the provisions of the State Statutes and Article III, Section K. The Commission shall cite reasons for its actions. Upon receipt of a

special permit application, the Commission may refer the application to local staff members including the Health and Public Works Departments, the Commission appointed Design Review Panel, and other local, State, or Federal agencies. Unless the Planning and Zoning Commission agrees to accept revised information, final action shall be based on the application as originally received. Revised or supplemental application information shall not be received during the period between the publication of Hearing notices and the scheduled Public Hearing unless the Commission agrees to receive the information and unless the applicant agrees to pay for all advertising costs associated with a rescheduled or continued Public Hearing and agrees to waive statutory time restrictions. No new information shall be received from the applicant or the public after the close of the Public Hearing.

All potential special permit applicants are encouraged to arrange with the Director of Planning and Development a pre-application conference to discuss application requirements and procedures. Such a meeting may help identify potential problem areas and expedite the application review process.

Whenever a proposed special permit application involves inland wetlands and watercourses and/or areas within 150 feet of inland wetlands or watercourses, the approval of the Mansfield Inland Wetland Agency may be necessary. The applicant shall be responsible for contacting the Inland Wetland Agency and any necessary Inland Wetland approvals should be obtained prior to the Public Hearing on the special permit application. As appropriate, Inland Wetland Agency requirements shall be incorporated into the special permit application.

3. Application Requirements

It is recommended that the Director of Planning and Development be contacted for assistance in determining what information may be required for a specific special permit application. Unless waived as per the provisions of Article V, Section B.4, the following information shall be required for special permit applications:

a. **A completed application form, including fee payment**: Said application must be signed by the owner of the subject property or by an individual with a legally binding contract to purchase the subject property.

b. **Statement of Use**: A written statement fully describing the nature, intensity and location of the proposed use and all other important aspects of the proposed use. Said statement shall also address Mansfield Inland Wetland Agency (IWA) requirements by stating whether proposed activities are under the jurisdiction of the IWA and by relating the current status of any IWA license application. No application involving proposed activities within regulated areas, as defined by the IWA, shall be received unless the IWA has authorized the activities or unless the IWA has received and is processing a license application for proposed activities in regulated areas. (Any questions regarding IWA requirements should be reviewed with the Mansfield Inland Wetlands Agent.)

c. **Notification of Neighboring Property Owners**: To ensure ample opportunity for neighborhood opinion to be expressed, the applicant shall be responsible for notifying in writing all property owners within 500 feet of the perimeter boundaries of the subject lot(s). Such notice, which shall be sent by certified mail at least 10 days prior to the date of the scheduled Public Hearing, shall include the statement of use received by the Commission, the date and time of the scheduled Public Hearing and the fact that the subject plans are on file in the

Mansfield Planning Office. A copy of the applicant's notice to neighboring property owners and a listing of the property owners notified shall be filed in the Mansfield Planning Office at least five (5) days prior to the Public Hearing.

d. **Site Plan**: Five (5) copies* of a site plan drawn to a scale of not less than 1 inch equals 20 feet or more than 1 inch equals 40 feet, appropriately signed and sealed by a professional engineer and/or land surveyor registered in the State of Connecticut and including the information detailed in Article V, Section A.3.d (Site Plan Application Requirements) of these Regulations. (*Additional copies may be required.)

e. **Sanitation Report**: The applicant shall submit a written sanitation report, with information on site characteristics and the proposed sanitary systems, including water supply and waste disposal. As necessary said report shall be prepared by the applicant's registered professional engineer or registered sanitarian. The report shall demonstrate that the subject sanitary systems will comply with state and local Health Department requirements and all other applicable regulations, including Town regulations regarding sand and gravel. Where a separate permit to fill a site is necessary, said permit shall be obtained and the fill shall be placed prior to the submission of a site plan application for the subject use or development project. Necessary onsite testing must be coordinated with the Town Health Officer.

f. **Erosion and Sediment Control Plan**: The applicant shall submit an Erosion and Sediment Control Plan in accordance with the requirements of Article VI, Section B.4.s. of these Regulations.

g. **Other information**: Dependent on the nature of the proposal, the Commission shall have the right to require additional detailed information if it finds the information is necessary to review the application and determine compliance with applicable regulations and performance standards. Such information, which through other provisions of these regulations may be required for particular uses, may include but shall not be limited to: architectural plans of all proposed buildings, structures and signs, including exterior elevations, floor plans, perspective drawings and information on the nature and color of building materials; traffic studies; aquifer, watershed and flooding data; drainage calculations and documentation of necessary drainage rights or easements; environmental and neighborhood impact analysis; erosion and sedimentation control plans; future plans for adjacent land under the control of the subject applicant or owner; information on homeowner or property owner associations; maintenance provisions; estimates of site improvement costs and bonding agreements.

4. Waiver Provisions

Dependent on the nature of the proposal, the Planning and Zoning Commission may by majority vote waive the submission of all or part of the information required in preceding Section D (Site Plan). These requirements may be waived only in situations where the information clearly is not needed to determine compliance with these regulations. In general these waiver provisions are most applicable to expansions of existing buildings and uses and changes in the use of existing buildings.

5. Approval Criteria

   In all special permit applications, the burden rests with the applicant to demonstrate to the Commission that the subject proposal will not detrimentally affect the public's health, welfare and safety and that the following approval criteria have been met:

   a. That all approval criteria cited in Article V., Section A.5 (Site Plan Approval Criteria) of these regulations have been met;

   b. That the proposed use is compatible with the Town's Plan of Conservation and Development and Article I of these regulations (Intent & Purpose).

   c. That the location and size of the proposed use and the nature and intensity of use in relation to the size of the lot will be in harmony with the orderly development of the Town and compatible with other existing uses;

   d. That proper consideration has been given to the aesthetic quality of the proposal, including architectural design, landscaping and proper use of the site's natural features. The kind, size, location and height of structures, and the nature and extent of site work, and the nature and intensity of the use, shall not hinder or discourage the use of neighboring properties or diminish the value thereof. All applicable standards contained in Article X, Section R shall be incorporated into the plans.

6. Additional Conditions and Safeguards

   In granting any special permit, the Planning and Zoning Commission may stipulate additional conditions and safeguards that are deemed necessary to protect and promote property values, the area's environment, better overall neighborhood compatibility and improved site development. Such conditions and safeguards may include, but shall not be limited to the following:

   a. Setbacks greater than the minimum required by these regulations

   b. Additional screening of parking areas or other components of the proposal from adjoining properties or from the street through the use of walls, fences, plantings or other devises as specified by the Planning and Zoning Commission

   c. Limitations regarding the term of the special permit approval, including requirements for periodic renewal

   d. Modifications of the exterior features or appearance of any structure where necessary to be in harmony with the surrounding area

   e. Limitations of size, number of occupants, methods or time of operation or extent of facilities

   f. Regulation of number, design and location of access drives or other site plan features, including pedestrian ways, turning lanes, driveway width, pavement extensions, traffic controls and storm drainage. Off-site improvements may be required.

   g. Additional off-street parking or other special features beyond the minimum required by these Regulations

   h. Regulation of the number, type and location of outdoor lighting facilities

   i. Requirements for periodic environmental testing and the submission of environmental monitoring reports, including, but not limited to, periodic testing

of ground water or surface water, air quality testing, noise level testing, periodic water usage reports and periodic reports on the transportation, storage, use, handling and disposal of hazardous materials.

j. Any data, plans or drawings, including architect's plans or drawings, voluntarily submitted by the applicant or his duly authorized agent in support of his application may be accepted in whole or in part by the Planning and Zoning Commission and said data, plans or drawings may be incorporated as additional requirements and conditions of a special permit approval.

7. Conditions of Approval

a. In accordance with the provisions of Article VI, Section C. the posting of a performance bond and/or maintenance bond may be required. For developments involving the construction of new site improvements, extensive site grading, filling or earth removal or the implementation of an erosion and sedimentation control plan prepared in accordance with Article VI, Section B.4(s) of these Regulations, the Commission may require the posting of a cash bond with written bond agreement. Said cash bond, which shall be in an amount approved by the Commission, shall ensure the satisfactory completion of approved site work, including the approved erosion and sedimentation control plan, and shall provide readily available funds to address any ongoing erosion or sediment control problem. The amount of any cash bond shall be based on the nature of the subject development and site characteristics, and said cash bond may be less than the full cost of approved site improvements or site work.

b. No zoning permits shall be issued until the applicant has filed notice of the special permit approval on the Land Records as per statutory requirements, and in situations where a site plan has been approved until the Chairman of the Planning and Zoning Commission has signed the final plans. Final plans shall not be signed until appropriate conditions of approval have been met and until other necessary approvals have been obtained. Development in phases may be authorized by the Planning and Zoning Commission.

c. Certificates of Compliance: Except as noted below, no Certificate of Compliance shall be issued for a use requiring special permit approval until approved site improvements have been satisfactorily completed and, in situations where an approved plan was prepared by a professional land surveyor or engineer, until the professional(s) responsible for the plan have certified in writing that the approved plan has been followed. Maintenance bonds may also be required by the Planning and Zoning Commission prior to the issuance of a Certificate of Compliance.

In situations where public health and safety components of the project or a section thereof have been satisfactorily completed, the Planning and Zoning Commission may authorize the issuance of a Certificate of Compliance provided a suitable bond with written bond agreement has been submitted and approved for the remaining site work or provided acceptable alternative arrangements are approved by the Commission.

d. Maintenance: All improvements shown or required on an approved site plan, including but not limited to road and drainage facilities, water supply and waste disposal facilities, parking areas, pedestrian ways, lighting and signs, must be maintained on a continuing basis, in good order and repair and in proper appearance. All plantings and landscaped areas shall be maintained in a healthy

state and the site shall be maintained free of debris, sand, salt, litter, weeds, and other unsightly or deleterious matter or vegetation. As deemed necessary, the Planning and Zoning Commission may require written agreements between the Town and the applicant/owner to ensure continued maintenance of site improvements.

e. Expiration: Any person, firm or corporation having obtained approval of a special permit application under this section shall commence the construction of buildings or commence the approved use in an existing building within one year from the date of the Planning and Zoning Commission approval and, except as noted below, shall complete all improvements within eighteen months of the start of construction; otherwise, the approval shall be null and void.

   The Planning and Zoning Commission may, upon the request of the applicant and without the processing of a new application, extend its approval for periods of up to one year for good cause. For projects approved in phases, the special permit approval shall be automatically extended if work has been satisfactorily progressing.

8. Violations of Approval

   Wherever the Zoning Agent and/or the Planning and Zoning Commission determines that the terms, conditions or restrictions upon which a special permit application was approved have been violated or that required site improvements have not been maintained, the Agent shall issue a violation notice to the subject property owner and any other persons, firms or corporations responsible. If the violation is not corrected within the time limits set by the Zoning Agent and/or the Planning and Zoning Commission, the Certificate of Zoning Compliance shall be revoked and enforcement shall be pursued through the legal remedies provided by State Statutes.

9. Revisions

   Whereas all special permit approvals are based on the submitted plans and specifications, all proposed revisions to an approved project are required to receive prior approval as per the following provisions. All revisions are subject to the requirements of the Mansfield Inland Wetland Agency (IWA) and revisions shall not be approved unless all necessary IWA licenses or license modifications have been granted. Minor changes of approved plans may, with the concurrence of the Chairman of the Planning and Zoning Commission and the Zoning Agent, be made provided such changes do not affect the overall layout, design or nature of existing or proposed buildings or site improvements. All authorized minor changes shall be reported to the Commission.

   Commission approval shall be required for:

   a. Any substantial revision of approved site and building plans, including, but not limited to, changes in entrance drive design or location, overall parking layout, traffic patterns, storm drainage or waste disposal systems

   b. Substantive changes in exterior building design, signs or building materials

   c. Changes in the use of an approved plan prior to initial occupancy

   d. Interior alterations or renovations that alter or intensify a land use, such as, but not limited to, increases in finished floor area for the subject use, alterations affecting the nature of occupancy or number of possible occupants or customers,

alterations affecting water supply or waste disposal needs or alterations to uses involving hazardous materials

The Commission, in the reasonable exercise of its discretion, shall have the right to approve the revision without the submission of a new application; or where the proposed revision is considered a significant alteration of the approved plans, the Commission shall have the right to require the submission and processing of a new special permit application. Revisions to signs shall not require the submission and processing of a new special permit application.

Failure to obtain necessary approval for revisions to approved plans shall be considered a violation and pursued in accordance with the provisions of Article XI of these Regulations.

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# Article Six

## Prohibited Uses, Performance Standards And Bonding

### A. Prohibited Uses

Uses of land, buildings or structures that are not permitted in the various zoning districts (see Article VII) are prohibited. The following listing provides examples of uses that are prohibited in all zoning districts in Mansfield:

1. Any use which fails to comply with the performance standards contained within these regulations (see Art. VI, Section B);
2. Public or private tracks for the testing of motor vehicles or the racing of motor vehicles or animals;
3. Off-track betting facilities;
4. Outdoor drive-in theaters;
5. Advertising signs (see definition);
6. Operations involving stock yards, commercial slaughter houses, and the keeping, breeding and raising of foxes, mink and other predatory animals. The keeping, breeding and raising of rodents or primates for commercial or laboratory purposes is prohibited except as may be specifically provided for in industrial or other specialized zones;
7. Stables or manure pits within 100 feet of any lot lines;
8. Circuses, carnivals, shooting galleries, freak shops, fortune tellers, mechanical rides (except ski lifts) or other similar types of enterprises;
9. Dumps, landfills and commercial waste disposal operations, except those owned and operated by governmental agencies or those specifically affiliated with the Town of Mansfield;
10. Manufacturing or processing of bulk products such as, but not limited to, commodity chemicals, petroleum products, cement, paper and similar forest based products, agricultural or animal products such as fertilizers and grain mills, where output exceeds one ton per day or where noxious or hazardous operations are involved. This prohibition shall not apply to onsite agricultural grain mills that are exclusively used for the subject agricultural use;
11. Storage of explosives;
12. Bulk or wholesale above ground storage of more than 550 gallons of flammable liquids;
13. Uses including adult movie theaters, adult bookstores, peep or strip shows and massage parlors, which involve the display of obscene activities or the display or sale of obscene materials. For the purposes of this subsection, the meanings of the words "obscene" and "material" shall be as set forth in Section 53a-193 of the Connecticut General Statutes;
14. Junk Yards as defined;

15. The use of mobile homes, trailers, or construction trailers except as specifically authorized under the provisions of Article VII and Article X, Section F of these regulations;
16. The breeding of two or more dogs, cats or other animals except as specifically authorized under the provisions of Article VII of these regulations;
17. Tractor-trailer bodies, truck bodies, with or without a chassis, shipping containers, boxcars or similar objects to be used for exterior onsite storage purposes.

## B. Performance Standards

1. Applicability

   This section is established to help protect the health and property of Mansfield residents from dangerous or undesirable effects that might result from the construction and operation of land use activities. This section applies to all land uses, including those that do not require specific approval of the Planning and Zoning Commission. In many cases the relation of a prospective use to the established performance standards cannot be judged properly during a permit- processing period or prior to operation. In such cases, the recipient of zoning and building permits should note that these performance standards are continuing obligations and that all land uses in Town are expected to operate in compliance with these standards. Any existing use which does not comply with these performance standards shall not be varied or changed in such a way as to increase the degree of such violation. All land use activities must also comply with all other applicable sections of these regulations as well as the permit requirements of other local, state or federal agencies having permit jurisdiction.

   Notwithstanding the foregoing, the Commission may in the reasonable exercise of its discretion, determine that an alleged violation of this subsection will be suitably addressed by other government agencies with enforcement jurisdiction; or determine that a complaint made pursuant to this section involves a private nuisance, the resolution of which does not significantly affect the health, safety or welfare of the Town of Mansfield. In these situations, the Commission need not receive or act upon such alleged violation or complaint.

2. Measurement Criteria

   Compliance with the established performance standards shall be based on criteria contained or referenced within each regulatory section. Where compliance is unclear, the standards and criteria of pertinent State and Federal agencies shall be applied.

3. Certification of Performance Standards

   To determine compliance with the established performance standards the PZC may require a property owner-developer to provide a written certification from a licensed engineer, architect or qualified professional that all applicable standards have been met. Certifications may be required during the permit review process, prior to the issuance of a Certificate of Compliance and occupancy permits, or after the subject use has begun.

4. Performance Standards

   a. **Air Pollution -** No land use shall create or cause to be created a degradation of air quality which is injurious to human health or property. Emissions of gas,

smoke, dust, dirt, fly-ash and other potential atmospheric contaminants shall comply with the rules, regulations and standards of the State Department of Environmental Protection.

b. **Odor -** With the exception of permitted agricultural use, no land use shall create or cause to be created offensive odors which are readily discernible or detectable beyond the subject property lines. Detailed plans for the prevention of odors crossing property lines may be required of a property owner or developer.

c. **Noise -** With the exception of temporary construction projects and short term noises, such as lawn mowers, chainsaws and associated forestry equipment and other agricultural or horticultural machinery and equipment which are accessory to the primary use, no land use shall transmit beyond its subject property lines any noise which is objectionable due to volume, intermittence, beat frequency, shrillness or intensity. The rules, regulations and standards of the State Department of Environmental Protection shall be utilized in determining acceptable noise levels. The commercial or political use of loud speakers at a fixed location is permitted only within the confines of buildings.

d. **Vibrations -** Electrical Disturbances - With the exception of temporary construction projects, no land use shall create or cause to be created objectionable vibrations or electrical disturbances which are readily discernible or detectable beyond the subject property lines.

e. **Radiation/Radioactivity -**No activity, operation or use shall create or cause to be created levels of radiation or radio activity which are in violation of state or federal standards.

f. **Fire or Explosive Hazard -** All land uses, particularly those involving the storage, use or manufacture of flammable or explosive substances shall be conducted with reasonable precautions against fire and explosion hazards. All federal, state and local fire safety standards shall be met.

g. **Glare/Heat/Lighting -** Land use activities shall not produce glare, heat or illumination which extends beyond a site's property lines and creates a hazard or nuisance to neighboring property owners or on adjacent roadways. External lighting sources, except for overhead street lighting and warning emergency or traffic signals, shall be screened or shielded from neighboring properties and adjacent roadways.

h. **Hazardous Materials -** All land uses which produce, utilize or store hazardous materials as identified by state and federal sources, including Section 3001 of the Resource Conservation and Recovery Act of l976, as may be modified, must safely transport, store, handle and dispose of all hazardous materials in accordance with current state and federal standards. All land uses subject to Planning and Zoning Commission approval must detail in application submissions the nature of all hazardous materials involved and the safeguards that will be utilized to prevent health and safety problems.

i. **Liquid or Solid Discharges -** No land use shall discharge into the ground, into a wetland or surface water body or into a storm drainage or waste disposal system, any liquid or solid matter which endangers the public's health and safety, or is likely to cause detrimental effects on surface and ground water quality or personal property values.

j. **Waste Disposal/Storage** - All wastes created in conjunction with any land use activity shall be properly stored in a screened area and expediently removed to prevent health or safety hazards, visual nuisances or conditions conducive to the attraction of insects, rodents or other pests.

k. **Health Requirements** - All land use activities including food preparation operations and the installation and operation of water supply and waste disposal systems shall conform to the requirements of the State Health Department, the State Department of Environmental Protection and the Mansfield Health Department. Onsite testing must be coordinated with the Mansfield Health Department. Land which the Health Officer certifies as unfit for human habitation for health reasons shall not be built upon, but repairs may be made to buildings existing on the effective date of these Regulations.

l. **Flood Hazard** - Land which is subject to flooding shall only be built upon or utilized according to the requirements of Article X, Section E. No land use activity shall reduce the flood carrying capacity of a floodway or create a condition where a building may be subject to flood damage. All uses existing on land which is subject to flooding shall be subject to the provisions for non-conforming uses. See Article IX.

m. **Aquifer Areas** - To prevent or minimize detrimental effects on the groundwater quality within aquifer areas, which are existing or potential sources of significant quantities of potable water, land use activities on or within 500 feet of identified aquifer areas must be carefully reviewed and appropriately regulated. Accordingly the following requirements shall apply to all land use activities on or within 500 feet of aquifer areas as identified in Mansfield's Plan of Conservation and Development, Mansfield's Water Supply Plan, an October, l979 map entitled GROUNDWATER RECHARGE AREAS, prepared by the Connecticut Area-wide Waste Treatment Management Planning Board, sheets 40, 41, 55 and 56, (on file in the Mansfield Planning Office and the Town Clerk's Office), and any additional information obtained from the State Department of Environmental Protection, federal agencies or on-site investigation.

1. No commercial or industrial land use and no residential land use involving three or more dwelling units, which utilizes an on-site waste disposal system, shall be permitted unless it can be demonstrated to the satisfaction of the Planning and Zoning Commission that the waste disposal system discharges will not contaminate aquifer recharge areas. As deemed appropriate, the proposed land use shall be referred to the Mansfield Health Officer, the Mansfield Conservation Commission and the State Departments of Health and Environmental Protection for review comments. A written report from the owner-developer's sanitary engineer and/or geologist or other qualified professional, detailing the system design, the physical characteristics of the area, existing land uses in the area, and potential short-term and cumulative impacts on identified aquifer areas, shall be submitted to the Commission.

2. No underground fuel or chemical storage tanks shall be permitted, except after review and approval of the Mansfield Building Inspector and Fire Marshal. Where Planning and Zoning Commission approval is required for the subject use, all underground storage tanks must also be approved by the Commission. All such tanks and pipe connections shall be designed and constructed to prevent accidental contamination of groundwater. All storage

tank facilities shall be designed and installed in conformance with all applicable provisions of the State Statutes and regulations, and the standards of Underwriters Laboratories, Inc. and the National Fire Prevention Association.

3. All agricultural operations must employ best management practices, as recommended by the State Department of Environmental Protection and the USDA Natural Resources Conservation Service, for the application of manure, fertilizer or pesticides and the management of animal wastes.

4. No road salt storage and loading facilities shall be permitted except after review and approval of the State Department of Environmental Protection. Where authorized, adequate measures must be taken to prevent groundwater contamination and to detect potential contamination problems.

5. All commercial, industrial or multi-family developments and other land uses with cumulatively more than 1/2 acre of impervious surface shall incorporate best management practices for storm water controls in accordance with State Department of Environmental Protection Best Management Guidelines, and shall prohibit or restrict the use of salts and chemicals for ice removal in order to minimize the risks of ground water contamination. A storm water management plan detailing proposed provisions shall be submitted for Commission approval.

6. All land uses involving the maintenance of lawns, fields and landscaped areas shall incorporate landscape management plans regarding the use of fertilizers, pesticides, and other organic or chemical applications to minimize the risks of groundwater contamination. A landscape management plan detailing proposed provisions shall be submitted for Commission approval.

n. **Energy Considerations** - Where Planning and Zoning Commission approval is required for a land use activity, applicants shall demonstrate to the Commission that their pending proposal has considered, to the degree physically and economically possible, the utilization of the physical environment and natural energy sources, such as solar orientation, to help heat, cool or illuminate the proposed use and accordingly minimize a dependence on fossil fuels and mechanical equipment.

Potential impacts on neighboring properties shall also be evaluated. Factors to be considered include: roadway, lot and building orientation, natural and manmade topographic features, soil and subsoil characteristics, existing and proposed vegetative cover, and shadow patterns on neighboring properties. Wherever feasible:

- building orientation and design should maximize south facing walls;
- an east-west orientation should be considered for streets and private access roads;
- building height and bulk and landscaping improvements should minimize shadow patterns on adjacent properties; and
- walls and accessory structures should be located in areas that will not diminish south wall exposure.

o. **Parking and Loading Areas -** Adequately sized, constructed and located onsite parking areas shall be provided for all land use activities so that the use of adjacent roadways is not obstructed. Where required, on-site loading areas which do not conflict with parking areas or circulation ways shall be provided. See Article X, Section D for more specific requirements. In addition, state standards for fire access and handicapped parking shall be incorporated into all parking and loading designs.

p. **Road and Drainage Standards -** All road and drainage improvements, including private roads, driveways and parking and loading areas, must be designed and constructed to promote vehicular and pedestrian safety and the proper discharge of storm water run off. Appropriate separation of pedestrian and vehicular traffic and adequate sightlines for all intersections, including those within a private parking or loading areas, must be incorporated into development plans. All road and drainage improvements, with the possible exception of roadway width, should conform with the standards and specifications of the Mansfield Public Works Department (available in the Mansfield Engineering Office). As appropriate, peak storm water discharges should be retained on site to minimize or prevent downstream impacts.

q. **Landscaping and Buffering**

1. **General -** All land use activities and particularly structures, parking areas and outdoor storage areas associated with commercial, industrial, or multi-family residence uses, shall include strategically placed landscape and buffer areas, which shall be designed to protect and preserve property values; to provide privacy from visual intrusion, light, dirt and noise; to prevent the erosion of soil and to provide water recharge areas; to promote pedestrian and vehicular safety; and to enhance the environmental quality and attractiveness of Mansfield.

   Except where alternative uses, such as parking areas, are provided for in other sections of these regulations, all required setback areas shall either be attractively landscaped with lawns trees and shrubs or, where appropriate, left in a sightly and well kept natural state. Landscape plans submitted in conjunction with a land use application shall identify, by type, size, height and placement, all proposed landscaping and all existing landscape features to be retained. Plants identified in the current State Department of Environmental Protection Agency listing of invasive species shall not be used. All submitted landscape plans must be adequate to meet the intended aesthetic, buffer and environmental purposes. Particular attention should be given to parking and loading areas, outside storage areas and shadow patterns with respect to south wall and rooftop solar access. See Article X, Section D.18 for supplemental interior parking lot landscaping requirements and Article X, Section R for architectural and design standards.

2. **Landscape Buffer -** The Commission shall have the authority to require up to a 75 foot wide landscaped buffer area where a site abuts a more restrictive zone or an existing residential use. In addition, the Commission shall have the authority to require a landscaped buffer area when a commercial, industrial, multi-family or other non-residential use abuts a historic structure or a cemetery. The width of the buffer for commercial, industrial, multi-family or other non-residential use that abuts a historic structure or cemetery

shall be determined with reference to the existing physical characteristics of the property, such as topography, adjacent flood hazard, the location of existing structures, existing non-conforming lot characteristics, the nature of activity or the nature of the landscaping plan but in no event may the Commission require more than a 75 foot buffer. Buffers for a commercial, industrial, multi-family or other non-residential use that abuts an environmentally sensitive feature such as a river, brook, pond or wetland area shall be as determined by the Inland Wetlands Agency. The designated buffer area shall be attractively landscaped and shall be designed to achieve the desired buffering objectives, which may include the visual screening of the proposed use from abutting properties, the minimizing of auditory impacts and the protection and enhancement of historic structures, cemeteries or environmentally sensitive features. The buffer design shall consider vegetated earthen berms, multiple rows of staggered evergreens, selective plantings, walls, fencing, existing vegetation and other landscape measures. Due to special provisions contained or referenced in Article X, Section S, the landscape buffer requirements contained in this subparagraph shall not apply to land zoned SC-SDD.

3. **Installation and Maintenance** - Unless bonding arrangements in accordance with Article VI, Section C. are approved by the Commission or, in the case of property within an SC-SDD zone district, by the Director of Planning and Development and the Zoning Agent, or unless an extension is granted by the Commission or, in the case of property within an SC-SDD zone district, by the Director of Planning and Development and the Zoning Agent, due to seasonal restrictions all required landscape and buffer improvements shall be planted or installed by the subject property owner prior to the issuance of a Certificate of Compliance. All existing landscape features and all approved landscape plantings shall be maintained by the subject property owner in an attractive and healthy condition. All fences, walls and other improvements approved for buffering purposes shall be suitably maintained by the subject property owner in an attractive state. Required landscape or buffer improvements that die or deteriorate to an unattractive or ineffective state shall be replaced as soon as possible by the subject property owner. Failure to maintain required landscape and buffer improvements shall constitute a violation of these regulations and shall be enforced as per the provisions of Article XI.

r. **Site Development Principles**

1. **Intent** - Through the establishment of specific site development principles, this section attempts to reduce damages from soil erosion and sedimentation, reduce downstream flooding and, in general, ensure proper storm drainage management. (Also see Article VI, Section B.4.s. - Erosion and Sediment Control Plans)

2. **Site Development Principles** - Earth-moving, grading or land-disturbing activities including the removal of trees and other vegetative cover, the development of haul roads and logging decks for forestry operations, and all cut and fill activities shall (as applicable to the specific site and development) comply with the following site development principles:

a. The earth-moving, grading or land-disturbing activity, including haul roads and logging decks for forestry operations, shall be fitted to the topography and soils so as to create the least erosion potential. Where possible, extensive cut and fill operations should be avoided.

b. Prospective building sites shall not be stripped of vegetation prior to the issuance of a zoning permit. Only the smallest practical area of land shall be exposed during development, the exposure shall be kept to the shortest practical period of time.

c. Wherever feasible, natural terrain and vegetation shall be retained and protected, slope lengths shall be minimized and significant stands of trees shall be preserved.

d. Temporary or permanent vegetation, mulching, staked hay bale check dams, jute or tobacco netting and other control measures shall be employed as quickly as possible after land disturbing activities to protect areas exposed during development. Where needed, staked hay bales and/or other control measures shall be in place before the soil is disturbed.

e. Wherever feasible, buffers of undisturbed natural vegetation of 50 feet or more shall be retained along all watercourses and wetlands.

f. Cut and fill slopes shall not be steeper than 3:1 unless suitably stabilized and approved by the Commission or, in situations where Commission approval is not otherwise required, the Town Engineer, or his designee. All fill material shall be placed and compacted so as to minimize sliding or erosion of the soil. As necessary, diversions, waterways, grading or other adequate protective measures shall be provided to prevent surface water from damaging the cut face of excavations or the sloping surfaces of fills.

g. Drainage provisions shall be made to effectively regulate any significant increased run-off caused by changed soil and surface conditions during and after development. Storm water run off shall be minimized and retained on site wherever possible to help prevent downstream flooding and erosion problems. Wherever possible erosion control or storm water management measures shall be used to prevent water from entering and running over disturbed areas. Drainage easements shall be obtained whenever necessary. Where run off computations are necessary for proper review of existing and proposed drainage facilities, said computations shall be in accordance with Chapter 9 of the Connecticut Guidelines for Soil Erosion and Sediment Control, 1985, as amended, unless an alternative is approved by the Town Engineer or his designee.

h. Wherever possible, permanent or temporary control measures such as diversions, waterways, hay bale check dams, retention basins, sediment basins (silt traps, debris basins) and other structures shall be installed, prior to initial grading operations. At a minimum, said control measures shall be maintained until the development has been completed and all disturbed areas have been permanently stabilized to ensure the removal of sediment from runoff waters draining from land undergoing development. As necessary, temporary seeding shall be utilized as a

non-structural measure for stabilizing slopes where bare slopes will be untreated for long periods of time.

i. All disturbed areas shall be properly and neatly graded and shaped as soon as possible. Final grading shall include removal of stumps and debris from finished surface. A final permanent vegetative cover shall be established upon achievement of final grade.

j. Unless approved by the Commission, topsoil shall not be removed from developing areas except for sites of structures or manmade improvements. The topsoil from areas intended for such improvements shall be redistributed within the boundaries of the subject site to facilitate the provision of a suitable base for seeding and plantings. As necessary, additional topsoil shall be brought to the site. Soil and other materials shall not be temporarily or permanently stored in locations, which would cause suffocation of root systems of trees to be preserved. Applicable sand and gravel regulations shall be complied with.

k. During grading operations, necessary measures for dust control shall be exercised.

l. All utilized erosion and sediment control measures shall be monitored and maintained in an effective condition until all disturbed areas are fully stabilized.

s. **Erosion and Sediment Control Plans for Land Development**

1. **Definitions**: For the purpose of this section the following definitions shall be used:

a. Certification means a signed, written approval by the Mansfield Planning and Zoning Commission or, in the case of property within an SC-SDD zone district, by the Director of Planning and Development and the Zoning Agent, that a soil erosion and sediment control plan complies with the applicable requirements of these regulations.

b. Development means any construction or grading activities to improved or unimproved real estate.

c. Disturbed area means an area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion.

d. Erosion means the detachment and movement of soil or rock fragments by water, wind, ice or gravity.

e. Grading means 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.

f. Inspection plan means the periodic review of sediment and erosion control measures shown on the certified plan.

g. Sediment means solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.

h. Soil means any unconsolidated mineral or organic material of any origin.

i. Soil Erosion and Sediment Control Plan means a scheme that minimizes soil erosion and sedimentation resulting from development and includes, but is not limited to, mapped details and a narrative

2. **Activities Requiring a Certified Erosion and Sediment Control Plan** - A soil erosion and sediment control plan shall be submitted with any application for development when the disturbed area of such development is cumulatively more than one-half acre.

3. **Exemption** - A single family dwelling that is not a part of a subdivision of land shall be exempt from these soil erosion and sediment control regulations but must comply with the site development principles of Article VI, Section B.4.r.

4. **Erosion and Sediment Control Plan**:

   a. To be eligible for certification, a soil erosion and sediment control plan shall contain proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from storm water run off on the proposed site based on the best available technology. Such principles, methods and practices necessary for certification are found in the CONNECTICUT GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL (1985) as amended. Alternative principles, methods and practices may be used with prior approval of the Commission or, in the case of property in an SC-SDD zone district, by the Director of Planning and Development and the Zoning Agent. (Also see Article VI, Section B.4.r.)

   b. Said plan shall contain:

      1. A narrative describing the items listed below. Wherever possible, construction details, stages and sequence of development and maintenance program details also shall be shown on related construction plans.

         a. The development

         b. The schedule for grading and construction activities, including:

            1. start and completion dates;

            2. sequence of grading and construction activities;

            3. sequence for installation and/or application of soil erosion and sediment control measures;

            4. sequence for final stabilization of the project site

         c. the design criteria for proposed soil erosion and sediment control measures and storm water 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 storm water management facilities;

f. the operations and maintenance program for proposed soil erosion and sediment control measures and storm water management facilities;

g. contingency plans that would be followed if unforeseen erosion and sediment problems arise. Said contingency plans should emphasize the developers responsibility and capacity to effectively anticipate and respond to unforeseen erosion and sediment problems;

h. identification of the specific individual (name and phone number) who shall be responsible for understanding the details of an approved erosion and sediment control plan and for implementing the plan as specifically approved. The plan shall provide for maintenance inspections based on the nature of the project, site characteristics, weather factors and schedule of activities. The maintenance inspection schedule shall be approved by the Commission or, in the case of property within an SC-SDD zone district, by the Director of Planning and Development and the Zoning Agent, and daily inspections may be required. In addition, the Commission or, in the case of property within an SC-SDD zone district, the Director of Planning and Development and the Zoning Agent, may require the submission of written monitoring reports on a bi-weekly basis or as otherwise deemed appropriate. The Commission or, in the case of property within an SC-SDD zone district, the Director of Planning and Development and the Zoning Agent, shall have the right to designate the format for written monitoring reports.

The Commission or, in the case of property within an SC-SDD zone district, the Director of Planning and Development and the Zoning Agent, shall have the right to require site inspections and the preparation of the written monitoring reports to be performed by a professional engineer, soil scientist or other qualified professional.

2. A site plan map at a sufficient scale to show the information listed below. Wherever possible, this information shall be integrated into the site plan or subdivision map submitted under other provisions of the Zoning and Subdivision Regulations.

a. the location of the proposed development and adjacent properties;

b. the existing and proposed topography including soil types, 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 storm water 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.

3. Any other information deemed necessary and appropriate by the applicant or requested by the Commission or its designated agent.

5. **Minimum Acceptable Standards**

a. Plans for soil erosion and sediment control shall be developed in accordance with these regulations using the principles as outlined in Article VI, Section B.4.r. of these regulations and Chapters 3 and 4 of the CONNECTICUT GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL (1985), as amended. Soil erosion and sediment control plans shall result in a development that: minimizes erosion and sedimentation during construction; is stabilized and protected from erosion when completed; and does not cause offsite erosion and/or sedimentation.

b. The minimum standards for individual measures are those in the CONNECTICUT GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL (1985), as amended. The Commission or, in the case of property within an SC-SDD zone district, the Director of Planning and Development and the Zoning Agent, may grant exceptions when requested by the applicant if technically sound reasons are presented.

c. The appropriate method from Chapter 9 of the CONNECTICUT GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL (1985), as amended shall be used in determining peak flow rates and volumes of runoff unless an alternative method is approved by the Commission or its designated agent.

6. **Issuance or Denial of Certification**

a. The Mansfield Planning and Zoning Commission or, in the case of property within an SC-SDD zone district, the Director of Planning and Development and the Zoning Agent, shall either certify that the soil erosion and sediment control plan, as filed, complies with the requirements and objectives of this regulation or deny certification when the development proposal does not comply with these regulations.

b. Nothing in these regulations shall be construed as extending the time limits for the approval of any application under Chapters 123, 124A, or 126 of the General Statutes.

c. Prior to certification, any plan submitted to the municipality may be reviewed by the Tolland County Soil and Water Conservation District which may make recommendations concerning such plan.

d. The Commission or, in the case of property within an SC-SDD zone district, the Director of Planning and Development and the Zoning Agent, may forward a copy of the development proposal to the Conservation Commission or other review agency or consultant for review and comment.

7. **Conditions Relating to Soil Erosion and Sediment Control**

   a. Whenever, in the opinion of the Commission or, in the case of property within an SC-SDD zone district, the Director of Planning and Development and the Zoning Agent, the development presents the potential for significant adverse impact, the estimated costs of measures required to control soil erosion and sedimentation, as specified in the certified plan, may be covered in a performance bond or other assurance acceptable to the Commission or, in the case of property within an SC-SDD zone district, the Director of Planning and Development and the Zoning Agent, in accordance with the provisions specified under Article VI, Section C. of these regulations.

   b. Site development shall not begin unless the soil erosion and sediment control plan is certified and those control measures and facilities in the plan scheduled for installation prior to site development are installed and functional. To help ensure that this requirement is met, no Zoning Permit shall be issued for a project with an approved erosion and sedimentation control plan until required erosion and sedimentation controls that are to be installed prior to development have been installed as per the approved specifications. A certification that this has been accomplished can be required by the Zoning Agent.

   c. Planned soil erosion and sediment control measures and facilities shall be installed as scheduled according to the certified plan.

   d. All control measures and facilities shall be maintained in effective condition to ensure the compliance of the certified plan.

8. **Inspection** - Inspections shall be made by the Commission or its designated agent or, in the case of property within an SC-SDD zone district, the Zoning Agent, during development to ensure compliance with the certified plan and that control measures and facilities are properly performed or installed and maintained. The Commission or, in the case of property within an SC-SDD zone district, the Zoning Agent, may require the permittee to verify through progress reports that soil erosion and sediment control measures and facilities have been performed or installed according to the certified plan and are being operated and maintained.

9. **Compliance With Plan Requirements/Violations** - Any person engaged in development activities who violates the provisions of a certified plan shall be deemed in violation of these Regulations (See Article XI, Section F).

10. **Signs** -All signs shall comply with the provisions of Article X, Section C.

11. **Height, Area and Setback Requirements** - All land use activities shall comply with the provisions of Article VIII and the "Schedule of Dimensional Requirements" which is part of these Regulations.

t. **Stormwater Management**

1. **Definitions-** For the purpose of this section, the following definitions shall be used:

   a. *Low Impact Development (LID)*. A stormwater management strategy designed to maintain or replicate the predevelopment hydrologic regime. Hydrologic functions of storage, infiltration and groundwater recharge, as well as the volume and frequency of discharges are maintained through the use of integrated and distributed micro-scale stormwater retention and detention areas; reduction of impervious surfaces, and the lengthening of run-off flow paths and flow time. Other strategies include the preservation/protection of environmentally sensitive site features such as riparian buffers, wetlands, steep slopes, valuable (mature) trees, floodplains, woodlands and highly permeable soils.

   b. *Impervious Surface*. The area of a building site or lot that is covered by materials that prevent the infiltration of surface water into the ground beneath. Such materials may include, but are not limited to, roofs, paved driveways, concrete slabs, sealed-joint paving blocks or stones, and pools. Impervious surface shall be expressed in terms of square footage or acreage, and percentage of total site or lot area.

   c. *Predevelopment site hydrology*. The water balance between runoff, infiltration, storage, groundwater recharge, and evapotranspiration prior to the development of a site.

   d. *Disturbed area*. All land areas that are stripped, graded, grubbed, filled, or excavated at any time during the site preparation or removing vegetation for, or construction of, a project. "Disturbed area" does not include routine maintenance, but does include re-development and new impervious areas. "Routine maintenance" is maintenance performed to maintain the original line and grade, hydraulic capacity, and original purpose of the facility. Paving impervious gravel surfaces while maintaining the original line and grade, hydraulic capacity and original purpose of the facility is considered routine maintenance. Cutting of trees, without grubbing or stump removal is not considered "disturbed area". A disturbed area continues to be considered as disturbed area if it meets the definition of “developed area” or “impervious area” following final stabilization.

   e. *Developed area*. "Disturbed area" excluding area that within one calendar year of being disturbed is returned to a condition with the same drainage pattern that existed prior to the disturbance and is revegetated, provided the area is not mowed more than twice per year.

   f. *Retention Basin*. A vegetated pond that retains a permanent pool of water and is constructed to provide both treatment and attenuation of stormwater flows. Also known as a stormwater pond.

   g. *Detention Basin*. A vegetated area designed to capture, temporarily hold, and gradually release a volume of stormwater runoff to attenuate and

delay stormwater peaks. Also known as a dry pond or dry detention pond.

h. *Sheet Flow*. An overland flow or downslope movement of water taking the form of a thin, continuous film over relatively smooth soil or rock surfaces where there are no defined channels and the flood water spreads out over a large area at a uniform depth.

i. *Point Discharge*. The release of collected and/or concentrated surface and stormwater runoff from a pipe, culvert or channel.

2. **Purpose-** The purpose of these stormwater management regulations is to:

   a. Promote the goals and objectives for the conservation of the town's water resources as identified in the Plan of Conservation and Development;

   b. Preserve the predevelopment site hydrology to the extent practical in order to maintain stream base flow conditions; maintain groundwater recharge; and minimize flooding, erosion, and the effects from runoff on downstream properties;

   c. Minimize the sources and amounts of pollution transported by stormwater runoff to wetlands, watercourses, groundwater, and other natural resources, and minimize impacts to downstream properties; and

   d. Promote the use of Low Impact Development (LID) practices in the planning, design, and execution of land development activities.

3. **Applicability-** These regulations are applicable to any new development and/or modifications to existing land uses that meet the following criteria:

   - Any development resulting in the disturbance of one or more acres of land;
   - Residential development of five or more dwellings;
   - Residential development involving the construction of a new road or common driveway serving more than two dwellings;
   - Any development where stormwater will have a point discharge to a wetland or watercourse;
   - Nonresidential development having greater than 10,000 square feet of impervious surface;
   - Other activities as described in the CTDEEP 2004 Connecticut Stormwater Manual (the Manual) as may be amended; or
   - Other developments determined by the Commission to have the potential for stormwater management issues.

4. **Stormwater Management Plan**- A Stormwater Management Plan (SWM) shall be included in any application that requires the submission and approval of a Site Plan or Subdivision Plan and shall be consistent with the purpose set forth in subsection 2 above, the Mansfield Standards and Specifications, and the principles set forth in the Manual.

   a. The SWM shall be consistent with generally accepted engineering and site planning practices, and shall include best management practices and

Low Impact Development practices where feasible. The plan shall include a summary report describing the nature of the improvement; a SWM improvement plan; supporting computations where appropriate; a description of construction sequence; and a program for operation, maintenance, and monitoring. The professional engineer shall sign and seal all documents which they prepared.

b. The design report shall include:

- Description of existing site and relevant off-site conditions that may be affected by the selection of water quality measures;
- Rainfall data for the design storms as identified by the NOAA Atlas 14, as amended;
- An evaluation of existing on-site and off-site hydrology including estimates of preconstruction and post-construction development from the 1-, 2-, 10-, 25-, and 100-year, 24-hour storm events;
- A discussion of the function for the stormwater management system during typical operation and during a possible failure of a component; and
- A discussion of the proposed treatment and control measures and their estimated effect on improving the quality of stormwater runoff, specifically for the removal of 80 percent of total suspended solids.

c. The improvement plan shall be designed to:

- Maintain the predevelopment site hydrology to the maximum extent feasible;
- Reduce peak runoff from 2-year, 24-hour postdevelopment event to 50 percent of the predevelopment conditions for that storm event or to the equivalent of the 1-year, 24-hour storm event unless the Commission determines that such reduction is impractical;
- Provide zero net increase in peak runoff from the 10-, 25-, and 100-year storm events unless the applicant demonstrates that this would be a detriment to downstream properties;
- Provide treatment of stormwater runoff in accordance with the Manual;
- Have conveyance systems meeting the applicable provisions of the CTDOT Drainage Manual; and
- Minimize structural stormwater components and incorporate vegetative measures such as rain gardens and bioretention basins where appropriate.

d. When the proposed development involves modification to an existing developed area, the applicant shall demonstrate that the stormwater quality treatment is being provided to the maximum extent practicable for all undisturbed impervious areas. New impervious areas and existing impervious areas that are disturbed shall meet the standards set forth in subsection (c), above.

5. **Small Scale Projects-** Any development that meets one or more of the thresholds set forth in subsection 3 but does not require Site Plan or Subdivision approval shall manage stormwater by implementing one or more

of the following LID measures. Compliance with this requirement will be determined as part of the Zoning Permit process.

Reducing Hydraulic Connectivity of Impervious Surfaces

- Disconnecting roof drains and directing flows to vegetated areas or infiltration structures (swales, trenches, or drywells)
- Directing flows from paved areas such as driveways to stabilized vegetated areas
- Breaking up flow directions from large paved surfaces
- Encouraging sheet flow through vegetated areas
- Locating impervious areas so they drain to natural systems, vegetated buffers, natural resource areas, on-lot bioretention areas, or permeable soils

Modifying/Increasing Runoff Travel Time

- Maximizing overland sheet flow
- Increasing and lengthening drainage flow paths
- Maximizing use of vegetated swales

Increasing Groundwater Recharge

- Vegetated Swales, Buffers, and Filter Strips
- Bioretention/Rain Gardens
- Dry Wells/Leaching Trenches
- Rainwater Harvesting
- Vegetated Roof Covers (Green Roofs)

More detailed guidance for implementation of these measures can be located in the 2004 Connecticut Stormwater Quality Manual as may be amended.

6. **Conflicts**. If there are any conflicts between these Regulations and other standards, the more stringent requirement shall apply.

u. **Special Requirements for Properties Served by Connecticut Water Company.** Pursuant to the terms of the water diversion permit issued by CT DEEP in June 2015 for the interconnection of the CWC and UConn water systems, future development served by that pipeline, whether directly or indirectly, shall meet the following requirements in addition to the requirements of Article 10, Section V, where applicable.

1. Any use that exists as of the effective date of this Regulation may connect to the water main with a service connection(s) properly sized to serve only that use.

2. No connections shall be authorized for new or expanded uses unless one or more of the following conditions is met:

   - The type and intensity of use is consistent with the Planned Development designation identified in the 2006 POCD; or
   - For properties where a change in use from the 2006 POCD is proposed, the developer must demonstrate that: (1) the proposed use is consistent with the current POCD; and (2) that the water demands of the proposed use are equivalent to or less than the water demands of uses allowed

pursuant to the 2006 POCD or that the proposed uses could be supported by an on-site water system. The Commission may require verification of on-site capacity through hydrologic engineering studies and/or issuance of a permit for a water system in accordance with the Public Health Code.

3. Uses developed using on-site water systems after the effective date of this section may connect to the public water system with a connection sized only to serve that use if their on-site well fails or is contaminated. Any new uses or expansions of use on the site subsequent to connecting to the CWC system shall comply with the provisions of subsection 2, above.
4. Any projects requiring a water main extension and/ or Site Plan, Special Permit or Subdivision approval shall be referred to the Connecticut Water Company Water System Advisory Committee for review and comment.

## C. Bonding

1. General Provisions

   In all matters requiring Planning and Zoning Commission or Zoning Board of Appeals approval, including special permits, special exemptions, site plans earth removal or filling projects and subdivisions or, in the case of a matter involving Director of Planning and Development and the Zoning Agent approval of a zoning permit in an SC-SDD zone district, the posting of a performance bond may be required to ensure the satisfactory completion of all components of a development proposal and to protect the natural environment and the health, welfare and safety of Mansfield residents. Bonded development components may include but shall not be limited to the following: roadway and drainage improvements; sanitary facilities; parking and loading area improvements, grading, landscaping and buffering improvements; site restoration, including areas damaged through construction activities; recreational facilities; erosion and sedimentation control measures; walkways and bikeways and monumentation. To ensure proper stabilization and settling and, in the case of landscaping, proper plant adaptation, the posting of a maintenance bond for appropriate development components may also be required.

   All required bonds shall be in a form and with conditions acceptable to the Planning and Zoning Commission and Town Attorney or, in the case of a matter involving Director of Planning and Development and the Zoning Agent approval of a zoning permit in an SC-SDD zone district, conditions acceptable to the Director of Planning and Development, Zoning Agent and Town Attorney. Cash bonds, with written bond agreements, are the preferable bond format to ensure the completion of site improvements and other site work, including the implementation of an approved erosion and sedimentation control plan. However, for larger projects, the Commission or, Director of Planning and Development and Zoning Agent, as the case may be, may authorize other provisions in association with a cash bond. Where proposed activities are subject to Mansfield Inland Wetland Agency requirements, the Planning and Zoning Commission or the Director of Planning and Development and Zoning Agent may accept bonds, which address both IWA and zoning requirements. Unless modified by the Commission or the Director of Planning and Development and the Zoning Agent, performance bonds shall typically be in an amount equal to 100% of the cost of the bonded improvements plus a twenty (20) percent contingency, and maintenance bonds shall typically be equal to 10% of the

full bond amount for the subject improvements. To help establish a bond amount, the developer-property owner may be required to submit a detailed estimate of the cost of site improvements. For larger projects, bonding in independent sections may be allowed and formal written agreements between the Town of Mansfield and the subject developer-property owner shall be a necessary component of the bonding arrangement. Where a performance bond is required as a condition of approval, all required information shall be submitted by the developer-property owner and approved by the Town prior to the issuance of a zoning permit. The required bond amount may be reduced by the Planning and Zoning Commission or Director of Planning and Development and Zoning Agent in accordance with established written agreements.

Regardless of the status of a bond, public health and safety components of the subject project shall be satisfactorily completed prior to the occupancy or use of any new structures. In situations where a bond was not required as a condition of approval, all development components shall be completed prior to the issuance of a Certificate of Compliance; or alternatively, in situations where all public health and safety components have been completed, the Planning and Zoning Commission or the Director of Planning and Development and Zoning Agent may authorize the issuance of a Certificate of Compliance provided a suitable bond with written bond agreement is submitted for the remaining site work or provided acceptable alternative arrangements are approved by the Commission or the Director of Planning and Development and Zoning Agent. Maintenance bonds may be required at the time of original approval or prior to the issuance of a Certificate of Compliance.

2. Letters of Credit

   The Commission may authorize the use of Letters of Credit to address bonding requirements, provided the following terms and conditions are met:

   a. No Letter of Credit shall be accepted in an amount less than $100,000;

   b. At least ten (10) percent of the Commission's bond requirement shall be posted as a cash bond with agreement;

   c. All Letters of Credit shall be from a bank licensed in the State of Connecticut that is considered a safe risk by the Commission and the Mansfield Director of Finance. In making this determination, consideration shall be given to the bank's financial record, including total assets, surplus and undivided profits, capitalization ratio, loss reserves and any other related financial information deemed appropriate. The Commission and Director of Finance also may consider rating service information and any other relevant information pertaining to the acceptability of the bank. A Letter of Credit shall not be accepted from a bank with a ratio of risk-based capital divided by risk-based assets of less than ten percent (see Section 36a-333 CGS as may be amended).

   d. All Letters of Credit shall be confirmed, irrevocable and shall be subject to sight payment. The term for the Letter of Credit shall be for at least one year beyond the completion date cited in a required bond agreement between the Developer and the Town.

   e. All Letters of Credit shall be accompanied with a bond agreement, which includes project approval references and terms acceptable to the Commission with staff assistance. Said bond agreement shall be referenced in the Letter of Credit and shall authorize the Commission to obtain funds secured by the Letter

of Credit for non-compliance with conditions of approval, approved plans and specifications or any other provision of the bond agreement;

f. All Letters of Credit shall specify that if the Town elects to demand payment and if an Act of God required that the bank be closed, the date of expiration and the collection terms shall be extended for a minimum of sixty-five (65) days after the bank is reopened.

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# Article Seven

## Permitted Uses

### A. General

1. Uses of land, buildings or structures that are not permitted in Mansfield's various zoning districts are prohibited (see Article VI for examples of prohibited uses). All uses permitted in this article are subject to dimensional requirements (see Article VIII), performance standards (see Article VI, Section B) and all other applicable requirements contained in these regulations. *All land uses, including grading and land disturbing activities are subject to provisions of Article VI, Section B.4.r. (Site Development Principles). Article VI, Section B.4.s. (Erosion and Sediment Control Plans) may also apply.

2. Dependent on each particular use and the specific zone in which the subject site is located, subsections of this Article may require site plan or special permit approval of the Planning and Zoning Commission for any of the following activities:

   a. The establishment of new or additional permitted uses on a subject lot;

   b. The construction or expansion of primary (as compared with accessory) structures associated with a permitted use;

   c. A change in the use of an existing structure or lot from one category of use to another, a change in use within any particular subsection or any change in use in the Pleasant Valley Commercial/Agriculture Zone or Research and Development/Limited Industrial Zones;

   d. Modifications in the overall layout, design or nature of existing or proposed building or site improvements associated with a permitted use including 1) changes in entrance drive design or location, traffic patterns, storm drainage or waste disposal systems or 2) substantive changes in exterior building design, signs or building materials, or 3) interior alterations or renovations that alter or intensify a land use (see Article XI, Section D).

3. Where a building, structure or use is listed as permitted and site plan or special permit approval is not required the use may be authorized by the Zoning Agent through the issuance of a Zoning Permit and/or Certificate of Compliance (see Article XI).

4. With the exception of all uses in the Pleasant Valley Commercial/Agriculture Zone or Research and Development/Limited Industrial Zone (see provisions below), changes in the use of an existing structure or lot may be authorized by the Zoning Agent through the issuance of a Certificate of Compliance provided the new use is included in the same permitted use category as the previous use and provided all other applicable provisions of these regulations are met. In the Pleasant Valley Commercial/Agriculture Zone and Research and Development/Limited Industrial Zones, all changes in use from that described and approved in previous permit submissions, or from that established prior to zoning approval provisions, require the submission of a revised statement of use for review and approval by the Director of Planning and Development. The Director of Planning and Development shall have the right to refer the request to the Commission for their review and approval where the proposed change in use is considered to be a significant alteration of the previous

use with potential impacts that have not been reviewed. The Commission shall have the authority to require the submission and processing of a new application as per the requirements for establishing a new use on a site.

Where questions arise regarding changes in use and permit requirements, the Planning and Zoning Commission shall determine whether a proposal constitutes a change in use and the appropriate permit requirements.

5. Minor modifications of existing or previously approved site improvements may be authorized by the Chairman of the Planning and Zoning Commission and the Zoning Agent as per the provisions of Article XI, Section D, provided all Planning and Zoning Commission conditions of approval are met. Within an SC-SDD zone district, requirements relating to site and building modifications are set forth in Article X, Section S.

## B. Common Interest Ownership

Provided all applicable procedures and requirements of these regulations are complied with, and provided suitable provisions for the maintenance of all common properties, including roadways and utilities, are approved by the Planning and Zoning Commission or, in the case of property located within an SC-SDD zone district, the Director of Planning and Development, the construction, conveyance or ownership of dwelling units or business units, which comply with the provisions of Chapters 825 and 826 CGS and the Common Interest Ownership Act for Connecticut as amended is hereby authorized.

## C. State And Federal Proprietary Uses

With the exception of buildings or uses that are clearly and customarily accessory in nature to a governmental use (such as a food concession at a sporting event), state or federal property used for non-governmental, proprietary purposes shall conform with the permitted use provisions and all other requirements of these Regulations.

## D. Uses Permitted In All Zones Except In The Flood Hazard Zone

The uses listed below in separate categories are permitted in all zones except the Flood Hazard Zone subject to any requirements and standards set forth herein and all other applicable requirements of these Regulations:

1. **Fire stations**; buildings and facilities owned and/or operated by the Town of Mansfield, provided the subject use is not specifically referenced in other sections of Article VII and provided site plan approval is obtained in accordance with Article V, Section A. If the subject use is specifically referenced in another section of Article VII, the provisions of that section shall apply. All changes in use within this subsection require site plan approval.

2. **Parks and playgrounds owned or operated by a governmental agency and/or neighborhood association;**

3. **Buildings and facilities owned and/or operated by the State of Connecticut or Federal Government**, provided the uses are governmental and not proprietary in nature, and provided the use does not involve the transportation of hazardous or radioactive materials from other sites to a storage or processing or disposal facility in Mansfield. (If questions arise, the Planning and Zoning Commission shall determine whether a proposed use may be included in this category.)

4. **Governmentally**-owned and operated buildings and facilities involving the transportation of hazardous or radioactive materials from other sites to a storage or processing or disposal facility in Mansfield, provided special permit approval is obtained in accordance with Article V, Section B. All changes in use within this subsection require special permit approval.
5. **Public utility installations**, with the exception of facilities directly associated with individualized service connections, provided special permit approval is obtained in accordance with Article V, Section B. The burden rests upon the applicant to prove that no alternative exists, which will provide the required service within the strict interpretation of these Regulations. Public utility companies are encouraged to install utilities underground and all disturbed areas shall be restored, insofar as possible, to the site's original character.
6. **Signs** as per the provisions of Article X, Section C;
7. **Accessory buildings and uses** (see definition in Article IV), provided the following conditions are met:
    a. The following uses are not considered accessory uses in the R-20 and R-90 zones:
        1. keeping of horses, donkeys, burros, llamas, cows, sheep, goats, chickens and other farm animals;
        2. keeping of wild or ferocious animals or any domestic animals weighing over 150 pounds at maturity;
    b. With the exception of sheds or barns used for agricultural purposes, no permanent accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.
    c. A building attached to the principal building by a covered passageway or by having a wall or part of a wall in common, shall be considered as part of the principal structure;
    d. Any accessory building located within flood hazard areas is subject to the requirements of Article X, Section E;
    e. The setback requirements of Article VIII are met;
    f. The storage of vehicles, vehicle parts, camp trailers, recreational motor homes, equipment or miscellaneous materials may be considered accessory to a residential use, provided all the conditions listed below are met:
        1. Said storage shall not constitute a junk yard as defined in Art. IV of these Regulations;
        2. Said storage is of a size, scope and nature that it is clearly accessory to an existing residential use on the subject lot;
        3. Said storage shall not constitute an existing or potential health, safety or environmental risk;
        4. No automobile repair business or small engine repair business is conducted on the subject site (these uses are prohibited as home occupations);
        5. Said storage, both inside and outside, shall be in a location that meets existing building setback requirements for the subject zone or within a

completely enclosed building on the subject lot. Outside storage, which shall be limited to:

a. one unregistered vehicle or equivalent in parts, or one unregistered camp trailer or recreational home; and

b. limited amounts of equipment or miscellaneous materials that are stored in a 50 square foot area and do not constitute a junk yard as defined shall be screened from adjacent streets and properties with fencing or evergreen plantings, unless screening is waived by the Planning and Zoning Commission due to site and neighborhood characteristics;

6. Any unregistered vehicles, any camp trailers or recreational motor homes and any equipment or material stored on the subject lot shall be owned by a legal resident of the subject property;

7. Any unregistered vehicles, any camp trailers or recreational motor homes and any equipment or material on the subject lot shall, as applicable, be listed with the Mansfield Assessor and thereby appropriately taxed;

8. All other provisions of these Regulations, including, but not limited to, Art. VII, Sec. D.9 (use of residence for personal business) and Art. VI, Sec. B (performance standards) shall be met.

Any questions regarding accessory storage and whether it complies with these standards shall be reviewed with the Planning and Zoning Commission.

g. The sale of alcoholic liquor shall be permitted as accessory to the following uses provided the liquor permit type is authorized pursuant to Chapter 101 of the Mansfield Code of Ordinances and the following primary use is permitted in said zone or district:

- Retail
- Restaurant
- Hotel
- Place of Assembly/Banquet Hall
- Commercial recreation facility
- Brewpub/Restaurant
- Brewery
- Farm Winery

h. Live and/or amplified music shall be permitted provided the standards of Article Ten, Section I are met.

8. **Home occupations** as per the provisions of Article X, Section N.

9. **Use of residence for personal business purposes**: A residence may be used by its occupant for personal business purposes, providing the following conditions are met:

a. no external evidence of the business is visible, and there is no outside storage of machinery, construction vehicles, equipment or supplies;

b. no persons are employed therein, other than occupants of the subject dwelling unit;

c. all business with other persons is conducted by mail or telephone; there shall be no site business meetings with other persons;

d. no business signs are erected;

e. no pedestrian or vehicular traffic other than that normally associated with a residence is generated;

f. no accessory buildings are utilized for personal business purposes

g. See Home Occupation provisions if these provisions cannot be met.

10. **Use of residence with accessory building for personal business purposes**: A residence with accessory building may be used by its occupant for personal business purposes provided special permit approval is obtained in accordance with Article V, Section B and provided the following conditions are met:

    a. All of the provisions of Article VII, Section D.9a through e are met;

    b. Up to 400 square feet of area within a permitted accessory building located on the same lot as the subject residence may be utilized for the storage of equipment and non-hazardous materials directly associated with the personal business of a resident tradesman or craftsman such as a carpenter, electrician, landscaper, painter or plumber.

11. **Filling, grading, excavation, removal, processing of soil, stone, sand and gravel, peat moss, and other similar materials, provided the following conditions are met:**

    a. All of the provisions of Article X, Section H are met;

    b. All proposed filling, grading, excavation, removal or processing of materials within a designated Flood Hazard zone shall obtain special permit approval, in accordance with the provisions of Article V, Section B. (Note existing regulations also require all activity in R-20 and R-40 zones to obtain special permit approval.)

    c. Unless exempted pursuant to Article X, Section H.2, all proposed filling, grading, excavation, removal or processing of materials shall obtain special permit approval in accordance with the provisions of Article V, Section B.

12. **Temporary structures**: Temporary structures or the temporary use of trailers or mobile manufactured homes may be authorized by the Zoning Agent through the issuance of a Zoning Permit, provided the following conditions are met:

    a. the applicant demonstrates that the subject structure, trailer or mobile manufactured home is necessary during the active construction of a conforming building(s) or is a seasonal use associated with an active agricultural operation;

    b. the temporary structure, trailer or mobile manufactured home is removed immediately from the subject site upon completion of the conforming building(s), or upon completion of the agricultural season;

    c. the temporary structure, trailer or mobile manufactured home may require screening from abutting residences or businesses. Where possible, applicable setbacks for the subject zone shall be met.

    d. The zoning permit shall not be issued for a period longer than one (1) year, but upon application may be renewed for successive 6-month periods;

    e. applicable provisions of Article X, Section F.5, F.6 and F.7 are met.

The provisions of this section may be applied to allow the continuing occupancy of an existing residence during the period when a replacement residence is being constructed on the same lot provided suitable arrangements are made to ensure the removal of the existing residence within sixty (60) days of the occupancy of the new residence.

13. **Fall-Out Shelters**: Fall-out shelters are permitted as principal or accessory uses and structures in any zone with zoning permit approval provided the setback requirements of the subject zone are met. Such shelters may contain or be contained in other structures or may be constructed separately. Provided all applicable requirements are met, said shelters may also be used for any principal or accessory use permitted in the subject zone.

14. **Swimming Pools**: Swimming pools are permitted, provided the following requirements are met:

    a. a zoning permit is obtained from the Zoning Agent for the construction of a swimming pool over 115 square feet in water area and over 3 feet deep;

    b. the zoning permit application is accompanied by a plan and specification for the proposed pool and appurtenances showing location, size and typical wall sections, together with type and size of filter system, water supply and disposal and such other pertinent data as may be required to determine capacity and safety of installation;

    c. all work on the pool and appurtenances shall be performed in accordance with approved plans and specifications. The Zoning Agent may revoke any permits if there has been a false statement in the documents or the specifications are not followed;

    d. the pool area shall be enclosed by a substantial fence at least 4 feet high with self-closing, self-latching gate.

15. **Temporary special events involving the sale and consumption of alcoholic liquor pursuant to Sec. 30-25, 30-35, 30-37b and 30-37h, C.G.S.**, provided the following requirements are met:

    a. A Zoning Permit shall be obtained for proposed events unless the property meets one of the following criteria:

        1. The property is owned or leased by a public agency; or
        2. The property has received prior zoning approval for a public assembly use.

    b. Proposed plans for parking, traffic control, crowd control, hours of operation and protection of minors shall be submitted with the Zoning Permit Application and approved by the Mansfield Police Department;

    c. Proposed plans for providing sanitary facilities for the subject event shall be submitted with the Zoning Permit application and found to be sufficient by the Zoning Agent in consultation with the local health district.

16. **Family Day Care Homes**: Family day care homes, which shall be licensed by the State pursuant to Section 19a-87b CGS, shall be permitted in the same manner as single or multi-family dwellings. These family day care homes are defined in Section 19a-77 of the State Statutes and basically consist of a private family home caring for not more than six (6) children, including the provider's own children not in school fulltime.

17. **Wireless Telecommunication Sites, Facilities and Services**: Wireless telecommunication sites, facilities and services, including, but not limited to communication towers, antennae, transmission and reception facilities and related site work, provided special permit approval is obtained in accordance with Article V, Section B and provided the requirements of Article X, Section Q are met. Antennae and other facilities that are mounted on existing towers, existing poles or existing structures and associated facilities may be authorized by the Commission pursuant to the modification process contained and referenced in Article XI, Section D, provided all applicable criteria of Article X, Section Q are met.

## E. Uses Permitted In The R-20 Zone

The uses listed below in separate categories are permitted in the R-20 Zones, subject to any requirements and standards set forth herein and any other applicable requirements of these Regulations.

1. One single-family dwelling per 20,000 square foot lot, provided municipal water and/or sewer service is utilized or one single family dwelling per 40,000 square foot lot if municipal services are not available;
2. One single-family dwelling with one efficiency unit per 30,000 square foot lot, provided municipal water and/or sewer service is utilized or one single-family dwelling with one efficiency unit per 40,000 square foot lot if municipal services are not available, provided the requirements of Article X, Section L are met and provided, special permit approval is obtained in accordance with Article V, Section B;
3. Community residences for mentally retarded persons or childcare residential facilities for children with mental or physical disabilities, provided the use complies with the provisions of Section 8-3e of the State Statutes. To establish a community residence or childcare residential facility this section within 1,000 feet of another community residence or childcare residential facility, special permit approval, in accordance with the provisions of Article V, Section B. shall be required;
4. State-licensed group day care homes as defined in Section 19a-77(2), CGS and as licensed pursuant to the provisions of Section 19a-80 CGS, provided special permit approval is obtained in accordance with Article V, Section B. State-licensed family day care homes are specifically authorized in Article VII, Section D.

## F. Uses Permitted In The R-90 Zone

The uses listed below in separate categories are permitted in the R-90 Zones, subject to any requirements and standards set forth herein and any other applicable requirements of these regulations:

1. One single-family dwelling;
2. One single-family dwelling with one efficiency dwelling unit, provided the requirements of Article X, Section L are met and provided special permit approval is obtained in accordance with Article V, Section B;
3. Cemeteries, including the use of land acquired to expand existing cemeteries provided special permit approval is obtained in accordance with Article V, Section B;
4. Community residences for mentally retarded persons or childcare residential facilities for children with mental or physical disabilities, provided the use complies with the

provisions of Section 8-3e of the State Statutes. To establish a community residence or childcare residential facility under this section within 1,000 feet of another community residence or childcare residential facility, special permit approval, in accordance with the provisions of Article V, Section B. shall be required;

5. State-licensed group day care homes as defined by the State Statutes, provided special permit approval is obtained in accordance with Article V, Section B. State-licensed family day care homes are specifically authorized in Article VII, Section D.

## G. Uses Permitted In The RAR-90 Zone

The uses listed below in separate categories are permitted in the RAR-90 zones subject to any requirements and standards set forth herein and any other applicable requirements of these Regulations:

1. One single-family dwelling;
2. One two-family dwelling per 120,000 square foot lot, provided the two- family structure is located a minimum of 75 feet from the front property line or, where applicable, the highway clearance setback (see Article VIII, Sec. B.9), provided the two-family structure and all parking areas are located 50 feet from side property lines, provided the subject lot has frontage on a street as defined in these Regulations, and provided a record owner of the subject dwelling shall reside in one of the subject dwelling units. This owner-occupancy requirement shall be recorded on the Land Records if the subject two-family dwelling receives a Zoning Permit and the record owner shall submit adequate proof of occupancy to the Zoning Agent every two years on the 1st of January of each even-numbered year;
3. One single-family dwelling with one efficiency dwelling unit, provided the requirements of Article X, Section L are met and provided special permit approval is obtained in accordance with Article V, Section B;
4. Hospitals, sanitariums, nursing homes, convalescent hospitals and other residential treatment facilities that house and provide services to more than 6 individuals, provided the requirements of Article X, Section G are met and provided special permit approval is obtained in accordance with Article V, Section B. All changes in use within this subsection require special permit approval;
5. Community residences for mentally retarded persons or childcare residential facilities for children with mental or physical disabilities, provided the use complies with the provisions of Section 8-3e of the State Statutes. To establish a community residence or childcare residential facility under this section within 1,000 feet of another community residence or childcare residential facility, special permit approval in accordance with the provisions of Article V, Section B shall be required;
6. Community residences for mentally ill adults, provided the definitions and standards of Sections 19(a)-507 (a and b) CGS are met.
7. Group homes (as defined in Article IV) provided the subject property is at least 3 acres in size, provided the residential character of the premises is maintained and the property is effectively buffered from adjacent properties by existing or proposed vegetation, topographic features, walls, fences or other measures and provided special permit approval is obtained in accordance with Article V, Section B;
8. Churches, other places of worship and identified accessory uses provided the requirements of Article X, Section O are met, and provided special permit approval is

obtained in accordance with Article V, Section B. Buildings and uses that may be authorized under this section are limited to the following:

- Churches, synagogues, temples and buildings used for religious services
- Accessory rectory, parish house or residence for religious leader(s) or caretakers
- Garages and accessory buildings used for the storage of maintenance equipment
- Accessory Community Center utilized for meetings and religious instruction; day care and nursery school programs; and social and recreational activities clearly accessory to the religious use of the property
- Children's playground and outdoor recreation facilities clearly accessory to the religious use of the property
- Schools associated with the religious use of the property and conducted for the instruction of adults or children primarily 5 to 18 years of age and giving instruction at least 3 days a week for eight or more months of the year.

9. Schools, libraries, State-licensed group day care homes or State-registered child day care centers as defined by the State Statutes, and other educational facilities, provided special permit approval is obtained in accordance with Article V, Section B. All changes in use within this subsection require special permit approval. State-licensed family day care homes are specifically authorized in Article VII, Section D.
10. Recreational uses such as golf courses, cross-country skiing facilities, or day camps, provided the subject property is on or within 300 feet of an arterial or collector street as defined in these Regulations and provided special permit approval is obtained in accordance with Article V, Section B. All changes in use within this subsection require special permit approval.
11. Reservoirs, sewage treatment plants and related facilities, radio, television, and other communication facilities including microwave towers provided special permit approval is obtained in accordance with Article V, Section B. All changes in use within this subsection require special permit approval;
12. Cemeteries, including the use of land acquired to expand existing cemeteries, provided special permit approval is obtained in accordance with Article V, Section B;
13. Agricultural Uses as per the provisions of Article X, Section T. Certain Agricultural uses and structures require special permit approval in accordance with Article V, Section B and/or Zoning Permit approval in accordance with Article XI, Section C.
14. Preservation Uses per the provisions of Article X, Section U provided special permit approval is obtained in accordance with Article V, Section B. All changes of use within this subsection require special permit approval.
15. Farm Wineries provided special permit approval is obtained in accordance with Article V, Section B.

## H. Uses Permitted In The ARH (Age-Restricted Housing) Zone

1. The zoning district has been established:
   a. To increase the types of available housing with emphasis on common interest communities that would primarily serve residents who are age 55 years or older

b. To provide landowners with a land use option on suitably-located land with necessary utilities, access, and other important attributes

c. To create high-quality developments capable of sustaining long-term value

d. To promote project designs that enhance and protect open spaces, natural resources, natural features and other elements of the town's rural character

e. To achieve the goals and objectives of the town's Plan of Conservation and Development

2. General

The uses listed below are permitted in the Age-Restricted Housing zones, provided the site is developed and retained under single or common interest ownership, provided special permit approval is obtained in accordance with the provisions of Article V, Section B and provided the provisions of Article X, Section A are met:

a. One-family, two-family and multi-family dwellings wherein each dwelling unit shall be restricted to:

1. At least one individual who is age 55 years or older.

2. A spouse or other occupant who must be age 18 or older. The under-18 age restriction shall be modified to incorporate, as part of special permit-required community governance documents, exception provisions to address unanticipated circumstances that arise after the initial occupancy of a subject unit.

3. Any occupant pursuant to subsection 2.A.2 above who has survived the individual in subsection 2.A.1 above.

4. Any occupant pursuant to subsection 2.A.2 above where the individual in subsection 2.A.1 above has entered into a long-term continuing care facility.

5. One child 18 years or older may reside with his or her parent(s) (see provisions of 2.A.2 above)

## I. Uses Permitted In The DMR (Design Multiple Residence) Zone

The uses listed below in separate categories are permitted in the Design Multiple Residence Zones, provided the site is developed and retained under single or common interest ownership, provided special permit approval is obtained in accordance with the provisions of Article V, Section B and provided the provisions of Article X, Section A are met:

1. One-family, two-family and multi-family dwellings;

2. State-licensed group day care homes or State-licensed child day care centers, as defined by the State Statutes, provided the facility is not in a dwelling unit and provided special permit approval is obtained in accordance with Article V, Section B. State-licensed family day care homes are specifically authorized in Article VII, Sec. D.

## J. Uses Permitted In The PRD (Planned Residence District) Zone

The uses listed below are permitted in the Planned Residence District Zones subject to any requirements and standards set forth herein and any other applicable requirements of these Regulations.

1. Boarding houses, fraternity and sorority houses and dormitories, provided that requirements of Article X, Section A. are met and provided special permit approval is obtained in accordance with Article V, Sec. B.

2. State-licensed group day care homes or State-licensed child day care centers, as defined by the State Statutes, provided the facility is not in a dwelling unit and provided special permit approval is obtained in accordance with Article V, Section B. State-licensed family day care homes are specifically authorized in Article VII, Section D.

## K. Uses Permitted in the PVRA (Pleasant Valley Residence/Agriculture) Zone (Land south of Pleasant Valley Road and west of Mansfield City Road)

1. **Intent**
   The PVRA has been established with special provisions for a distinct area of Mansfield located south of Pleasant Valley Road and west of Mansfield City Road. This area has been zoned for decades for industrial, commercial and/or residential use, but has remained primarily agricultural. The area is no longer considered appropriate for industrial and non-agricultural commercial use due to special agricultural, floodplain, wetland, and aquifer characteristics that warrant protection and preservation, site visibility and scenic character, neighboring agricultural and residential uses and other Plan of Conservation and Development goals, objectives and recommendations. Due primarily to the fact that this area is one of a very limited number in Mansfield that have access to public sewer and water systems, medium to high density multi-family housing is considered an appropriate use for portions of this district, but only if designed, constructed, and utilized in a manner compatible with other Plan of Conservation and Development recommendations and neighborhood land uses. Accordingly, the PVRA zone is subject to special provisions designed to preserve significant areas of prime agricultural land, to protect important natural and scenic resources, to provide for affordable housing, and to address other important regulatory objectives.

2. **General**
   The uses listed below in Sections K3 and K4 and associated site improvements are permitted in the PVRA zone, provided:
   a. Any special requirements associated with a particular use are met;
   b. Except as noted below, all uses permitted in the PVRA zone shall be served by adequate public sewer and water supply systems. On a case-by-case basis the Planning and Zoning Commission shall have the right to authorize the use of onsite sanitary waste disposal and/or water supply systems for permitted agricultural uses provided it is documented to the Commission's satisfaction that there is a low risk of aquifer contamination or other health, safety or environmental problems.
   c. Applicable provisions of Article X, Section A (Design Development Districts) and Article VI, Sections A and B (Performance Standards) are met: and
   d. With the exception of those uses included in K.4 below, special permit approval is obtained in accordance with the provisions of Article V, Section B for any of the activities delineated in Article VII, Section A.2.

   Article VII, Sections A.3., A.4 and A.5 also include or reference provisions authorizing the Zoning Agent to approve certain changes in the use of existing

structures or lots and authorizing the PZC Chairman and Zoning Agent to approve minor modifications of existing or approved site improvements.

3. **Categories of Permitted Uses in the Pleasant Valley Residence/Agriculture Zone Requiring Special Permit Approval as per the Provisions of Article V, Section B. and Applicable Provisions of Article X. Section A.**
   a. Two family and multi-family dwellings in accordance with the standards contained in Article X, Section A.
   b. Single Family dwellings, provided the dwellings are directly associated with a multi-family housing development and specifically authorized by the Commission due to specialized situations where site characteristics limit the ability to appropriately locate two-family or multi-family dwellings. All applicable provisions of Article X, Section A shall be met.
   c. Permanent retail sales outlets for agricultural and horticultural products, provided all the standards are required of Article X, Section T are met;
   d. Other commercial agricultural operations (any agricultural or horticultural use that is not authorized by other provisions of these Regulations), provided special permit approval is obtained in accordance with Article V, Section B;
   e. State-licensed group day care homes or State-licensed child day care centers as defined by the State Statutes. State-licensed family day care homes are specifically authorized in Article VII, Section D;
   f. Accessory commercial uses, such as a laundry or recreational facility, conducted primarily for the convenience of residents of an approved residential project, provided the use is located within a building.
   g. Farm Wineries.

4. **Uses Which May be Authorized in the Pleasant Valley Residence/Agriculture Zone by the Zoning Agent:**
   a. Agricultural and horticultural uses such as the keeping of farm animals, field crops, orchards, greenhouses, accessory buildings, etc., provided the provisions of Article X, Sections T are met;
   b. Dwelling units for property owners, managers, caretakers, or security personnel associated with a permitted agricultural use provided all residential structures are located on the same lot as the agricultural use.

## L. Uses Permitted In The Planned Business 1 Zone (Route 195/Route 6 Area)

### 1. General

The uses listed below in Section L.2 in separate categories and associated site improvements are permitted in the Planned Business 1 zones, provided any special requirements associated with a particular use are met, provided applicable provisions of Article X, Section A are met, and provided special permit approval is obtained in accordance with the provisions of Article V, Section B for any of the activities delineated in Article VII, Section A.2. Article VII, Sections A.3, A.4 and A.5 also include or reference provisions authorizing the Zoning Agent to approve changes in the use of existing structures or lots and authorizing the PZC Chairman and Zoning Agent to approve minor modifications of existing or approved site improvements.

### 2. Categories of permitted uses in the Planned Business 1 zone requiring special permit approval as per the provisions of Article V, Section B:

**a. Category A**

**1. Retail uses that comply with the following criteria:**

- the use results in a maximum of four separate stores, shops or businesses on the subject lot; and
- the use involves a maximum of two distinct or independent retail operations per store, shop or outdoor area
- any retail use selling food items also shall be considered and reviewed as a restaurant use if said use includes any seats or counter space or other provisions designed for food consumption within the subject building or on the subject site. Review factors such as adequacy of sanitary systems and parking areas, traffic impacts and waste disposal/litter issues shall be particularly important considerations;
- any uses initiating or promoting on-premises or onsite food consumption or on-premises food preparation shall obtain Planning and Zoning Commission approval as per the procedures contained in Article V, Section B.9. Depending on the nature of the food service use, special permit approval may be required by the Planning and Zoning Commission;
- except for Commission-authorized temporary uses associated with existing uses on a site, there shall be no transient uses of an outdoor area for food, produce or merchandise sales.

**2. Banks**

**b. Category B**

1. professional offices and personal services such as studios, beauty salons, barbers; photocopying services;
2. repair services or business, including the repair of bicycles, radios, televisions, home appliances, office equipment, computers, watches, clocks, shoes and similar uses, but excluding the repair of internal combustion engines;

**c. Category C**

State-licensed group day care homes or State-licensed child day care centers as defined by the State Statutes. State-licensed family day care homes are specifically authorized in Article VII, Section D.

**d. Category D**

Commercial printing or production accessory to an onsite retail business, provided the following conditions are met:

- the floor area used for such printing or production shall be limited to 3,000 square feet;
- not more than 5 employees shall be engaged in such printing or production;
- only manually or electrically driven machinery shall be used;
- all goods prepared shall be sold to customers on the premises

## e. Category E

**1. Retail uses that comply with the following criteria:**

- The use results in five or more separate stores or shops or businesses on the subject lot; or
- The use involves more than two distinct or independent retail operations per store, shop or outdoor area. (For example: a marketing operation where more than two independent merchants utilize a particular area)
- any retail use selling food items also shall be considered and reviewed as a restaurant use if said use includes any seats or counter space or other provisions designed for food consumption within the subject building or on the subject site. Review factors such as adequacy of sanitary systems and parking areas, traffic impacts and waste disposal/litter issues shall be considered;
- any uses initiating or promoting on-premises or onsite food consumption or on-premises food preparation shall obtain Planning and Zoning Commission approval as per the procedures contained in Article V, Section B.9. Depending on the nature of the food service use, special permit approval may be required by the Planning and Zoning Commission;
- Except for Commission-authorized temporary uses associated with existing uses on a site, there shall be no transient uses of an outdoor area for food, produce or merchandise sales.

**2. See Article VII, Section L.3. For special provisions for changes in use in existing shopping centers.**

## f. Category F

Commercial recreation facilities such as theaters, racquetball, tennis and physical fitness centers; and bowling alleys. All changes in use within this subsection require special permit approval.

## g. Category G

Game arcades as a primary (more than 3 games) and not accessory use, provided the following conditions are met:

1. there is adult supervision at all times;
2. the site:
   a. is located at least 500 feet (measured in a straight line from the nearest property lines) from a lot utilized as a place of religious worship or as a school, or from a residential zone boundary line, or
   b. is located within a shopping center containing five or more separate stores, shops or businesses that is at least 500 feet (measured in a straight line from the nearest property lines) from a lot utilized as a place of religious worship or as a school.

**h. Category H**

Reserved.

**i. Category I**

Brewpub/Restaurant and Brewery uses provided the site is served by public water and sanitary sewer systems.

**j. Category J**

1. Automotive sales
2. Automotive service stations and garages including the retail sale of automotive fuels
3. The sales, service and repair of motorcycles and small internal combustion engines such as lawn mowers, snowmobiles and chainsaws.

**k. Category K**

**1. Restaurants, provided the following conditions are met:**

a. all structures and parking areas are a minimum of 100 feet from residential zone boundaries or 100 feet from the property lines of an existing residence on an adjacent lot. This setback requirement may be reduced if the applicant can demonstrate to the satisfaction of the PZC that the subject uses will be effectively buffered from adjacent properties by existing or proposed vegetation, topographic features, walls, fences or other measures.

b. There shall be no drive-through food service.

**l. Category L**

Dry cleaning establishments and laundromats including self-service, provided the use is served by adequate public sewers.

**m. Category M**

Hotels, motels, tourist homes.

**n. Category N**

Adult-oriented establishments as defined and independently regulated by Mansfield's "Ordinance Regulating Adult-Oriented Establishments."

**3. Special Provisions for Changes in Use in Existing Shopping Centers:**
To allow more flexibility for changes in use within existing larger shopping centers, additional retail uses and/or certain changes in use may be authorized by the issuance of a zoning permit, provided the conditions cited below are met. Proposed changes that do not comply with these conditions must obtain Planning and Zoning Commission approval as per requirements for establishing a new use.

a. Uses that may be authorized within this category shall be limited to the following:

1. retail uses
2. banks

3. restaurants under 5,000 square feet in size with no outdoor window or drive-through food service
4. uses cited in Section M.2.b. (professional offices, personal services, repair services)

b. The shopping center contains 5 or more separate stores, shops or businesses;

c. The proposed changes result in no more than 2 additional stores, shops or businesses;

d. The proposed changes will not result in an overall intensification of health or safety impacts;

e. Any change in use involving the preparation and sale of food items shall require Planning and Zoning Commission approval.

f. The proposed changes are not in conflict with any approval conditions associated with a particular property or shopping center (or where applicable with the provisions of Article X, Section A);

g. The proposed changes do not involve site or building modifications affecting the overall layout, design or the nature of existing site improvements (see Article XI, Section D);

**4. Accessory Delivery Services**

Provided the standards noted below are met, accessory delivery services for uses permitted in the Planned Business 1 zone may be authorized through the issuance of a Certificate of Compliance:

a. The service utilizes no more than three (3) vehicles for delivery;

b. The owner/operator shall maintain on the premises proof of adequate automobile accident insurance for each delivery person;

c. No delivery vehicles may be parked on the premises other than during the business hours of the subject use unless specially designated parking areas have been approved by the Planning and Zoning Commission.

Any proposed delivery use not meeting these standards must obtain Planning and Zoning Commission approval as per the revision procedures of Article V, Section A.8 for site plan uses or Article V, Section B.9 for special permit uses.

## M. Uses Permitted in the Planned Business 2 Zone (Route 195/Dog Lane area)

**1. General**

The uses listed or referenced below in Section M.2 in separate categories and associated site improvements are permitted in the Planned Business 2 zones, provided any special requirements associated with a particular use are met, provided applicable provisions of Article X, Section A are met, and provided Special Permit approval is obtained in accordance with the provisions of Article V, Section B. for any of the activities delineated in Article VII, Section A.2. Article VII, Sections A.3, A.4 and A.5, also includes or references provisions authorizing the Zoning Agent to approve changes in the use of existing structures or lots and authorizing the PZC Chairman and Zoning Agent to approve minor modifications of existing or approved site improvements.

2. **Categories of permitted uses in the Planned Business 2 zone requiring special permit approval as per the provisions of Article V, Section B:**

   a. **<u>Category A</u>**

      1. Retail uses subject to the standards and requirements cited in Article VII, Section L.2.a.1
      2. Banks

   b. **<u>Category B</u>**

      1. Professional offices and personal services such as studios, beauty salons, barbers; photocopying services;
      2. Repair services or business, including the repair of bicycles, radios, televisions, home appliances, office equipment, computers, watches, clocks, shoes and similar uses, and also the repair of internal combustion engines provided that the repair service or business does not engage in the retail sale of gasoline, does not utilize underground storage tanks, consists of no more than (3) repair bays, and occupies less than 2,000 square feet of space.

   c. **<u>Category C</u>**

      State-licensed group day care homes or State-licensed child day care centers as defined by the State Statutes. State-licensed family day care homes are specifically authorized in Article VII, Section D.

   d. **<u>Category D</u>**

      Commercial printing or production accessory to an onsite retail business, subject to the standards and requirements cited in Article VII, Section L.2.d

   e. **<u>Category E</u>**

      Retail uses subject to the standards and requirements cited in Article VII, Section L.2.e

   f. **<u>Category F</u>**

      Commercial recreation facilities such as theaters, racquetball, tennis and physical fitness centers, and bowling alleys. All changes in use within this subsection require special permit approval.

   g. **<u>Category G</u>**

      Game arcades as a primary (more than 3 games) and not accessory use, subject to the standards and requirements cited in Article VII, Section L.2.g

   h. **<u>Category H</u>**

      Restaurants, subject to the standards and requirements cited in Article VII, Section L.2.k

   i. **<u>Category I</u>**

      Dry-cleaning establishments and laundromats, including self-service, provided the use is served by adequate public sewers

   j. **<u>Category J</u>**

      Hotels, motels, tourist homes.

**k. <u>Category K</u>**

Reserved.

**l. <u>Category L</u>**

Brewpub/Restaurant and Brewery uses provided the site is served by public water and sanitary sewer systems.

**m. <u>Category M</u>**

Chapels or other places of worship, providing seating is limited to no more than 120 persons.

**n. <u>Category N</u>**

Mixed-use projects consisting of one or more of the uses permitted in the Planned Business 2 zone and multi-family housing, provide that the site is served by adequate public sewers and public water.

**3. Special Provisions for Changes in Use - Existing Shopping Centers - The provisions of Article VII, Section L.3 are applicable in the Planned Business 2 zone.**

**4. Accessory Delivery Services -The provisions of Article VII, Section L.4 are applicable in the Planned Business 2 zone.**

## N. Uses Permitted In The Planned Business 3 Zone (Route 195/Route 44 Four Corners Area)

### 1. Intent

The Planned Business-3 zone is situated in the "Four Corners" area of Town at or near the intersection of State Routes 44 and 195. This historically important crossroads area has provided in part commercial services to Mansfield residents and visitors for over 200 years. Due in part to the lack of public sewer and water services, many properties in this area have deteriorated over the past few decades and a number of businesses have closed. Consistent with Mansfield's Plan of Conservation and Development, it is the Town's objective to revitalize the Four Corners area and Town officials are working to address existing infrastructure needs.

Due to current infrastructure deficiencies, the current listing of permitted uses in the Planned Business zone is limited. However, upon approval of commitments to provide public sewer and water services to this area, it is the intent of the Planning and Zoning Commission to review and, as appropriate, modify zone classifications and zone boundaries; the listing of permitted uses, maximum height and coverage requirements and all other associated land use regulations. In the interim, the Commission has established in Article X, Section A, initial design criteria that will help establish a design framework for the planned revitalization and growth of this area.

### 2. General

The uses listed or referenced below in Section N.2 in separate categories and associated site improvements are permitted in the Planned Business 3 zones provided:

a. Any special requirements associated with a particular use are met;

b. Applicable provisions of Article X, Section A are met;

c. Special Permit approval is obtained in accordance with the provisions of Article V, Section B for any of the activities delineated in Article VII, Section A.2. Article VII, Sections A.3, A.4 and A.5 also include or reference provisions authorizing the Zoning Agent to approve changes in the use of existing structures or lots and authorizing the PZC Chairman and Zoning Agent to approve minor modifications of existing or approved site improvements.

**3. Categories of Permitted Uses in the Planned Business 3 Zone Requiring Special Permit Approval as per the provisions of Article V, Section B:**

**a. <u>Category</u> A**

1. Retail uses subject to the standards and requirements cited in Article VII, Section L.2.a.1

2. Banks

**b. Category B**

1. Professional offices and personal services such as studios, beauty salons, barbers; photocopying services;

2. Repair services or business, including the repair of bicycles, radios, televisions, home appliances, office equipment, computers, watches, clocks, shoes and similar uses, and also the repair of internal combustion engines provided that the repair service or business does not engage in the retail sale of gasoline, does not utilize underground storage tanks, consists of no more than (3) repair bays, and occupies less than 2,000 square feet of space.

**c. Category C**

State-licensed group day care homes or State-licensed child day care centers as defined by the State Statutes. State-licensed family day care homes are specifically authorized in Article VII, Section D.

**d. Category D**

Commercial printing or production accessory to an onsite retail business, subject to the standards and requirements cited in Article VII, Section L.2.d

**e. Category E**

Retail uses subject to the standards and requirements cited in Article VII, Section L.2.e

**f. Category F**

Commercial recreation facilities such as theatres, racquetball, tennis and physical fitness centers; and bowling alleys. All changes in use within this subsection require special permit approval.

**g. Category G**

Game arcades as a primary (more than 3 games) and not accessory use, subject to the standards and requirements cited in article VII, Section L.2.g

**h. Category H**

1. Automobile sales, provided the number of cars offered for sale is limited to ten per lot.
2. Automotive service stations and garages including the retail sale of automotive fuels.
3. The sales, service and repair of motorcycles and small internal combustion engines such as lawn mowers, snowmobiles and chainsaws.

**i. Category I**

Reserved.

**j. Category J**

Brewpub/Restaurant uses provided the site is served by public water and sanitary sewer systems.

**k. Category K**

1. Restaurants, provided the following conditions are met:
   a. the site is served by adequate public water and sewer systems;
   b. all structures and parking areas are a minimum of 100 feet from residential zone boundaries or 100 feet from the property lines of an existing residence on an adjacent lot. This setback requirement may be reduced if the applicant can demonstrate to the satisfaction of the PZC that the subject uses will be effectively buffered from adjacent properties by existing or proposed vegetation, topographical features, walls, fences or other measures;
   c. there shall be no drive-through food service;

**l. Category L**

Hotels, motels, tourist homes, provided the site is served by adequate public water and sewer systems.

**m. Category M**

Adult-oriented establishments as defined and independently regulated by Mansfield's "Ordinance Regulating Adult-Oriented Establishments."

### 4. Special Provisions for Changes in Use

Existing Shopping Centers: The provisions of Article VII, Section L.3 are applicable in the Planned Business 3 zone.

### 5. Accessory Delivery Services

The provisions of Article VII, Section L.4 are applicable in the Planned Business 3 zone.

## O. Uses Permitted In The Planned Business 4 Zone (North Eagleville Rd./King Hill Rd. Area)

### 1. General

The uses listed or referenced below in Section O.2 in separate categories and associated site improvements are permitted in the Planned Business 4 zones,

provided any special requirements associated with a particular use are met, provided applicable provisions of Article X, Section A are met, and provided Special Permit approval is obtained in accordance with the provisions of Article V, Section B for any of the activities delineated in Article VII, Section A.2. Article VII, Sections A.3, A.4 and A.5 also include or reference provisions authorizing the Zoning Agent to approve changes in the use of existing structures or lots and authorizing the PZC Chairman and Zoning Agent to approve minor modifications of existing or approved site improvements.

**2. Categories of Permitted Uses in the Planned Business 4 Zone Requiring Special Permit Approval as per the Provisions of Article V, Section B:**

**a. Category A**

1. Retail uses subject to the standards and requirements cited in Article VII, Section L.2.a.1
2. Banks

**b. Category B**

1. Professional offices and personal services such as studios, beauty salons, barbers, photocopying services;
2. Repair services or business, including the repair of bicycles, radios, televisions, home appliances, office equipment, computers, watches, clocks, shoes and similar uses, but excluding the repair of internal combustion engines

**c. Category C**

State-licensed group day care homes or State-licensed child day care centers as defined by the State Statutes. State-licensed family day care homes are specifically authorized in Article VII, Section D.

**d. Category D**

Commercial printing or production accessory to an onsite retail business, subject to the standards and requirements cited in Article VII, Section L.2.d

**e. Category E**

Commercial parking lots and parking garages, subject to the standards and requirements cited in Article X, Sec. D

**f. Category F**

Retail uses subject to the standards and requirements cited in Article VII, Section L.2.e;

**g. Category G**

Commercial recreation facilities, subject to the standards and requirements cited in Article VII, Section L.2.f and provided all commercial recreation facilities with showers are served by adequate public sewers.

**h. Category H**

Game arcades subject to the standards and requirements cited in Article VII, Section L.2.g

**i. Category I**

Restaurants subject to the standards and requirements cited in Article VII, Section L.2.k.

**j. Category J**

Dry-cleaning establishments and laundromats, including self-service, provided the use is served by adequate public sewers;

**k. Category K**

Boarding houses, fraternity and sorority houses, provided the use is served by adequate public sewers and public water;

**l. Category L**

Reserved.

**m. Category M**

Brewpub/Restaurant and Brewery uses provided the site is served by public water and sanitary sewer systems;

**n. Category N**

Mixed-use projects consisting of one or more of the uses permitted in the Planned Business 4 zone and multi-family housing, in accordance with the Design Multiple Residence zone standards of Article X, Section A, provided the site is served by adequate public sewers and public water, the mixed uses are contained within the same building, the site contains at least 3,600 square feet of area for each dwelling unit, and the square footage utilized by residential use does not exceed fifty percent of the total square footage of the building.

### 3. Special Provisions for Changes in Use

Existing Shopping Centers: The provisions of Article VII, Section L.3 are applicable in the Planned Business 4 zone

### 4. Accessory Delivery Services

The provisions of Article VII, Section L.4 are applicable in the Planned Business 4 zone.

## P. Uses Permitted In The Planned Business 5 Zone (Route 32/Route 31 Area)

### 1. General

The uses listed or referenced below in Section P.2 in separate categories and associated site improvements are permitted in the Planned Business 5 zones, provided any special requirements associated with a particular use are met, provided applicable provisions of Article X, Section A are met, and provided Special Permit approval is obtained in accordance with the provisions of Article V, Section B for any of the activities delineated in Article VII, Section A.2. Article VII, Sections A.3, A.4 and A.5 also include or reference provisions authorizing the Zoning Agent to approve changes in the use of existing structures or lots and authorizing the PZC Chairman and Zoning Agent to approve minor modifications of existing or approved site improvements.

### 2. Categories of Permitted Uses in the Planned Business 5 Zone Requiring Special Permit approval as per the Provisions of Article V, Section B

**a. Category A**

1. Retail uses subject to the standards and requirements cited in Article VII, Section L.2.a.1
2. Banks

**b. Category B**

1. Professional offices and personal services such as studios, beauty salons, barbers; photocopying services;
2. Repair services or business, including the repair of bicycles, radios, televisions, home appliances, office equipment, computers, watches, clocks, shoes and similar uses, but excluding the repair of internal combustion engines.

**c. Category C**

State-licensed group day care homes or State-licensed child day care centers as defined by the State Statutes. State-licensed family day care homes are specifically authorized in Article VII, Section D.

**d. Category D**

Commercial printing or production accessory to an onsite retail business, subject to the standards and requirements cited in Article VII, Section L.2.d

**e. Category E**

Retail uses subject to the standards and requirements cited in Article VII, Section L.2.e

**f. Category F**

Commercial recreation facilities such as theatres, racquetball, tennis and physical fitness centers; and bowling alleys. All changes in use within this subsection require special permit approval.

**g. Category G**

Game arcades as a primary (more than 3 games) and not accessory use, subject to the standards and requirements cited in Article VII, Section L.2.g

**h. Category H**

Reserved.

**i. Category I**

Reserved.

**j. Category J**

1. Automotive sales
2. Automotive service stations and garages including the sale of gasoline and other automotive fuels
3. The sales, service and repair of motorcycles and small internal combustion engines such as lawn mowers, snowmobiles and chainsaws

**k. Category K**

Restaurants, subject to the standards and requirements cited in Article VII, Section M.2.k

**l. Category L**

Tourist homes as defined in Article IV, Section B.78;

**m. Category M**

Reserved.

**n. Category N**

Reserved.

**o. Category O**

Commercial greenhouses, nurseries;

**p. Category P**

Churches and other places of worship subject to the standards and requirements cited in Article VII, Section G.8 and Article X, Section O;

**q. Category Q**

Adult-oriented establishments as defined and independently regulated by Mansfield's "Ordinance Regulating Adult-Oriented Establishments."

**r. Category R**

Veterinary Hospitals provided potential noise impacts are addressed in association with the required Special Permit application;

### 3. Special Provisions for Changes in Use

Existing Shopping Centers: The provisions of Article VII, Section L.3 are applicable in the Planned Business 5 zone.

### 4. Accessory Delivery Services

The provisions of Article VII, Section L.4 are applicable in the Planned Business 5 zone.

## Q. Uses Permitted In The Business Zone

### 1. General

The uses listed below in Sections Q.2 and Q.3 in separate categories and associated site improvements are permitted in the Business zones, provided any special requirements associated with a particular use are met and provided either site plan or special permit approval is obtained (distinguished below in Sections Q.2 and Q.3) for any of the activities delineated in Article VII, Section A.2. Article VII, Sections A.3 and A. 4 also include or reference provisions authorizing the Zoning Agent to approve changes in the use of existing structures or lots and authorizing the PZC Chairman and Zoning Agent to approve minor modifications of existing or approved site improvements.

### 2. Categories of permitted uses in the Business Zone requiring site plan approval as per the provisions of Article V, Section A.

**a. Category A**

1. Retail uses that comply with the following criteria:

- the use results in a maximum of four separate stores, shops or businesses on the subject lot; and
- the use involves a maximum of two distinct or independent retail operations per store, shop or outdoor area
- any retail use selling food items also shall be considered and reviewed as a restaurant use if said use includes any seats or counter space or other provisions designed for food consumption within the subject building or on the subject site. Review features such as adequacy of sanitary systems and parking and waste disposal/litter issues shall be considered.

Any uses initiating or promoting on-premises or onsite food consumption or on-premises food preparation shall obtain Planning and Zoning Commission approval as per the procedures contained in Article V, Section B.9. Depending on the nature of the food service use, special permit approval may be required by the Planning and Zoning Commission.

2. Banks

**b. Category B**

1. professional offices and personal services such as studios, beauty salons, barbers;
2. repair services or business, including the repair of bicycles, radios, televisions, home appliances, office equipment, computers, watches, clocks, shoes and similar uses, but excluding the repair of internal combustion

**c. Category C**

Schools, libraries, State-licensed group day care homes or State-licensed child day care centers as defined by the State Statutes, and other educational facilities. State-licensed family day care homes are specifically authorized in Article VII, Section D.

**d. Category D**

Commercial printing or production accessory to an onsite retail business, provided the following conditions are met:

- the floor area used for such printing or production shall be limited to 3,000 square feet;
- not more than 5 employees shall be engaged in such printing or production;
- only manually or electrically driven machinery shall be used;
- all goods prepared shall be sold to customers on the premises

**e. Category E**

Commercial parking lots, provided the provisions of Article X, Section D are met.

**f. Category F**

One single or one two-family dwelling per 8,000 square foot lot.

**3. Categories of permitted uses in the Business Zone requiring special permit approval as per the provisions of Article V, Section B.**

**a. Category A**

1. Retail uses that comply with the following criteria:

- The use results in five or more separate stores or shops or businesses on the subject lot; or
- The use involves more than two distinct or independent retail operations per store, shop or outdoor area. (For example: a flea market operation where more than two independent merchants utilize a particular area.)
- Any retail use selling food items also shall be considered and reviewed as a restaurant use if said use includes any seats or counter space or other provisions designed for food consumption within the subject building or on the subject site. Review features such as adequacy of sanitary systems and parking and waste disposal/litter issues shall be considered.

  Any uses initiating or promoting on-premises or onsite food consumption or on-premises food preparation shall obtain Planning and Zoning Commission approval as per the procedures contained in Article V, Section B.9. Depending on the nature of the food service use, special permit approval may be required by the Planning and Zoning Commission.

2. See Article VII, Section L.4.for special provisions for changes in use in existing shopping centers.

**b. Category B**

Commercial recreation facilities such as theaters, racquetball, tennis and physical fitness centers; and bowling alleys. All changes in use within this subsection require special permit approval.

**c. Category C**

Game arcades as a primary (more than 3 games) and not accessory use, provided the following conditions are met:

1. There is adult supervision at all times;
2. The site:
   a. is located at least 500 feet (measured in a straight line from the nearest property lines) from a lot utilized as a place of religious worship or as a school, or from a residential zone boundary line, or
   b. is located within a shopping center containing five or more separate stores, shops or businesses that is at least 500 feet (measured in a straight line from the nearest property lines) from a lot utilized as a place of religious worship or as a school.

**d. Category D**

1. Automotive sales
2. Automotive service stations and garages including the sale of gasoline and other automotive fuels
3. The sales and repair of motorcycles and small internal combustion engines such as lawn mowers, snowmobiles and chainsaws.

**e. Category E**

1. Restaurants, provided the following conditions are met:

   a. all structures and parking areas are a minimum of 100 feet from residential zone boundaries or 100 feet from the property lines of an existing residence on an adjacent lot. This setback requirement may be reduced if the applicant can demonstrate to the satisfaction of the PZC that the subject uses will be effectively buffered from adjacent properties by existing or proposed vegetation, topographic features, walls, fences or other measures.

   b. There shall be no drive-through food service.

**f. Category F**

Dry cleaning establishments, including self-service, provided the use is served by public sewers.

**g. Category G**

1. Hotels, motels, tourist homes
2. Boarding Houses, Fraternity and Sorority Houses

**h. Category H**

Reserved.

**i. Category I**

Expansions of existing mobile manufactured housing parks provided special permit approval is obtained in accordance with the provisions of Art. X, Sec. F and Art. V, Sec. B.

**4. Special Provisions for Changes in Use - Existing Shopping Centers**

To allow more flexibility for changes in use within existing larger shopping centers, additional retail uses and/or certain changes in use may be authorized by the issuance of a zoning permit provided the conditions cited below are met. Proposed changes that do not comply with these conditions must obtain Planning and Zoning Commission approval as per requirements for establishing a new use.

a. Uses that may be authorized within this category shall be limited to the following:

   1. retail uses
   2. banks
   3. restaurants under 5,000 square feet in size with no outdoor window or drive-through food service
   4. uses cited in Section L.2.b. (professional offices, personal services, repair services)

b. The shopping center contains 5 or more separate stores, shops or businesses;

c. the proposed changes result in no more than 2 additional stores, shops or businesses;

d. the proposed changes will not result in an overall intensification of health or safety impacts;

e. the proposed changes are not in conflict with any approval conditions associated with a particular property or shopping center (or where applicable with the provisions of Article X, Section A);

f. the proposed changes do not involve site or building modifications affecting the overall layout, design or the nature of existing site improvements (see Article XI, Section D);

**5. Accessory Delivery Services**

Provided the standards noted below are met, accessory delivery services for uses permitted in the business zone may be authorized through the issuance of a Certificate of Compliance:

a. The service utilizes no more than three (3) vehicles for delivery

b. The owner/operator shall maintain on the premises proof of adequate automobile accident insurance for each delivery person.

c. No delivery vehicles may be parked on the premises other than during the business hours of the subject use unless specially designated parking areas have been approved by the Planning and Zoning Commission.

Any proposed delivery use not meeting these standards must obtain Planning and Zoning Commission approval as per the revision procedures of Article V, Section A.8 for site plan uses or Article V, Section B.9 for special permit uses.

## R. Uses Permitted In The Neighborhood Business 1 Zones (Route 44/Mansfield Depot Area; Route 195/32 Area; Route 195/Spring Hill Rd. Area; Route 32/Eagleville Area)

**1. General**

The uses listed below in Section R.2 in separate categories and associated site improvements are permitted in the Neighborhood Business 1 zones, provided any special requirements associated with a particular use are met, provided the square footage provisions of Section R.2 are met, provided applicable provisions of Article X, Section A are met, and provided special permit approval is obtained in accordance with Article V, Section B for any of the activities delineated in Article VII, Section A.2. Article VII, Sections A.3, A.4 and A.5 also include or reference provisions authorizing the Zoning Agent to approve changes in the use of existing structures or lots and authorizing the PZC Chairman and Zoning Agent to approve minor modifications of existing or approved site improvements.

**2. Categories of Permitted Uses in the Neighborhood Business 1 Zones requiring special permit approval as per the provisions of Article V, Section B:**

No new structures in the Neighborhood Business 1 zones shall exceed 3,000 square feet in total floor area or exceed 2,000 square feet of floor area on the first floor of the building. Expansions of structures may be authorized as follows:

- Structures in existence prior to January 1, 1996 may be expanded by up to ten percent (10%) of the square footage of total floor area existing as of 1/1/96 even

if the resultant square footage exceeds the size limits cited above for new structures;

- Any structure may be expanded up to the size limits cited above for new structures.

**a. Category A**

1. Retail stores that comply with the following criteria:

    a. There is a maximum of four separate stores, shops or businesses on the subject lot;

    b. There is a maximum of two distinct or independent retail operations per store, shop or outdoor area;

    c. Any retail use involving on-premises or onsite food consumption or on-premises food preparation shall obtain special permit approval before the food consumption or preparation aspect of the retail use is initiated. Review factors such as the adequacy of sanitary systems and parking areas, traffic impacts and waste disposal and litter issues shall be particularly important considerations.

    d. Except for Commission-authorized temporary uses associated with existing uses on a site, there shall be no transient uses of an outdoor area for food, produce or merchandise sales.

2. Banks

**b. Category B**

1. Professional offices and personal service uses except for the following uses, which are not permitted in this zone: beauty salons, printers, photographic processors, dry cleaners, laundries, furniture makers or strippers, pest control businesses, commercial lawn care businesses, or other uses which produce non-domestic sewage as defined by the State Department of Environmental Protection

2. Repair services or businesses, including the repair of bicycles, radios, televisions, home appliances, office equipment, computers, watches, clocks, shoes and similar uses, but excluding the repair of internal combustion engines or radiators.

**c. Category C**

State-licensed group day care homes or State-licensed child day care centers as defined by the State Statutes. State-licensed family day care homes are specifically authorized in Article VII, Section D.

**d. Category D**

Commercial recreation centers for exercise or dance classes, arts and crafts classes and similar uses, provided there are no shower facilities and sanitary wastes are considered domestic sewage as defined by the State Department of Environmental Protection.

**e. Category E**

Tourist homes as defined in Article IV, Section B.78

**f. Category F**

Mixed-use projects consisting of one or two residential dwelling units as part of a commercial building having one or more of the uses permitted in the Neighborhood Business 1 zone

**g. Category G**

Reserved.

**h. Category H**

Restaurants, provided the following conditions are met:

1. All structures and parking areas are a minimum of 100 feet from residential zone boundaries or 100 feet from the property lines of an existing residence on an adjacent lot. This setback requirement may be reduced if the applicant can demonstrate to the satisfaction of the PZC that the subject uses will be effectively buffered from adjacent properties by existing or proposed vegetation, topographic features, walls, fences or other measures.
2. There shall be no drive-through food service.

### 3. Accessory Delivery Services

Provided the standards noted below are met, accessory delivery services for uses permitted in the Neighborhood Business 1 zone may be authorized through the issuance of a Certificate of Compliance:

a. The service utilizes no more than three (3) vehicles for delivery;

b. The owner/operator shall maintain on the premises proof of adequate automobile accident insurance for each delivery person.

c. No delivery vehicles may be parked on the premises other than during the business hours of the subject use unless specially designated parking areas have been approved by the Planning and Zoning Commission.

Any proposed delivery use not meeting these standards must obtain Planning and Zoning Commission approval as per the revision procedures of Article V, Section B.9 for special permit uses.

## S. Uses Permitted In The Neighborhood Business 2 Zone (Route 195/Mansfield Center Area)

### 1. General

The uses listed below in Section S.2 in separate categories and associated site improvements are permitted in the Neighborhood Business 2 zones, provided any special requirements associated with a particular use are met, provided the square footage provisions of Section S.2 are met, provided applicable provisions of Article X, Section A are met, and provided special permit approval is obtained in accordance with Article V, Section B for any of the activities delineated in Article VII, Section A.2, Article VII. Sections A.3, A.4 and A.5 also include or reference provisions authorizing the Zoning Agent to approve changes in the use of existing structures or lots and authorizing the PZC Chairman and Zoning Agent to approve minor modifications of existing or approved site improvements.

2. **Categories of Permitted Uses in the Neighborhood Business 2 zones requiring special permit approval as per the provisions of Article V, Section B:**

No new structures in the Neighborhood Business 2 zones shall exceed 3,000 square feet in total floor area or exceed 2,000 square feet of floor area on the first floor of the building. Expansions of structures may be authorized as follows:

- Structures in existence prior to January 1, 1996 may be expanded by up to ten percent (10%) of the square footage of total floor area existing as of 1/1/96 even if the resultant square footage exceeds the size limits cited above for new structures;
- Any structure may be expanded up to the size limits cited above for new structures.

**a. Category A**

1. Retail uses subject to the standards and requirements cited in Article VII, Section Q.2.a
2. Banks

**b. Category B**

1. Professional offices and personal service uses except for the following uses, which are not permitted in this zone: beauty salons, printers, photographic processors, dry cleaners, laundries, furniture makers or strippers, pest control businesses, commercial lawn care businesses, or other uses which produce non-domestic sewage as defined by the State Department of Environmental Protection.
2. Repair services or businesses including the repair of bicycles, radios, televisions, home appliances, office equipment, computers, watches, clocks, shoes and similar uses, but excluding the repair of internal combustion engines or radiators.

**c. Category C**

State-licensed group day care homes or State-licensed child day care centers as defined by the State Statutes. State-licensed family day care homes are specifically authorized in Article VII, Section D.

**d. Category D**

Commercial recreation centers for exercise or dance classes, arts and crafts classes and similar uses, provided there are no shower facilities and sanitary wastes are considered domestic sewage as defined by the State Department of Environmental Protection.

**e. Category E**

Tourist homes as defined in Article IV, Section B.78

**f. Category F**

Mixed use projects consisting of one or two residential dwelling units as part of a commercial building and one or more of the uses permitted in the Neighborhood Business 2 zone.

**g. Category G**

Reserved.

**h. Category H**

Place of Assembly-Banquet Hall. A hospitality use group that is specific to special events/special occasions such as weddings, wedding receptions, rehearsals and banquets generally not used on a daily basis.

**3. Accessory Delivery Services - The provisions of Article VII, Section Q.5 are applicable in the Neighborhood Business-2 zones.**

## T. Uses Permitted In The Professional Office 1 Zones (Route 195/Hanks Hill Rd. Area, Route 44/Route 195 Four Corners Area, Route 195/Mansfield Center Area And Other Sites On Route 195)

**1. General**

The uses listed below in Section T.2 and T.3 in separate categories and associated site improvements are permitted in the Professional Office 1 Zone, provided any special requirements associated with the use are met; provided applicable provisions of Article X, Section A are met; and provided either site plan or special permit approval is obtained (distinguished below in T.2 and T.3) for any of the activities delineated in Article VII, Section A.2. Article VII, Sections A.3, A.4 and A.5 also include or reference provisions authorizing the Zoning Agent to approve changes in the use of existing structures or lots and authorizing the PZC Chairman and Zoning Agent to approve minor modifications of existing or approved site improvements.

**2. Categories of Permitted Uses in the Professional Office 1 Zone Requiring Site Plan Approval as per the Provisions of Article V, Section A:**

**a. Category A**

Offices for medical, legal, real estate, insurance, financial, engineering, architectural and counseling services, offices for educational, charitable and civic organizations, and other office uses of a similar nature.

**b. Category B**

One dwelling unit, provided it is on the same property as a professional office.

**3. Categories of Permitted Uses in the Professional Office 1 Zone Requiring Special Permit Approval as per the Provisions of Article V, Section B:**

**a. Category A**

State-licensed group day care homes or State-licensed child day care centers as defined by the State Statutes; State-licensed family day care homes are specifically authorized in Article VII, Section D.

## U. Uses Permitted In the Pleasant Valley Commercial/Agriculture Zone (Land south of Pleasant Valley Road and east of Mansfield Avenue)

**1. Intent**

The PVCA zone has been established with special provisions for a distinct area of

Mansfield located south of Pleasant Valley Road between Mansfield Avenue and the Flood Hazard Zone containing Conantville Brook. This area has been zoned for decades for intensive industrial and commercial use, but it has remained primarily agricultural. This area is no longer considered appropriate for intensive industrial and commercial use due to access limitations, special agricultural, floodplain, wetland, and aquifer characteristics that warrant protection and preservation, site visibility and scenic character, neighboring agricultural and residential uses and other Plan of Conservation and Development goals, objectives and recommendations. Due primarily to the fact that this area is one of a very limited number in Mansfield that have access to public sewer and water systems, some lower intensity industrial and commercial uses are considered appropriate for portions of this district, but only if designed, constructed, and utilized in a manner compatible with Plan of Conservation and Development recommendations and neighboring land uses. Accordingly, the PVCA zone is subject to special provisions designed to preserve significant areas of prime agricultural land, to protect important natural and scenic resources, and to address other important regulatory objectives.

**2. General**

**The uses listed below in Sections U3 and U4 and associated site improvements are permitted in the PVCA zone, provided:**

a. Any special requirements associated with a particular use are met;
b. Except as noted below, all uses permitted in the PVCA zone shall be served by adequate public sewer and water supply systems. On a case-by-case basis the Planning and Zoning Commission shall have the right to authorize the use of onsite sanitary waste disposal and/or water supply systems for permitted uses provided it is documented to the Commission's satisfaction that there is a low risk of aquifer contamination or other health, safety or environmental problems.
c. Applicable provisions of Article X, Section A (Design Development Districts) and Article VI, Sections A and B (Performance Standards) are met: and
d. With the exception of those uses included in U.4 below, special permit approval is obtained in accordance with the provisions of Article V, Section B for any of the activities delineated in Article VII, Section A.2.

Article VII, Sections A.3., A.4 and A.5 also include or reference provisions authorizing the Zoning Agent to approve certain changes in the use of existing structures or lots and authorizing the PZC Chairman and Zoning Agent to approve minor modifications of existing or approved site improvements. All changes in use in the PVCA zone require Planning and Zoning Commission approval in accordance with the provisions of Article VII, Section A.4.

**3. Categories of Permitted Uses in the Pleasant Valley Commercial/Agriculture Zone Requiring Special Permit Approval as per the Provisions of Article V, Section B. and Applicable Provisions of Article X. Section A.**

a. Research and development laboratories and related facilities and the production, processing, assembly and distribution of prototype or specialized products which require a high degree of scientific input and on-site technical supervision. Specialized products that may be authorized include but shall not be limited to the following: precision mechanical and electronic equipment; business machines; computer components; optical products; medical, dental and scientific

supplies and apparatus; and precision instruments;

All genetic or bio-engineering research or development activities and the creation of biogenetic products are limited to those permitted in bio-safety level 1 and 2 (BL-1 and BL-2) laboratories as per the current "Guidelines" of the National Institutes of Health regarding research involving recombinant DNA molecules. The keeping and utilization of small animals for scientific purposes is authorized, provided the animals are kept in an enclosed portion of a building located on the subject lot or in areas specifically approved by the Planning and Zoning Commission;

b. Commercial printing and reproduction services and the industrial production, processing, assembly and/or distribution of products not specified in Section 3a above, provided the nature, size and intensity of the proposed use complies with environmental, traffic safety, neighborhood impact and all other special permit approval criteria;
c. Business and Professional Offices;
d. Repair services for electronic and mechanical equipment, office equipment, home appliances, bicycles and recreational equipment and similar uses;
e. Commercial recreation facilities, such as tennis clubs and physical fitness centers;
f. Radio, television and other communication facilities but excluding communication towers or other structures that exceed the maximum height provisions for the PVCA zone;
g. Veterinary hospitals and commercial kennels boarding or breeding two or more animals provided potential noise impacts are addressed in association with the required Special Permit application;
h. Repair services for agricultural and commercial vehicles, machinery and equipment and automobile and truck repair services; however, auto salvage operations are not permitted;
i. State licensed group daycare homes or state licensed childcare centers as defined by State Statutes;
j. Permanent retail sales outlets for agricultural and horticultural products, provided all the standards and requirements of Article X, Section T are met;
k. Other commercial agricultural operations (any agricultural or horticultural use that is not authorized by other provisions of these Regulations).
l. Accessory retail sales and accessory storage and warehousing for any permitted use authorized within Section 3.
m. Farm Wineries.

**4. Uses Which May be Authorized in the Pleasant Valley Commercial/Agriculture Zone by the Zoning Agent:**

a. Agricultural and horticultural uses such as the keeping of farm animals, field crops, orchards, greenhouses, accessory buildings, etc., provided the provisions of Article X, Sections T are met;
b. Dwelling units for property owners, managers, caretakers, or security personnel associated with a permitted agricultural use provided all residential structures are located on the same lot as the agricultural use.
c. Accessory cafeterias or retail shops conducted primarily for the convenience of employees, provided the use is located within a building and there are no advertising or exterior displays.

## V. Uses Permitted In The RD/LI (Research And Development/Limited Industrial) Zone (Route 44/North Eagleville Rd. Area)

### 1. Intent

This zoning district has been established to provide economic opportunities for research and development and limited industrial and commercial uses in areas specifically designated in the Town's Plan of Development. Permitted uses are specifically oriented toward research and development and high technology operations requiring a high degree of scientific input and uses which would be compatible with a research park environment and neighboring land uses.

### 2. General

**The uses listed below in Section V.3 through V.4 and associated site improvements are permitted in the Research and Development/Limited Industrial Zone, provided:**

a. Any special requirements associated with a particular use are met;

b. The subject use(s) are served by adequate public sewer and water systems;

c. Applicable provisions of Article X, Section A and Article VI, Sections A and B (Performance Standards) are met; and

d. With the exception of those uses included in V.4 below, special permit approval is obtained for any of the activities delineated in Article VII, Section A.2.

Article VII, Sections A.3, A.4 and A.5 also include or reference provisions authorizing the Zoning Agent to approve certain changes in the use of existing structures or lots and authorizing the PZC Chairman and Zoning Agent to approve minor modifications of existing or approved site improvements. All changes in use in the RD/LI Zone require Planning and Zoning Commission approval in accordance with the provisions of Article VII, Section A.4.

### 3. Permitted Uses in the RD/LI Zone requiring Special Permit Approval as per the Provisions of Article V, Section B

a. Research and development laboratories and related facilities and the production, processing, assembly and distribution of prototype or specialized products which require a high degree of scientific input and on site technical supervision. Specialized products that may be authorized include but shall not be limited to the following: precision mechanical and electronic equipment; business machines; computer components; optical products; medical, dental and scientific supplies and apparatus; and precision instruments;

   All genetic or bio-engineering research or development activities and the creation of biogenetic products are limited to those permitted in Class P-1 or P-2 laboratories as per the current "Guidelines" of the National Institutes of Health regarding research involving recombinant DNA molecules. The keeping and utilization of small animals for scientific purposes is authorized, provided the animals are kept in an enclosed portion of a building located on the subject lot or in areas specifically approved by the Planning and Zoning Commission;

b. Commercial printing and reproduction services and other industrial production, processing, assembly and/or distribution of products, provided the nature, size and intensity of the proposed use is consistent with and complementary to the

other permitted uses in this zone. Industrial uses generally categorized as "Heavy Industry" are not considered appropriate uses in the RD/LI Zone.

c. Hotels, conference centers with accessory commercial uses such as restaurants and retail shops that are located in the same building as the hotel or conference center. All food service shall be to customers seated at tables or seated at counters within a building or at outdoor seating authorized by the Planning and Zoning Commission. There shall be no outdoor window service or drive-through food service.

d. Business and professional offices;

e. Public or private educational facilities and uses, State-licensed child day care centers as defined by the State Statutes;

f. Recreational facilities, such as tennis, racquetball and fitness clubs;

g. Parking garages

h. Radio, television and other communication facilities;

**4. Uses Which May Be Authorized in the Research and Development/Limited Industrial Zone Through the Issuance of a Zoning Permit**

a. Agricultural and horticultural uses, such as field crops, orchards and greenhouses, fish harvesting and accessory buildings, provided all applicable provisions of Article X, Section T are complied with. Livestock and poultry operations and the production or processing of fertilizers, forest or mineral products are specifically excluded in this zone;

b. Accessory facilities and uses, which are customarily associated with a permitted use. Accessory uses may include, but shall not be limited to:

1. Accessory cafeterias or retail shops, conducted primarily for the convenience of employees, provided the use is located within a building and there are no advertising signs or exterior displays;

2. Dwelling units for caretaker/security personnel, provided residential structures are located on the same lot as a permitted use;

## W. Permitted Uses In The Flood Hazard Zone

The uses listed below in separate categories are permitted in the Flood Hazard Zones provided the provisions of Article X, Section E. are met and provided special permit approval is obtained in accordance with the provisions of Article V, Section B.

1. Agricultural and horticultural uses such as dairies and the keeping of farm animals, field crops, orchards, greenhouses, fish harvesting and accessory buildings, etc., provided the provisions of Article VII, Sections G.13 through G.15 are met, but specifically excluding commercial caged poultry or caged livestock operations and other intense commercial agricultural uses and the production or processing of fertilizers, forest, or mineral products;

2. Open Space Recreational Uses;

3. Parking Areas;

4. Accessory buildings as per the provisions of Article VII, Section D.7;

5. Sand and Gravel removal or fill operations as per the provisions of Article VII, Section D.11;
6. Hydropower Facilities;
7. Swimming pools as per the provisions of Article VII, Section D.14

## X. Uses Permitted In The Institutional Zone

The uses listed below in separate categories are permitted in the Institutional zone subject to any requirements and standards set forth herein and all other applicable requirements of these Regulations.

1. Buildings and facilities owned and/or operated by the State of Connecticut or Federal government, provided the uses are governmental and not proprietary in nature, and provided the use does not involve the transportation of hazardous or radioactive materials from other sites to a storage or processing or disposal facility in Mansfield; (if questions arise, the Planning and Zoning Commission shall determine whether a proposed use may be included in this category);
2. Governmentally-owned and operated buildings and facilities involving the transportation of hazardous or radioactive materials from other sites to a storage or processing or disposal facility in Mansfield, provided special permit approval is obtained in accordance with Article V, Section B. All changes in use within this subsection require special permit approval;
3. Other uses listed in Article VII, Section D subject to provisions cited in Article VII, Section D and compliance with all other applicable requirements of these Regulations;
4. Single-family, two-family or multi-family housing in accordance with the Design Multiple Residence standards of Article X, Section A, provided the site is served by adequate public sewer and water and provided special permit approval is obtained in accordance with Article V, Section B;
5. Boarding houses and fraternity and sorority houses, provided that requirements of Article X, Section A are met and provided special permit approval is obtained in accordance with Article V, Section B;
6. Churches, other places of worship and identified accessory uses, provided the requirements of Article X, Section P are met and provided special permit approval is obtained in accordance with Article V, Section B. Buildings and uses that may be authorized under this section are cited in Article VII, Section G.8;
7. State-licensed group day care homes or State-licensed child day care centers as defined by the State Statutes, and other educational facilities, provided special permit approval is obtained in accordance with Article V, Section B;
8. Professional offices and other commercial uses that are directly related to and complementary to an existing governmental use located in the same institutional zone, provided special permit approval is obtained in accordance with Article V, Section B.

## Y. Uses Permitted in the Storrs Center Special Design District

The uses permitted in the Storrs Center Special Design District are identified in Article X, Section S.

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# Article Eight

**SCHEDULE OF DIMENSIONAL REQUIREMENTS**

Unless specific exceptions are noted in other sections of these regulations, (particularly Article VIII, Section B, Article VII and Article X), this schedule of dimensional requirements shall apply to all lots, buildings, structures and site improvements, including parking, loading, outdoor recreational facilities such as tennis, volleyball or basketball courts that are distinct from driveway /parking areas or lawns, and outside storage areas. See other side of this page for notes included in this Schedule.

| ZONE | MINIMUM LOT AREA/ACRES See Notes (3) (4) (18) | MINIMUM LOT FRONTAGE/FT See Notes (4)(6)(7)(13)(16) | MIN. FRONT SETBACK LINE (IN FEET) See Notes (4)(8)(9)(15)(16) (17)(21) | MIN. SIDE SETBACK LINE (IN FEET) See Notes (4)(10)(11)(15)(16) (17)(21) | MIN. REAR SETBACK LINE (IN FEET) See Note (4)(15)(16) (17)(21) | MAXIMUM HEIGHT See Note (14)(17) | MAXIMUM BUILDING GROUND COVERAGE (17) |
|---|---|---|---|---|---|---|---|
| R-20 | 20,000 | 125 | 40 | 15 | 50 | 35 | |
| R-90/RAR-90 | 90,000 | 200 | 60 | 35 | 50 | 35 | |
| AHR: SEE NOTE (1) | 5 ACRES | 50 | 50 | 50 | 50 | 40 | 25% |
| DMR: SEE NOTE (1) | 5 ACRES | 300 | 100 | 50 | 50 | 40 | 25% |
| PRD: SEE NOTE (1) | 3 ACRES | 300 | 100 | 50 | 50 | 40 | |
| B | SEE NOTE (5) | 100 | 25 | 20 | 25 | 40 | 20% |
| NB-1,NB-2: SEE NOTE (1) | SEE NOTE (5) | 200 | 60 | 50 | 50 | 35 | 10% |
| PB-1, PB-2, PB-3, PB-4, PB-5, I: SEE NOTE (1) | SEE NOTE (5) | 300 | 30 (See Note 22) | 30 on at least one side; other side may be zero; (see note 22) | 30 (see note 22) | 40 (SEE NOTE 19) | (PB-1) 25% 20% |
| PO-1, SEE NOTE (1) | 2 ACRES | 150 | 60 | 25 | 50 | 40 | 15% |
| RD/LI | SEE NOTE (5) | 150 | (ARTERIAL 100 ST) (OTHER 50 STREETS) | 30 | 30 | 40 (SEE NOTE 12) | 25% |
| I | SEE NOTE (5) | 300 | 100 | 50 | 50 | 50 | 20% |
| SC-SDD | SEE NOTE (20) | SEE NOTE (20) | SEE NOTE (20) | SEE NOTE (20) | SEE NOTE (20) | SEE NOTE (20) | SEE NOTE (20) |
| PVRA, PVCA: SEE NOTE (1) | See Note 5 | 200 | 200 | 50 | 50 | 40 | 25% |

FH SEE NOTE (2) FOR ALL CATEGORIES

# Notes Schedule Of Dimensional Requirements

1. See Article X, Section A for Special Design Development District requirements, including minimum acreage required to establish a new zone.
2. See Article X, Section E for Flood Hazard Zone requirements.
3. Larger lots may be required in areas with inland wetland soils and watercourses, visible ledge or steep slopes. See Article VIII, Section B.5.
4. Special provisions apply to non-conforming lots of record. See Article VIII, Section B.
5. No minimum lot area has been designated for this zone. The required lot area shall be governed by the required setbacks, parking and loading areas and other provisions of these Regulations.
6. The minimum lot frontage shall be continuous and uninterrupted along a street line. In residential zones, corner lots situated at the junction of two or more streets shall be required to have the minimum frontage along all abutting streets.
7. Where the front lot line is an arc or the sidelines converge toward the front lot line, the required frontage shall be measured along the front setback line, which shall be parallel to the street line.
8. All setbacks from the front lot line shall be measured in accordance with the provisions of Article VIII, Section 7 (Highway Clearance Setback).
9. On lots abutting more than one street, the minimum setback from the front lot line shall be required along all streets.
10. Lot lines on corner lots which abut side lot lines of adjacent lots shall be considered side lot lines and applicable side lot line setback shall be met.
11. All development on lots that adjoin a residential zone having greater side lot line setbacks shall comply with the side lot line setbacks of the adjacent residential zone.
12. A maximum height of 80 (eighty) feet shall apply to hotel/conference center structures.
13. Lot frontage requirements for business and residential uses within specified zones may be waived by the Planning and Zoning Commission for private roads, provided special permit approval is obtained (see Article VIII, Section B.3.d).
14. A maximum height of 45 (forty-five) feet may be applied per Article X, Section G.3, Height of Buildings.
15. Whenever a right-of-way exists for a future street, all new buildings, structures and site improvements shall, with respect to the right-of-way, meet the minimum setbacks from front lot lines as if the right-of-way included an existing street.
16. Special frontage and setback provisions may apply to subdivision lots and associated building area envelopes approved after February 20, 2002. See Article VIII, Section B.5 and applicable provisions of Mansfield's Subdivision Regulations.
17. Special provisions for dimensional requirements apply for all buildings, structures and site improvements approved after June 1, 2004 that are located within a designated Design Development District (see Article X, Section A.4.d).
18. For all subdivision lots in the R-90 and RAR-90 zones approved after June 1, 2006, the Planning and Zoning Commission shall have the right to authorize or require the minimum acreage for each new subdivision lot to be reduced to less than 90,000 square feet in size. (See Article VIII, Section B.6.b and applicable provisions of Mansfield's Subdivision Regulations.)
19. A maximum building height of 60 feet may be applied to any proposed building in the PB-2 zone district that is located within 250 feet of any other building at least 65 feet in height.
20. Article X, Section S contains or references applicable dimensional requirements in the Storrs Center Special Design District.
21. The Planning and Zoning Commission shall have the authority to reduce or increase front, side and/or rear setback line requirements for properties within one of the ten (10) historic village areas identified in Article X, Section J. Setback reductions or increases shall only be approved or required where the reduction or increase in setback is considered necessary to address the special historic village area review criteria contained in Article X, Section J.2.
22. If a property in one of the listed zones abuts a residentially owned property, then the yard that is adjacent to such residentially owned property shall meet the following applicable requirement: Front Yard – 100 feet; Side Yard – 50 feet; Rear Yard – 50 feet. Larger setbacks may also be required to ensure compliance with the Town's Fire Lane Ordinance (Chapter 125 of the Mansfield Code of Ordinances).

# Dimensional Requirements/Floor Area Requirements

## A. Schedule Of Dimensional Requirements

Unless specific exceptions are noted in other sections of these regulations, all lots, buildings, structures and site improvements, including parking, loading, outdoor recreational facilities such as tennis, volleyball or basketball courts that are distinct from driveway /parking areas or lawns, and outside storage areas erected or altered after the enactment of these Zoning Regulations, shall conform to the dimensional requirements for the subject zone in which the building, lot, structure or improvement is located as specified in the Schedule of Dimensional Requirements which is included in these Regulations.

## B. Exceptions To The Schedule Of Dimensional Requirements And Special Dimensional Provisions

### 1. General Provisions

a. **Corner visibility** - Between the building setback lines and the front property lines of a corner lot, no fence, wall, hedge, plantings, lawn ornaments or other visual obstructions shall be located or maintained which impede visibility along adjacent streets and create or aggravate vehicular or pedestrian safety problems. No fence, wall or hedge along the street sides of corner lots shall be over two and one-half feet in height.

b. **Agricultural structures/manure pit** - Article X Section T includes special setback provisions for agricultural uses and structures.

c. **Fences, walls, hedges, driveways, wells, septic systems** - Unless regulated by other sections of these zoning regulations, by the development area envelope provisions of the Subdivision Regulations (applies to lots approved after June 30, 2002) or provisions of the Inland Wetland Regulations, State Health Department or other agency having regulatory jurisdiction, fences, walls, hedges, driveways, wells and septic systems are not required to comply with the minimum setback provisions of the Schedule of Dimensional Requirements.

d. **Storage sheds** - Accessory storage sheds shall meet applicable setbacks from front lot lines but setbacks from side or rear lot lines may be reduced to ten feet provided the storage shed does not exceed 10 feet in height or 200 square feet in area; provided the shed is not utilized as a garage for motor vehicles and provided the shed is not utilized to house animals or humans. This exception provision shall not apply to subdivision lots and associated building area envelopes approved after February 20, 2002. On a subdivision lot approved after February 20, 2002, the Commission may grant an exception for a storage shed that is not within an approved building area envelope, provided the standards cited above in this subsection are met, the shed is within a Commission-approved development area envelope, and the shed location is consistent with subdivision standards regarding the protection of significant natural and manmade features and/or scenic views and vistas. See Article VIII, Section B.5 and applicable provisions of Mansfield's Subdivision Regulations.

e. **Swimming pools** - Swimming pools shall meet all applicable setbacks from front, side and rear lot lines, but in no case shall a swimming pool be located closer to a front lot line than an existing or proposed residence on the lot. See

Article VIII, Section B.5 and applicable provisions of Mansfield's Subdivision Regulations.

f. **Bus shelters** – The Commission may waive setback requirements for bus shelters, provided the location and plans for the shelter are acceptable to the Director of Public Works or his designee and provided the location and plans do not present a safety hazard.

g. **Satellite dish antennas -** All satellite dish antennae greater in diameter than one (1) meter (39.37") shall be located a minimum of 200 feet from front property lines unless, in the opinion of the Zoning Agent, the subject antenna is in a location that is not readily visible from the street or streets upon which the subject lot is located. Satellite dish antennae greater in diameter than one (1) meter (39.37") shall meet all applicable setbacks from side or rear property lines and all applicable height requirements. Based on federal laws and regulations, satellite dish antennae one (1) meter (39.37") or smaller in diameter are not subject to Zoning dimensional requirements. Any questions regarding this requirement should be reviewed with the Planning and Zoning Commission.

h. **Handicap access ramps -** Access ramps designed to provide access for handicapped individuals to and from decks or entrances of an existing residential or commercial structure may extend up to twelve (12) feet into a required setback area. Furthermore, the Zoning Board of Appeals, through the issuance of a Special Exception, may authorize a greater extension into a required setback area, provided the extension is the minimum necessary to safely address Building Code requirements and site characteristics.

i. **Other -** Other exceptions to the Schedule of Dimensional Requirements may be included within the permitted use provisions of Article VII, within the special regulations of Article X or within other provisions of these regulations. For example: Article X, Section A.4.d includes special dimensional provisions for projects in Design Development Districts.

## 2. Parking Exceptions

**Residential parking -** With the exception of housing developments involving three or more dwelling units where parking areas must meet all established setback requirements, or duplex units where special provisions are included in Article VII, residential parking is not required to comply with the minimum setback provisions of the Schedule of Dimensional Requirements.

## 3. Special Dimensional Requirements

a. **Setback from Residential Zones -** In the RD/LI Zone, a minimum setback of 150 feet is required between all new industrial or research buildings and residential zone boundary lines. This setback may be reduced by the Commission due to physical characteristics, the nature of proposed landscape and buffer plans or the character of existing land uses.

b. **Lot Coverage -** Except as noted below, the total ground area coverage of buildings and parking areas in the RD/LI Zone shall not exceed 50 percent of the total lot area. Provided all other requirements of these Regulations are met, this coverage limit can be increased to 75 percent for projects directly associated with a program that permanently preserves large tracts of open space or agricultural land.

c. **Gate Houses/Security Structures -** In the RD/LI Zone, the Commission may reduce or waive front or side line setbacks for gatehouses and security structures other than residences.

d. **Lots on Private Roads -** Provided the standards noted below are met and provided special permit approval is obtained in accordance with Article V, Section B, the Commission may allow lots to be created off of private roads in the following zones: B; PB-1, PB-2, PB-3, PB-4, PB-5, NB-1, NB-2, PO-1, I, PVCA, PVRA and RD/LI. This regulation allows, under specific standards, lots to be created without frontage on a Town or State road.

1. The subject private roadway, including drainage improvements, shall be designed and constructed in accordance with the "Engineering Standards and Specification" of the Mansfield Public Works Department dated July 1983 as amended, and Planning and Zoning Commission. As noted exceptions to this requirement, the Commission may approve alternate widths for private roads that are not major circulation roads or for one-way road systems and the Commission may allow existing private roadways to be used for lot access, provided no traffic safety, drainage or other health, welfare or safety problems exist or may be created.

2. An appropriate easement establishing concise maintenance and liability agreements regarding the private roadway shall be the easement shall be recorded for each subject lot.

3. All applications seeking approval of lots off private roadways shall clearly note on the submitted plans that Town approval of the subject lots and associated access improvements shall not obligate the Town to assume any future ownership responsibilities for the subject private roadway or obligate the Town to perform any repair or maintenance work on private property.

4. Unless waived as per the provisions of Article X, Section A.4.d, all new improvements on lots that are situated on private roads must meet all applicable setback requirements for the subject zone. For the purpose of this requirement, the lot line along the private road shall be considered the front lot line.

5. All lots that are situated on a private road must have a minimum of 150 feet of frontage on the subject private road.

6. In situations where subdivision approval is necessary to establish a proposed lot or lots, all applicable provisions of the Mansfield Subdivision Regulations also shall be met.

**4. Exceptions for Non-conforming Lots of Record - Provided all applicable provisions of Article IX, (particularly subsection B) are met, the following special dimensional requirements shall apply to non-conforming lots:**

a. Compliance with minimum lot area and lot frontage requirements shall not be required;

b. The required setbacks from the front and rear lot lines may be reduced to one-third of the lot's frontage, provided standard setbacks cannot be met in a reasonable manner due to the nature of the non-conformity;

c. The required setbacks from the side lot lines may be reduced to one-sixth of the lot's frontage provided standard setbacks cannot be met in a reasonable manner due to the nature of the non-conformity;

5. **Subdivision Building Area Envelope Exceptions -** The lot frontage and setback provisions of Article VIII, Section A, "Schedule of Dimensional Requirements", may be reduced, waived or increased pursuant to the "building area envelope" provisions of Mansfield's Subdivision Regulations. All lot frontage and setbacks for subdivision lots approved after February 20, 2002 shall be as depicted for each individual lot on approved subdivision maps as filed on the Land Records and as may be subsequently modified by the Planning and Zoning Commission. Criteria used by the Commission for establishing building area envelopes and appropriate lot frontage and setback provisions for each lot are contained in Mansfield's Subdivision Regulations.

6. **Lot Area Exceptions**

a. Minimum lot area requirements for new lots:

To help ensure that all new residential lots have adequate land for a house, accessory structures, driveway, well, septic system and reserve area and accessory uses without inappropriate encroachment on natural resources and manmade resources such as stone walls and other historic structures, all residential lots created after the effective date of this regulation that are not served by a public sewer system, shall contain a contiguous area at least 40,000 square feet in size (20,000 square feet in R-20 zones) that does not include visible ledge, existing slopes exceeding fifteen percent, drainage easements, conservation easements or other easements that will limit or restrict onsite uses, or any watercourses, water bodies or inland wetland soils as depicted on the Mansfield Inland Wetland & Watercourses Map and as may be modified by on site inspection and testing. Said 40,000 square foot area (20,000 square feet in R-20 zones) must be defined with all portions of the defined area having a minimum depth or width of 75 feet, and this area must be suitable for the uses noted above. As deemed necessary by the Zoning Agent and/or the Commission, onsite testing by the property owner or his agents may be necessary to determine compliance with this requirement. All new subdivision lots shall have a designated development area envelope (see definition in Subdivision Regulations) that meets the area and dimensional provisions of this section.

b. Subject to compliance with the minimum lot area provisions contained in subsection 6.a. above, the Planning and Zoning Commission shall have the right to authorize or require new subdivision lots in the R-90 and RAR-90 zones approved after June 1, 2006 to be less than 90,000 square feet in size. This provision is designed to implement, based on soil types, terrain and other natural or manmade resources on each subdivision site and based on goals, objectives and recommendations contained in Mansfield's Plan of Conservation and Development, the "cluster development" provisions of Sections 8-18 and 8-25(c) of the Connecticut General Statutes. More specific criteria for determining whether a reduction in lot sizes is appropriate is contained in Mansfield's Subdivision Regulations.

Accordingly, for all subdivision lots in the R-90 or RAR-90 zone approved after June 1, 2006, the minimum lot size shall be 90,000 square feet in size or the specific lot area depicted for each lot on an approved subdivision map as filed on

the Land Records and as may be subsequently modified by the Planning and Zoning Commission, whichever is smaller.

7. **Effect of change in Subdivision or Zoning Regulations or boundaries of Zoning Districts after approval of a subdivision or resubdivision plan**:

   For all approved subdivision or resubdivision lots filed or recorded with the Town Clerk, special provisions are contained in Section 8.26a of the Connecticut General Statutes.

8. **Exception to Maximum Height Requirements**

   The maximum height requirements of the Schedule of Dimensional Requirements may be waived by the Commission, provided special permit approval is obtained in accordance with Article V, Section B and provided the height waiver applies to one of the following: church spire, tower or belfry; flag pole; communications tower or antenna, including radio and television antennae; chimney; water tank; elevator bulkhead and other roof top mechanical structures; solar collectors; wind turbines; farm silos or similar uses. In all business and industrial zones, the Commission may waive the maximum height requirements for elevator bulkheads and other rooftop mechanical structures without additional special permit approval, provided the subject rooftop structures are approved as part of a site plan or special permit application.

9. **Highway Clearance Setbacks**

   To help protect property owners from possible future highway expansion, all required setbacks from the front property line shall be measured from the highway clearance setback line as specified below. This requirement shall not apply to lots where the front property line already meets or exceeds the established highway clearance setback for the subject street. The highway clearance setback shall be measured from the center of the abutting street right-of-way, unless an irregular or undetermined right-of-way exists. In these situations, the highway clearance setback shall be measured from the center of the road pavement or other point designated by the Mansfield Director of Public Works.

| STREET CLASSIFICATION | HIGHWAY CLEARANCE SETBACK |
|---|---|
| *(See Article III, Section I for listing of streets in each classification)* | |
| Arterial Street | 40 feet |
| Collector Street | 30 feet |
| Local Street | 25 feet |

## C. Floor Area Requirements

1. **Residential**

   All buildings and structures used as residences shall meet the following minimum livable floor area requirements:

   a. Single-Family Dwellings-800 square feet

   b. Two-family Dwellings-800 square feet per dwelling unit

   c. See specific provisions for DMR, ARH, PVRA, SC-SDD and PRD zones and for multi-family housing, conversions and efficiency units allowed in other zones.

2. **Business**
   In all Business and Institutional (PB-1 through 5, NB-1 and 2, B, PO-1, RD/LI and I) zones, each new building shall have a minimum of 500 square feet of floor area on the ground level.

# Article Nine

## Non-Conforming Lots, Non-Conforming Buildings, Structures Or Site Improvements, Or Non-Conforming Uses

### A. Applicability

This Article applies only to those uses, lots, buildings, structures or site improvements that legally were in existence prior to the effective date of these regulations but do not conform with current regulations. Except as otherwise provided for in these regulations, the lawful use of any property, building, structure or site improvement that existed prior to the effective date of these Regulations may be continued, even though such use, lot, building, structure or site improvements do not conform to the current provisions of these Regulations. The effective date of these Regulations shall include the effective date of any amendments, which cause the subject use, lot, building, structure or site improvement to become non-conforming. (See Article XIV, Effective Date)

### B. Non-Conforming Lots (Including Merger Provision)

Any lot of record which does not meet the minimum lot area or frontage requirements of the Schedule of Dimensional Requirements may be used, provided all of the following conditions are met:

1. The subject lot is included within a subdivision plan given final approval by the Commission and filed on the Mansfield Land Records and/or the subject lot was identified by a deed filed on the Mansfield Land Records on or before the effective date of the specific zoning requirements, which make the subject lot non-conforming.
2. Prior to April 28, 1959, the owner of said lot did not own adjacent land, which could be merged with the subject lot to create a conforming lot. Wherever adjacent non-conforming lots were in the same ownership prior to April 28, 1959, they shall be considered merged for zoning purposes, thereby creating a more conforming situation. This merger provision shall not apply to subdivision lots given final approval by the Commission and filed on the Mansfield Land Records or to non-conforming lots that, prior to April 28, 1959, were clearly separated from adjacent lots by physical acts of the property-owner, thereby creating separate lot identities. If questions arise regarding this regulation, the Commission shall determine the applicability of this section.
3. The subject lot has frontage on an existing street (see definition in Article IV), or, alternatively, the requirements of Article X, Section P are met and special permit approval is obtained in accordance with Art. V, Section B.
4. The subject lot complies with all other applicable provisions of these Regulations. (Note requirements of Article X, Section E, Flood Hazard Areas.)

### C. Non-Conforming Buildings, Structures Or Site Improvements

1. **Maintenance/Repair/Reconstruction** - Maintenance, repair or reconstruction of non-conforming buildings, structures or site improvements is permitted, provided the degree of non-conformity is not increased and provided no new non-conformities are created.

2. **Expansions/Alterations** - Non-conforming buildings, structures or site improvements, with the specific exception of non-conforming signs, that are associated with a conforming use may be expanded or altered in dimension, provided:

   a. all applicable dimensional requirements of these regulations are met for the expanded or altered portion of the building, structure or site improvement; or

   b. the expanded or enlarged portion of the building, structure or site improvement does not extend further into the required side or rear yards; is not closer to the front line, and is no greater in height than the existing building or structure; or

   c. special exception approval is granted by the Zoning Board of Appeals for expanded or altered portions of the building, structure or site improvement not meeting applicable dimensional requirements or the exceptions noted above in subsections (a) and (b). In reviewing a request for a special exception under this section, the Zoning Board of Appeals shall determine that the proposed expansion of the non-conforming building, structure or site improvement will not adversely affect the character of or property values of neighboring properties or adversely affect the general health, welfare or safety of the Town.

   d. as applicable, the requirements of Article X, Section J.2 (Historic Village Areas) and Article X, Section E (Flood Hazard Zones) shall be met.

   NOTE: In situations where the "non-conformity" of the existing building, structure or site improvement was created by an action of the Zoning Board of Appeals through the granting of a variance, any additional expansion/alteration which will result in further increasing the degree of non-conformity shall require additional Variance approval from the Zoning Board of Appeals, pursuant to the provisions of Article XI, Section G.1.c, and shall not be considered as a special exception under Section 2.b (above).

3. **Non-Conforming Signs** - See Article X, Section C.13 for provisions regarding the elimination of non-conforming signs.

4. **Damage or Destruction of a Non-Conforming Building** - If a non-conforming building utilized for a conforming use is damaged by fire or an act of God, such building may be repaired, provided the reconstruction does not exceed the original area or degree of non-conformity and provided reconstruction commences within one year and is completed within two years after such damage. Otherwise, said building shall be reconstructed in accordance with the current dimensional requirements of these Regulations.

## D. Non-Conforming Uses

1. **Maintenance/Repair/Internal Alterations** - Normal maintenance, repair or internal alterations of a building occupied by a non-conforming use are permitted. However, extensions, enlargements or changes in non-conforming uses are not permitted except as provided for in these regulations.

2. **Changes in Non-Conforming Uses** - Any changes from one non-conforming use to another non-conforming use requires special permit approval of the Commission, as per the provisions of Article V, Section B. Except as noted below, the proposed new use must be included as a permitted use within the same zone classification that

permits the existing use and, in Flood Hazard Zones, the new use must comply with the provisions of Article X, Section E. In situations where the existing use is no longer a permitted use in any zone, the proposed new use must be considered less intensive than the existing use in overall land use impacts, including traffic and environmental impacts and impacts on neighboring land uses.

3. **Extensions, Enlargements or Additional Non-Conforming Uses**

   a. Residential (Extensions or Enlargements)

      Except for trailers and mobile manufactured homes which are regulated by Article X, Section F, or existing non-conforming multi-family residences which shall be regulated by Subsection 3.b below, an existing residential non-conforming use and associated buildings, structures or site improvements may be extended or enlarged, provided special exception approval is granted by the Zoning Board of Appeals. In reviewing a request for special exception under this section, the Zoning Board of Appeals shall determine that:

      1. The proposed extension or enlargement will not adversely affect the character of or property values of neighboring properties or adversely affect the general health, welfare or safety of the Town;
      2. The applicant provides evidence of general neighborhood opinion of his proposal;
      3. The proposed extension or enlargement is in conformance with the provisions of Article X, Section E. Flood Hazard Areas.

   b. Extensions or Enlargements of Non-Conforming Multi-Family Residences or Non-Residential Non-Conforming Uses/Additional Non-Conforming Uses

      Except for the provisions of 3.a. above, an existing non-conforming use and associated buildings, structures or site improvements may be extended or enlarged and/or modified by the addition of one or more new non-conforming uses, provided special permit approval of the Commission is obtained in accordance with Article V, Section B. Except as noted below, the proposed new use must be included as a permitted use within the same zone classification that permits the existing use, and, in Flood Hazard zones, the new use must comply with the provisions of Article X, Section E. In situations where the existing use is no longer a permitted use in any zone, it may be extended or enlarged with special permit approval, but any proposed additions of new non-conforming uses must be considered less intensive than the existing use in overall land use impacts, including traffic and environmental impacts and impact on neighboring land uses.

4. **Damage or Destruction of a Non-Conforming Use -** If a building occupied by a non-conforming use is damaged by fire or act of God, such building may be repaired and such use resumed provided the reconstruction does not exceed the original area or (where applicable) degree of dimensional non-conformity, and provided reconstruction commences within one year and is completed within two years after such damage. Otherwise, said building shall be occupied by a conforming use and (where applicable) said building shall be reconstructed in accordance with the current dimensional requirements of these regulations.

5. **Discontinuance/Abandonment of a Non-Conforming Use -** Any non-conforming use which has been discontinued for more than one year shall be presumed to be

abandoned unless evidence to the contrary is presented to and agreed upon by the Commission. If a non-conforming use is so abandoned, the right to engage in a non-conforming use on the subject property shall cease. Any non-conforming use shall not be considered terminated solely as a result of non-use for a specified period of time without regard to the intent of the property-owner to maintain that use.

6. **New Non-Conforming Uses** - Except as provided for in this Article, the initiation of any new uses that do not conform with the permitted use provisions of these Regulations shall be prohibited. Unless otherwise provided for, new non-conforming uses shall not be authorized by the Zoning Board of Appeals.

7. **Revisions/modifications** – In situations where a special permit has been granted pursuant to subsections D.2 or D.3 of this Article of the Regulations, the Commission shall have the authority to approve revisions or modifications in accordance with the provisions of Article V, Section B.9. In considering any revision/modification request involving a non-conforming use, the Commission shall take into account all approval conditions, as well as site and neighborhood characteristics. The Commission shall require an applicant to notify neighboring property-owners (as per Article V, Section B.3.c) about the proposed revision/modification. Furthermore, the Commission may decide to hold a new Public Hearing prior to acting on a proposed revision/modification involving a non-conforming use whenever the proposed revision/modification may be considered a significant alteration of approved plans and/or uses.

# Article Ten

## Special Regulations

### A. Design Development Districts

**1. General**

Many of the Town's Zoning Regulations are designed to separate uses and limit principal developments to single detached structures on individual lots. The Design Development classifications and associated regulations are intended to encourage, under strict yet flexible control, the coordinated development of specialized and more intensive uses and groups of principal buildings and uses. Through the use of the Design Development District regulations, large tracts of land and groupings of adjacent lots can be efficiently developed as a single, comprehensively planned unit. Mixed-use projects and setback variations or waivers are examples of specialized provisions that may be authorized in some of the specific Design Development zones. The following classifications constitute the Town's Design Development Districts:

| | |
|---|---|
| ARH | Age-Restricted Housing Zone |
| DMR | Design Multiple Residence Zone |
| PRD | Planned Residence District Zone |
| PB-1 | Planned Business-1 Zone |
| PB-2 | Planned Business-2 Zone |
| PB-3 | Planned Business-3 Zone |
| PB-4 | Planned Business-4 Zone |
| PB-5 | Planned Business-5 Zone |
| NB-1 | Neighborhood Business-1 Zone |
| NB-2 | Neighborhood Business-2 Zone |
| PO-1 | Professional Office-1 Zone |
| I | Institutional Zone |
| PVCA | Pleasant Valley Commercial/Agriculture Zone |
| PVRA | Pleasant Valley Residence/Agriculture Zone |
| RD/LI | Research & Development/Limited Industrial Park |

**2. Procedure**

**a. Permitted Uses; General Application Requirements**

Article VII of these Regulations delineates the primary uses, which may be authorized within the various established Design Development Districts and specifies the type of approval, which shall be obtained. New developments and major expansions or changes of use require special permit or site plan approval of the Planning and Zoning Commission as per the application and approval requirements of Article V, Section B and/or Article V, Section A. Applicable performance standards (Article VI, Section B), dimensional requirements (Article

VIII), flood hazard provisions (Article X, Section E), The Mansfield Sand and Gravel Ordinance (see Appendix), and other pertinent zoning requirements, including the special provisions of Article X, Sections 4 and 5, shall be met. Developments shall also comply with applicable provisions of the Mansfield Subdivision Regulations and the Inland Wetlands and Watercourses Regulations.

**b. Informal Review**

All prospective applicants considering development within established or proposed Design Development Districts are encouraged to review with the Director of Planning and Development, on an informal and non-application basis, preliminary development plans. Utilization of this process may enable a prospective applicant to obtain meaningful preliminary feedback prior to a major commitment of resources. To maximize the benefits of an informal review, it is recommended that prospective applicants provide enough information to allow the subject proposal to be considered with respect to the Town's Plan of Conservation and Development, the Architectural and Design Standards of Article X, Section R and important development factors, such as, but not limited to the following: Water supply, sanitary waste disposal, drainage and storm water impacts, traffic and circulation, fire protection and impacts on the natural environment and neighboring properties.

**c. Zone Change/Special Application Requirements**

Where a development is proposed for property that is not appropriately designated as a Design Development District, a change in zone classification is required. In these situations a petition for zone change shall be submitted in accordance with the provisions of Article XIII. In addition to the application information required by Article XIII, all petitions to create a Design Development District shall include information supporting and justifying the zone change. Professionally prepared traffic studies, comprehensive environmental assessments and design information regarding the proposed development of the property shall be required for all applications to create or expand a Research and Development/Limited Industrial Zone. Depending on the nature of the proposed zone change, traffic studies, environmental assessments and other special reports may also be necessary components of an application to create or expand any of the other Design Development Districts. Furthermore, due to the special nature of the Age-Restricted Housing, Designed Multiple Residence and Planned Residence District zones and its potential impact on neighboring properties and the Town, the concurrent submission of a special permit application for the proposed development of the subject property is necessary for the Commission to receive a petition to create an ARH, DMR or PRD Zone.

In reviewing a petition for a zone change to a Design Development District, the Commission shall evaluate, with respect to the approval criteria contained in Article XIII, all information presented during the Public Hearing process by the applicant, the public and staff members. No zone change to create an Age-Restricted Housing Zone, Designed Multiple Residence Zone or Planned District Zone shall be approved unless the concurrently submitted special permit application complies with all applicable standards and is therefore also approved by the Commission. Any zone change approval to an Age-Restricted Housing, Design Multiple Residence or Planned Residence District shall be voided if the

associated special permit approval expires due to a failure to commence construction. (See Article V, Section B.7.E.)

**3. Modifications in Approved Plan or Design**

Due to the special nature of the Design Development Districts and the fact that any approved use in one of these zones is based on the submitted plans and specifications, all proposed changes of an approved plan, particularly those regarding architectural design or layout of buildings and improvements are required to receive prior approval. See Article V, Sections A.8 and B.9 and Article XI, Section D for provisions regarding this requirement and other site modifications.

**4. Special Provisions for all Design Development Districts**

**a. Architectural Plans**

All special permit or site plan applications for development in a Design Development District shall include detailed architectural plans for all proposed buildings and structures, including recreational facilities and signs. Said plans shall include exterior elevations, floor plans and information on the nature and color of building materials. The architectural plans shall incorporate all architectural and design standards of Article X, Section R. This requirement may be waived or modified by the Commission for changes in use of existing buildings, additions, or for minor applications where all or portions of the architectural information are not considered necessary to determine compliance with these Regulations.

**b. Road and Infrastructure Improvements**

All roadways and infrastructure improvements, including drainage sanitary sewer and water system facilities shall be designed and constructed in accordance with the standards and specifications of the Mansfield Public Works Department. As a noted exception to this requirement, the Commission may approve alternate widths for private internal roadways that are not major circulation roads.

All new roadways and driveways shall be designed to promote vehicular and pedestrian safety and to minimize traffic impacts on existing roads and neighboring properties. The location, design and number of curb cuts and the impact on nearby roadways, driveways and neighboring properties shall be important considerations in reviewing new land use proposals. Offsite infrastructure improvement may be necessary in conjunction with a proposed development. A concerted effort shall be made to minimize impervious surfaces and potential stormwater impacts. Stormwater management guidelines and best management practices prepared by State and Federal agencies shall be implemented wherever appropriate, as determined by the Planning and Zoning Commission.

**c. Landscaping and Buffering**

Landscaping and buffering improvements are considered particularly important in the Design Development Districts and should be carefully provided for in any special permit or site plan application for development in one of these zones. See provisions of Article VI, Section B.4.q and Article X, Section R.

**d. Special Dimensional Exceptions**

To encourage compliance with the goals and standards of Article X, Section R (Architectural and Design Standards) and to promote greater design and layout flexibility and the coordinated development of adjacent properties, dimensional requirements related to building and site design identified in other sections of these regulations for properties in Design Districts may be altered by the Commission through the site plan approval or special permit approval process. Appropriate dimensional requirements shall be determined by the Commission based on all applicable approval criteria of these Regulations, the design and layout provisions of Article X, Section R and all other applicable provisions of these Regulations. Dimensional requirements that may be adjusted in accordance with this provision include those subject to Note 17 in Article VIII, Section A, Schedule of Dimensional Requirements; dimensional requirements unique to specific uses or zoning districts identified in Article VII; and dimensional requirements identified in Article X related to specific Design Development Districts. Any adjustments to dimensional requirements proposed through the site plan approval process shall require a public hearing in accordance with the requirements of Article V, Section B.2.

**e. Special Reports**

All applicants proposing development in one of the Design Development Districts shall be prepared to submit detailed information regarding the specific proposed use and the impacts associated with the proposed development with their special permit or site plan application. Professionally-prepared traffic studies, watershed and drainage analyses, comprehensive environmental assessments and reports regarding the proposed use, generation, transportation, storage or disposal of any hazardous or genetic materials are examples of the types of specialized information that the Commission may require of an applicant in a Design Development District. The submission of special reports shall be particularly applicable to larger residential and commercial developments and all proposals in the RD/ LI Zone. All special reports should consider the Performance Standards of Article VI, Section B and the Special Permit and Site Plan approval criteria of these Regulations.

**f. Private/Common Interest Ownership Facilities**

In all projects where open space or recreation facilities and/or infrastructure improvements such as roadways, drainage, sanitary sewer or water systems are to remain in private and/or "Common Interest Ownership" status, the special permit or site plan application for the subject development shall include a comprehensive report detailing provisions that will be established for association governance and the maintenance and upkeep of said areas and facilities. Said provisions shall include the power of levying assessments through covenants enforceable against privately-owned land within the development project and/or the establishment of escrow accounts or other suitable measures to help ensure the availability of funds for the maintenance of facilities. The applicant shall be responsible for submitting to the Town, with the application, suitable construction and maintenance agreements. (See Article VII, Section B).

**g. Contiguous Parcels Under Separate Ownership**

Contiguous parcels under separate ownership may be developed jointly under a single site plan or special permit application. In these cases, setback requirements and landscape/buffering requirements shall relate to the total area being developed under the proposal.

**h. Minimum Acreage to Create a New Design Development District**

The following minimum acreages are required to create a new Design Development District: ARH – 5 acres; DMR - 5 acres; PRD - 3 acres; PB- 1 or PB-2 - 5 acres; RD/LI - 10 acres.

**i. Other Dimensional Provisions**

See Article VIII for other dimensional requirements including additional dimensional provisions for some of the Design Development Districts.

**j. Pedestrian/Public Transit Improvements**

All developments shall provide appropriate pedestrian and public transit improvements, as determined by the Commission. The degree of improvements shall be tied to the size and nature of the development. Trail and sidewalk, bikeway improvements, bicycle racks, bicycle lockers, bus stops with shelters, and other amenities that promote public transportation and pedestrian and bicycle traffic may be required.

**5. Special Provisions for the Age-Restricted Housing (ARH) Zone**

**a. Water and Sewer Facilities**

All proposed developments in the ARH zone must be served by public water and sewer facilities or must be readily connected to such services. “Readily connected” is defined as that point in time when contracts have been let for construction of public sewer and water facilities requested for connection. A Certificate of Compliance shall not be issued until the site is connected to public water and sewer facilities.

For the purposes of this requirement, community well water supply systems authorized, constructed and operated pursuant to the Connecticut Department of Public Health regulations are considered public water facilities.

**b. Density Requirements**

The proposed ARH site shall at least 5,000 square feet of area exclusive of water courses, waterbodies, inland wetland soils and slopes of fifteen (15) percent or more for each proposed dwelling unit.

**c. Location**

No site location for multi-family residences shall be approved unless it is on or within 300 feet of an arterial or collector street as set forth in these Zoning Regulations.

**d. Building Height**

No building shall exceed three stories or a height of 40 feet.

**e. Distance Between Structures**

Except as noted below, the distance between any two structures shall be no less than the average height of both, but in no case less than fifty (50) feet. The Commission may vary this spacing requirement when it determines that such variations will enhance the design of the project without significantly affecting either emergency or solar access.

**f. Parking**

Required parking spaces shall not be allowed on any street or internal roadway and shall be set back a minimum of 10 feet from principal buildings. All spaces shall comply with the parking provisions of Article X, Section D and other dimensional requirements of these Regulations.

**g. Open Space/Recreational Facilities**

All residential developments shall provide appropriate open space and recreation facilities as determined by the Commission. At least 600 or more square feet of open space and/or recreational area shall be required for each dwelling unit in the proposed development. The appropriateness of the proposed open space and the degree of required improvement shall be tied to the size and nature of the development. For example, for projects with fifty (50) or more dwelling units, swimming pools, club houses, multi-use ball fields, tennis courts, and/or playgrounds may be required by the Commission. For smaller projects, trails, garden areas, and multi-use lawn areas may be considered adequate to meet this requirement. Detailed plans and specifications for proposed or required open space and recreational improvements shall be shown on project plans. Whenever possible and appropriate, active recreational facilities shall be screened from residences, driveways, streets, and parking areas.

**h. Courtyards**

Except as noted below, courts enclosed on all sides shall not be permitted and no open court shall have a length or width less than fifty (50) feet. The Commission may vary these requirements when it determines that such variations will enhance the design of the project without significantly affecting either emergency or solar access.

**i. Floor Area**

1. No dwelling unit shall contain less than the following minimum livable floor area:

   a. Single-family dwellings – 800 square feet
   b. Two-family dwellings – 800 square feet
   c. Multi-family units – 800 square feet

2. At least twenty (20) percent of the dwelling units shall be 1,400 square feet or smaller.

3. The maximum size of a unit in an Age-Restricted Housing zone shall be 2,400 square feet.

**6. Special Provisions for the Design Multiple Residence (DMR) Zone**

**a. Water and Sewer Facilities**

All proposed developments in the DMR Zone must be served by public water and sewer facilities or must be readily connected to such services. "Readily

connected" is defined as that point in time when contracts have been let for construction of public sewer and water facilities requested for connection. A Certificate of Compliance shall not be issued until the site is connected to public water and sewer facilities.

For the purposes of this requirement, community well water supply systems authorized, constructed and operated pursuant to the Connecticut Department of Public Health regulations are considered public water facilities.

**b. Density Requirements**

The proposed DMR site shall contain at least at least 5,000 square feet of area; exclusive of watercourses, waterbodies, inland wetland soils and slopes of fifteen (15) percent or more for each proposed dwelling unit.

**c. Location**

No site location for multi-family residences shall be approved unless it is on or within 300 feet of an arterial or collector street as set forth in these Zoning Regulations. Locations that serve as buffers between Business or Industrial zones and Residence zones are preferable sites.

**d. Building Height**

No building shall exceed three stories or a height of 40 feet.

**e. Floor Area**

No dwelling unit shall contain less than the following minimum livable floor area:

| | |
|---|---|
| For three rooms or less | 475 square feet |
| For each additional room | 125 square feet |

**f. Distance Between Structures**

Except as noted below, the distance between any two structures shall be no less than the average height of both, but in no case less than fifty (50) feet. The Commission may vary this spacing requirement when it determines that such variations will enhance the design of the project without significantly affecting either emergency or solar access.

**g. Parking**

Required parking spaces shall not be allowed on any street or internal roadway and shall be set back a minimum of 10 feet from principal buildings. All spaces shall comply with the parking provisions of Article X, Section D. and other dimensional requirements of these Regulations.

**h. Open Space/Recreational Facilities**

All residential developments shall provide appropriate open space and recreation facilities as determined by the Commission. At least 600 or more square feet of open space and/or recreational area shall be required for each dwelling unit in the proposed development. The appropriateness of the proposed open space and the degree of required improvement shall be tied to the size and nature of the development. For example, for projects with fifty (50) or more dwelling units, swimming pools, club houses, multi-use ball fields, tennis courts, and/or

playgrounds may be required by the Commission. For smaller projects, trails, garden areas, and multi-use lawn areas may be considered adequate to meet this requirement. Detailed plans and specifications for proposed or required open space and recreational improvements shall be shown on project plans. Whenever possible and appropriate, active recreational facilities shall be screened from residences, driveways, streets, and parking areas.

**i. Courtyards**

Except as noted below, courts enclosed on all sides shall not be permitted and no open court shall have a length or width less than fifty (50) feet. The Commission may vary these requirements when it determines that such variations will enhance the design of the project without significantly affecting either emergency or solar access.

**j. Housing Unit Mix Requirements**

In addition to addressing the design standards of Article X, Section R, all residential development subject to this provision are encouraged to provide for a mix of housing types, sizes, and designs. Although, two-family, multi-family and a limited number of single family dwellings may be authorized within any development or sub-phase thereof due to Mansfield's limited availability of public sewer and water service, no more than twenty (20) percent of the units shall be in two-family and single family dwellings. Row houses or townhouses with more than two dwelling units per structure shall be considered multi-family dwellings. In addition, no more than twenty-five (25) percent of the dwelling units shall exceed 2,400 square feet of livable floor area.

**k. Affordable Housing Requirements**

Pursuant to the authority provided by Section 8-2i; of the Connecticut General Statutes, a minimum of twenty (20) percent of all dwelling units in a residential development (or phase thereof) that is subject to this provision shall be designed, constructed, and marketed for occupancy by low and moderate income persons.

To address this requirement, a minimum of twenty (20) percent of the dwelling units in a residential development, or sub-phase thereof, shall not exceed the following maximum square footage per dwelling unit requirements:

- Two-family or multi-family units with one bedroom-800 square feet of livable floor area
- Two-family or multi-family units with two bedrooms-1,200 square feet of livable floor area
- Two-family or multi-family units with three or more bedrooms-1,400 square feet of livable floor area
- Single family dwelling unit with one or two bedrooms- 1,200 square feet of livable floor area
- Single family dwelling unit with three or more bedrooms- 1,400 square feet of livable floor area

In addition to meeting these maximum square footage requirements, applicants shall provide specific information about the location, design and character of proposed affordable units and shall document the actions that will be taken to promote and retain occupancy by low and moderate income persons. Applicants are encouraged to work with Mansfield’s Housing Authority, the State

Department of Economic and Community Development and other agencies that promote affordable housing opportunities, and incorporate deed restrictions, resale, lease, or rental contracts, and/or other measures to promote this affordable housing objective.

**7. Special Provisions for the Planned Residence District Zones (PRD)**

**a. Water and Sewer Facilities**

All proposed PRD developments must be served by public water and sewer facilities or must be readily connected to such services. Readily connected is defined as that point in time when contacts have been let for construction of public sewer and water facilities requested for connection. A Certificate of Compliance shall not be issued until the site is connected to public water and sewer facilities.

For the purposes of this requirement, community well water supply systems authorized, constructed and operated pursuant to the Connecticut Department of Public Health regulations are considered public water facilities.

**b. Density Requirements**

Except as provided in paragraph d. of this subsection, the subject site shall contain at least one acre for every sixteen residents.

**c. Parking**

A minimum of one off-street parking space is required for each resident.

**d. Special Density Provision for Certain Student Housing**

In the event a PRD development consisting of fraternity houses, sorority houses, dormitories or other similar student housing for students attending the University of Connecticut is proposed for land which is at least ten (10) acres in size and which immediately abuts land of the University of Connecticut and which is served by or can be readily connected to the sanitary sewer and waste water treatment system operated by the University of Connecticut, then the subject site shall contain at least one acre for every forty-five (45) residents.

**e. Special Requirements**

The following additional special requirements shall apply to all PRD developments undertaken pursuant to paragraph d of this subsection:

1. **Building Height** - No building shall exceed three stories or a height of 40 feet.

2. **Distance Between Structures** - Except as noted below, the distance between any two structures shall be no less than the average height of both, but in no case less than fifty (50) feet. The Commission may vary this spacing requirement when it determines that such variations will enhance the design of the project without significantly affecting either emergency or solar access.

3. **Parking** - Required parking spaces shall not be allowed on any street or internal roadway and shall be set back a minimum of 10 feet from principal buildings. All spaces shall comply with the parking provisions of Article X, Section D and other dimensional requirements of these Regulations.

4. **Court Yards -** Except as noted below, courts enclosed on all sides shall not be permitted and no open court shall have a length or width less than fifty (50) feet. The Commission may vary these requirements when it determines that such variations will enhance the design of the project without significantly affecting either emergency or solar access.

**8. Special Provisions for the Research and Development/Limited Industrial (RD/LI) Zone**

**a. Hazardous Materials**

All proposed developments within the RD/LI Zone involving the use of hazardous materials shall include with their permit application a detailed report regarding the proposed use, generation, transportation, storage or disposal of hazardous materials. Said report shall identify the nature of hazardous materials and shall include a plan for systematically monitoring all activities involving hazardous materials, including accidental spills, and for ensuring compliance with all applicable Federal, State or local rules and regulations. (Also see Article VI, Section B.4.h. "Hazardous Materials")

**b. Genetic or Bio-Engineering Activities**

All genetic or bio-engineering research and development activities shall be conducted in conformance with the current Guidelines of the National Institutes of Health (NIH) regarding Recombinant DNA Molecules and DNA Research, the Physical Containment Recommendations of the NIH regarding Recombinant DNA Molecules, and all applicable Federal, State or local rules and regulations. All applications for proposed genetic or bioengineering research facilities shall detail to the Commission their monitoring procedures for ensuring compliance with the NIH standards and applicable Federal, State and local regulations.

**c. Certificates of Compliance**

No Certificates of Compliance shall be issued in the RD/LI Zone until the Commission has received written confirmation that necessary permits and licenses from Federal or State agencies have been issued for all pollution control devices and mechanisms and/or the use of controlled or hazardous substances.

**9. Special Provisions for the Pleasant Valley Residence/Agriculture (PVRA) zone**

**a. Water and Sewer Facilities**

Except as noted below, all proposed developments in the PVRA zone must be served by public water and sewer facilities or must be readily connected to such services. "Readily connected" is defined as that point in time when contracts have been let for construction of public sewer and water facilities requested for connection. A Certificate of Compliance shall not be issued until the site is connected to public water and sewer facilities. Article VII Section K.2.b. authorizes the commission to waive this requirement.

For the purposes of this requirement, community well water supply systems authorized, constructed and operated pursuant to the Connecticut Department of Public Health regulations are considered public water facilities.

**b. Agricultural Land Preservation Requirements**

Pursuant to the Plan of Conservation and Development recommendations, the Commission shall have the authority to require up to thirty-five (35) percent of the prime agricultural acreage on a subject property to be permanently preserved for agricultural use. This agricultural dedication provision may be addressed prior to any development, in association with an initial development phase or incrementally, over a series of phases or developments. However, in applying this provision, cumulatively no more than forty (40) percent of the prime agriculture acreage of a property in existence at the time this regulation is adopted shall be required to be permanently preserved for agricultural use.

As utilized in this provision, prime agricultural acreage shall be those areas that have been cultivated or otherwise used for agricultural purposes and/or those areas with soils that are classified as "prime agricultural" by the Natural Resources Conservation Service. The Commission shall have final approval of the location of the agricultural acreage to be preserved. All property owners and prospective developers are encouraged to work with the Commission to identify an appropriate location(s) for preserved agricultural land, including other land in the Pleasant Valley area under the control of the applicant.

In identifying agricultural land for preservation, the Applicant and Commission shall consider whether:

- the land will retain agricultural value;
- the agricultural use of the land would complement existing and proposed land uses;
- the agricultural use of the land would enhance adjacent and nearby agricultural land; and
- the agricultural use of the land would conflict with existing and planned uses on adjacent properties .

Based on information reviewed prior to the adoption of this regulation, the following area should be considered a priority for agricultural land preservation:

- Land immediately south of Pleasant Valley Road between Mansfield City Road and the Flood Hazard Zone containing Conantville Brook.

To ensure the permanent preservation of designated agricultural land, conservation easements, approved by the Commission, shall be filed on the Land Records. While not required, the Commission shall have the authority to recommend and facilitate the transfer of agricultural land to the Town of Mansfield or an acceptable organization dedicated to agricultural preservation. Agricultural easement areas shall be monumented with iron pins and Town Conservations easement markers shall be placed every 50 to 100 feet around the perimeter boundary of the easement area. The Town Markers shall be placed on trees, fences, four (4) inch cedar posts or other structures acceptable to the Commission.

**c. Compliance with provisions for the Design Multiple Residence Zone (See Article X. Section A.6)**

All proposed developments in the PVRA zone shall comply with the density, building height, floor area, distance between structures, parking, courtyards, and housing unit mix provisions for the Design Multiple Residence Zone (see Article X. Section A.6.). Additional density will be considered based on the proposed development plan and provision of affordable housing.

**1. Student Housing Restrictions**

Housing designed primarily for student occupancy shall not be authorized in this district due to potential neighborhood compatibility issues.

**2. Age Restricted Housing**

Due to the proximity of commercial and health care services in southern Mansfield and the adjacent Town of Windham and due to the physical characteristics of the Pleasant Valley Residence Agriculture Zone, Age Restricted Housing developments are specifically allowed within this district. For age restricted developments the special floor area provisions for the Age Restricted Housing Zone shall apply (see Article X. Section A.5. i) in addition to the requirements for the DMR zone noted in subsection (c), above.

**3. Open Space/Recreation Facilities**

At least 600 square feet of open space and/or recreational area shall be required for each dwelling unit in the proposed development. This requirement may be satisfied through the preservation of agricultural land pursuant to subsection 9(b). If the area preserved for agricultural use meets or exceeds the minimum open space requirement per dwelling unit, no additional open space or recreational facilities shall be required other than the open space provided through building separation and site landscaping regulations.

**d. PVRA Design Criteria**

To promote the retention and enhancement of the agricultural and scenic character of the Pleasant Valley Residence Agriculture Zone, all new developments shall be designed to preserve and, as appropriate, enhance existing views and vistas from adjacent and nearby roadways and neighboring properties. Developments consisting of more than one structure shall exhibit a high degree of coordination in site planning, architectural design, site design and site detailing. All physical components shall be designed to complement an overall plan. In addition to addressing all applicable provisions of the Architectural and Design Standards contained in Article X, Section R of these regulations, all development shall address the following design criteria:

1. In the event the area zoned Pleasant Valley Residence Agriculture situated south of Pleasant Valley Road is developed in more than one phase or by more than one developer, all design components (including site layout, building layout and building design, and landscaping, lighting and other site improvements) shall be compatible and designed to complement an overall

plan. To help ensure compliance with this requirement, the Commission shall have the authority to require the submission of a conceptual master plan when a proposed development would result in the division or resubdivision of a tract or parcel of land existing at the time these regulations were adopted into three (3) or more parts or lots for the purpose, whether immediate or future, of sale or building development, excluding development for municipal, conservation or agricultural purposes. When required, the conceptual master plan shall be submitted in association with a pending special permit or subdivision application and shall include:

a. Areas under common ownership at the time these regulations were adopted. If the application includes a resubdivision as described above, the plan shall address how the proposed development will be compatible with development on the lot previously divided;

b. Depiction of future parcels, buildings, roadways/driveways, walkways, service areas, public sewer and water lines, storm water facilities, agricultural preservation areas and other site development components; and

c. Associated design guidelines for the entire area.

The Commission shall have the right to approve conditions regulating the development of future phases and ensuring that this provision has been addressed.

2. All new buildings and structures and all associated parking, loading and waste disposal or storage areas shall be located a minimum of two hundred (200) feet from Pleasant Valley Road and appropriately screened. The Commission shall have the right to reduce this locational requirement based on individual site characteristics, the specific proposed use and the specific development design. This locational requirement is designed to help preserve existing agricultural land immediately south of Pleasant Valley Road (see Section 9.b) and to minimize incompatible visual impacts, particularly from Pleasant Valley Road, Mansfield City Road north of Pleasant Valley Road and from Stearns Road.

3. New buildings shall be designed to minimize mass by utilizing smaller visual components through the use of projections, recesses, varied façade treatments, varied roof lines and pitches, and where appropriate, variations in building materials and colors;

4. Site specific landscape and lighting plans shall be designed by qualified professionals and implemented to reduce visual impact, minimize light spill (undesirable light that falls outside the area of intended illumination) and promote compatibility with neighboring agricultural and residential uses.

**10. Special Provisions for the Pleasant Valley Commercial/Agriculture (PVCA) Zone**

### a. Water and Sewer Facilities

Except as noted below, all proposed developments in the PVCA zone must be served by public water and sewer facilities or must be readily connected to such services. “Readily connected” is defined as that point in time when contracts

have been let for construction of public sewer and water facilities requested for connection. A Certificate of Compliance shall not be issued until the site is connected to public water and sewer facilities. Article VII Section K.2.b. authorizes the commission to waive this requirement.

**b. Building Height Requirements**

No building shall exceed three stories or a height of 40 feet.

**c. Distance Between Structures**

Except as noted below, the distance between any two structures shall be no less than fifty (50) feet. The Commission may vary this spacing requirement when it determines that such variations will enhance the design of the project without significantly affecting either emergency or solar access.

d. **Courtyards**

Except as noted below, courts enclosed on all sides shall not be permitted and no open court shall have a length or width less than fifty (50) feet. The Commission may vary these requirements when it determines that such variations will enhance the design of the project without significantly affecting either emergency or solar access.

**e. Parking**

Required parking spaces shall not be allowed on any street or internal roadway and shall be set back a minimum of 10 feet from principal buildings. All spaces shall comply with the parking provisions of Article X, Section D and other dimensional requirements of these Regulations.

f. **Agricultural Land Preservation Requirements**

Pursuant to the Plan of Conservation and Development recommendations, the Commission shall have the authority to require up to thirty-five (35) percent of the prime agricultural acreage on a subject property to be permanently preserved for agricultural use. This agricultural dedication provision may be addressed prior to any development, in association with an initial development phase or incrementally, over a series of phases or developments. However, in applying this provision, cumulatively no more than forty (40) percent of the prime agriculture acreage of a property in existence at the time this regulation is adopted shall be required to be permanently preserved for agricultural use.

As utilized in this provision, prime agricultural acreage shall be those areas that have been cultivated or otherwise used for agricultural purposes and/or those areas with soils that are classified as “prime agricultural” by the Natural Resources Conservation Service. The Commission shall have final approval of the location of the agricultural acreage to be preserved. All property owners and prospective developers are encouraged to work with the Commission to identify an appropriate location(s) for preserved agricultural land, including other land in the Pleasant Valley area under the control of the applicant.

In identifying agricultural land for preservation, the Applicant and Commission shall consider whether:

- the land will retain agricultural value;

- the agricultural use of the land would complement existing and proposed land uses;
- the agricultural use of the land would enhance adjacent and nearby agricultural land; and
- whether the agricultural use of the land would conflict with existing and planned uses on adjacent properties .

Based on information reviewed prior to the adoption of this regulation, the following area should be considered a priority for agricultural land preservation:

- Land immediately south of Pleasant Valley Road.

To ensure the permanent preservation of designated agricultural land, conservation easements, approved by the Commission, shall be filed on the Land Records. While not required, the Commission shall have the authority to recommend and facilitate the transfer of agricultural land in title to the Town of Mansfield or an acceptable organization dedicated to agricultural preservation. Agricultural easement areas shall be monumented with iron pins and Town Conservations easement markers shall be placed every 50 to 100 feet around the perimeter boundary of the easement area. The Town Markers shall be placed on trees, fences, four (4) inch cedar posts or other structures acceptable to the Commission.

**g. PVCA Design Criteria**

To promote the retention and enhancement of the agricultural and scenic character of the Pleasant Valley Commercial Agriculture Zone, all new developments shall be designed to preserve and, as appropriate, enhance existing views and vistas from adjacent and nearby roadways and neighboring properties. Developments consisting of more than one structure shall exhibit a high degree of coordination in site planning, architectural design, site design and site detailing. All physical components shall be designed to complement an overall plan. In addition to addressing all applicable provisions of the Architectural and Design Standards contained in Article X, Section R of these regulations, all development shall address the following design criteria:

1. In the event the area zoned Pleasant Valley Commercial Agriculture situated south of Pleasant Valley Road is developed in more than one phase or by more than one developer, all design components (including site layout, building layout and building design, and landscaping, lighting and other site improvements) shall be compatible and designed to complement an overall plan. To help ensure compliance with this requirement, the Commission shall have the authority to require the submission of a conceptual master plan when a proposed development would result in the division or resubdivision of a tract or parcel of land existing at the time these regulations were adopted into three (3) or more parts or lots for the purpose, whether immediate or future, of sale or building development, excluding development for municipal, conservation or agricultural purposes. When required, the conceptual master plan shall be submitted in association with a pending special permit or subdivision application and shall include:

    a. Areas under common ownership at the time these regulations were adopted. If the application includes a resubdivision as described above,

the plan shall address how the proposed development will be compatible with development on the lot previously divided;

b. Depiction of future parcels, buildings, roadways/driveways, walkways, service areas, public sewer and water lines, storm water facilities, agricultural preservation areas and other site development components; and

c. Associated design guidelines for the entire area.

The Commission shall have the right to approve conditions regulating the development of future phases and ensuring that this provision has been addressed.

1. All new buildings and structures and all associated parking, loading and waste disposal or storage areas shall be located a minimum of two hundred (200) feet from Pleasant Valley Road and appropriately screened. The Commission shall have the right to reduce this locational requirement based on individual site characteristics, the specific proposed use and the specific development design. This locational requirement is designed to help preserve existing agricultural land immediately south of Pleasant Valley Road (see Section 10.f) and to minimize incompatible visual impacts, particularly from Pleasant Valley Road, Mansfield City Road north of Pleasant Valley Road and from Stearns Road.

2. New buildings shall be designed to minimize mass by utilizing smaller visual components through the use of projections, recesses, varied façade treatments, varied roof lines and pitches, and where appropriate, variations in building materials and colors;

3. Site specific landscape and lighting plans shall be designed by qualified professionals and implemented to reduce visual impact, minimize light spill (undesirable light that falls outside the area of intended illumination) and promote compatibility with neighboring agricultural and residential uses.

**11. Special Provisions for the Planned Business-3 Zone (Four Corners Area-Route 195/44)**

## Four Corners Design Criteria

To facilitate the coordinated development or redevelopment of properties in the Four Corners area, the following design criteria have been established. In addition to addressing the Architectural and Design standards contained in Article X, Section R, all proposed development in the Four Corners area shall comply with the following design criteria:

a. Developments along Routes 44 and 195 and along North Hillside Road shall incorporate a prominent pedestrian oriented and extensively landscaped streetscape. The streetscape area shall include a walkway/bikeway, street trees and other landscape enhancements and, as deemed appropriate by the Commission, pedestrian sitting areas, bicycle racks, bus stops and bus shelters. The required streetscape area shall be a minimum width of fifty (50) feet (from edge of street) unless specifically reduced by the Commission based on site characteristics and the site specific development plan.

b. To enhance vehicular and pedestrian safety, site layouts shall be designed with the primary goals of minimizing curb cuts along public roadways and providing or facilitating interior connections between adjacent properties.

c. Except where specifically waived by the Commission based on site characteristics and the site specific development plan, new buildings and associated landscape areas shall be located immediately adjacent to streetscape areas to further enhance roadside aesthetics and a significant pedestrian orientation.

d. Except where specifically waived by the Commission based on site characteristics and the site specific development plan, parking, loading, waste disposal and storage areas shall be located to the rear or side of buildings and screened from adjacent roadways and walkway/bikeways.

e. All parking areas shall be designed to provide clearly defined pedestrian pathways within the parking area and to and from building entries.

f. New buildings shall be designed to minimize mass by utilizing smaller visual components through the use of projections, recesses, varied façade treatments, varied roof lines and pitches, and where appropriate, variations in building materials and colors.

g. Site specific landscape and lighting plans shall be designed by qualified professionals and implemented to reduce visual impact, minimize light spill (undesirable light that falls outside the area of intended illumination) and promote compatibility with neighboring agricultural and residential uses.

h. Developments consisting of more than one structure shall exhibit a high degree of coordination in site planning, architectural design, site design and site detailing. All physical components shall be designed to complement an overall plan.

i. Building materials are a significant factor in defining the appearance of a building and coordinating development within an area. Traditional high quality building materials, such as brick and wood siding that reflect Mansfield's architectural tradition shall be used in the Four Corners area. Modern materials, such as fiber cement siding that have the same visual characteristics as wood, may be used but the following materials are examples of materials that are not considered acceptable in the Four Corners area: highly reflective metal or plastic siding or panels, brushed aluminum, bronzed glass, concrete siding, unfinished concrete block and corrugated fiberglass.

j. National franchise uses shall utilize building designs and building materials that reflect Mansfield's architectural traditions in their form, detailing and material.

## B. (Reserved for future use)

## C. Sign Regulations

### 1. General Provisions

a. The purpose of this section is to promote the public safety and welfare by providing adequate standards to control the number, height, size and location of signs and by providing criteria for the illumination and design of signs. The

provisions and controls of this section have been formulated to protect against traffic distractions and hazards, to provide reasonable standards by which permitted uses within the various zones may relate their function to the public and to aid in preserving and enhancing the aesthetic and historical values of the community.

b. No sign (see definition) shall be established, constructed, structurally altered or moved except in conformance with these Regulations. Except for those signs specified in Article X, Section C.4, a Zoning Permit shall be obtained for all signs, in accordance with the provisions of Article XI, Section C. In situations where a proposed sign or signs are one component of a comprehensive construction project, the sign authorization may be incorporated into one comprehensive Zoning Permit for the subject construction project.

c. Except for directional and traffic control signs, all signs shall pertain only to goods sold, services rendered and establishments, activities, persons or organizations on the same lot where the sign is located.

d. In situations where Planning and Zoning Commission approval is required to authorize a proposed land use or proposed land use modification, designs and locations for all proposed signs pertaining to the subject land use shall be submitted to the PZC as part of the permit approval process. Furthermore, any changes or alterations to PZC-approved signs shall require site modification approval, as per the provisions cited or referenced in Article XI, Section D.

**2. Definitions**

a. **Sign**. Any structure or part thereof, or any natural object (such as a tree, rock, shrub and the ground itself), or any device, whether freestanding or attached to a building, vehicle or structure or painted or represented thereon, which shall be used to attract attention to any object, project, place, activity, person, institution, organization or business, or which shall display or include any letter, word, model, flag, banner, pennant, insignia, device or representation which is in the nature of or which is used as an announcement, direction or advertisement for commercial purposes or otherwise. Signs shall include billboards, neon or lighted tubes, strings of lights, inflatables, paintings or similar devices outlining, attached or hung upon any part of a building, vehicle, structure, or otherwise on a lot, but does not include the flag, pennant or insignia of any nation or group of nations, or of any governmental agency.

For the purpose of this definition and these Regulations, the word "sign" also shall include interior signs if located on a window or within three (3) feet of a window and if obviously intended for viewing from the exterior.

b. **Sign, Advertising**. A sign, including the type commonly known as a billboard, which directs attention to a business, commodity, service, political campaign, or entertainment conducted, sold or offered elsewhere than upon the same lot where such a sign is displayed. Temporary sponsorship signs/banners, as provided for in the Mansfield Parks Regulations, shall not be considered advertising signs for the purposes of the Zoning Regulations.

c. **Sign, Area**. The area or size of a sign shall be defined and measured as follows:

1. For freestanding signs and sign structures that are attached or mounted upon a building, the sign area shall be the square footage included within the

shortest line that can be drawn around the outside perimeter of the sign, excluding any structural elements lying outside the limits of such sign that are clearly of a size, scale and design that is accessory to the subject sign. Any questions regarding the structural elements of a sign should be reviewed with the Commission.

2. For lettering, symbols, flags or other devices painted or independently attached or mounted upon a building or otherwise displayed on the property, the sign area shall be the square footage included within the smallest continuous regular geometric shape enclosing all lettering, wording, design, flags or symbols, together with any background that is different from the balance of the wall on which it is located and obviously related to the sign.

3. See sign area standards of Article X, Section C.9.

d. **Sign, Directional**. A sign indicating the direction of a route to the subject project, place, business, person, organization, etc.

e. **Sign, Identity**. A sign depicting the individual name(s) or collective name of persons, organizations or business conducting a permitted use on the subject site. In addition to name information, an identity sign may include supplemental descriptive wording regarding the product/service offered at the site.

f. **Sign, Promotional**. A sign, other than an identity sign, which directs attention to a business commodity, service or entertainment conducted, sold or offered upon or in front of the lot where such sign is displayed. For the purpose of these regulations, window signs as authorized by Section C.4.g of this article and temporary grand opening signs as authorized by Section C.5.e of this article shall not be classified as promotional signs.

**3. Prohibited Signs**

The following signs shall be prohibited:

a. Advertising signs as defined

b. Flashing, rotating, moving or blinking signs or optically projected slide signals which are changed periodically. This provision shall not apply to clocks or time/temperature signs that have been approved by the Planning and Zoning Commission.

c. Signs that are illuminated in a manner or with such intensity or brightness that they may tend to cause glare, distraction or nuisance to operators of vehicles, pedestrians, or neighboring property owners, or signs that are illuminated with a flashing, intermittent or rotating source of light.

d. Signs including structural elements that may tend to endanger vehicular or pedestrian traffic on a street, driveway or public way by obstructing or obscuring visibility or by causing confusion with traffic control signs or signals.

e. Signs including structural elements that obstruct any window, door, fire escape, stairway or opening intended to provide light, air, ingress or egress from any building or structure.

f. Strings of lights or streamers, banners, inflatables or flag-like devices hung from or attached to any part of a building, vehicle, structure or otherwise on a lot for commercial purposes or except where specifically authorized for grand opening

events pursuant to Sec. C.5.e of this article or except when specifically authorized pursuant to Sec. C.5.f of this article.

g. Signs that are painted, bolted or otherwise attached to a vehicle, trailer or similar portable device that is parked or located on the subject lot in a manner designed to display and promote the viewing of the subject sign.

h. Promotional signs as defined.

i. Portable signs, such as sandwich signs or A-frame signs, which are moveable and not permanently attached to a building, structure or the ground, except as may be authorized on a temporary basis for temporary signs pursuant to Section C.4.h of this article or for Grand Opening events pursuant to Section C.5.e of this article.

j. Any sign not specifically authorized within these Regulations.

**4. Signs authorized without Zoning Permit approval (unless prohibited by Section 3 above)**

The following signs are authorized without Zoning Permit approval, provided they comply with all other applicable provisions of these regulations and with the specific standards noted below:

a. **Public Signs -** Signs erected in the public interest by or on the order of a local, State or Federal official in the performance of duty, such as, but not limited to, traffic control signs and identity signs of public buildings, parks or historical sites, signs for governmentally-funded projects and temporary sponsorship signs/banners as provided for in the Mansfield Parks Regulations. This section does not apply to political signs.

b. **Residential Name Plate/Home Occupation -** For any residence, or authorized home occupation on the premises, one name plate and one home occupation sign are authorized, provided neither sign is larger than five (5) square feet in area. Home occupation signs shall not be internally illuminated and, if lighted externally, the sign shall be lighted only during the hours open for business.

c. **No Trespassing Signs -** No Trespassing signs or signs indicating the private nature of a premises or the restricted use of the premises, provided that the size of any such signs shall not exceed two (2) square feet in area.

d. **Name plates or public convenience signs** for authorized commercial and industrial uses identifying the building occupant, store hours, or other non-advertising notices, provided the size of any such signs shall not exceed two (2) square feet in area.

e. **Traffic control, parking and building identification signs** within a commercial, industrial or multi-family housing project approved by the Planning and Zoning Commission, provided the size of such signs shall not exceed three (3) square feet in area.

f. **Signs displayed in windows or doors of commercial uses** indicating whether the subject use is "open" or "closed," provided the size of any such sign shall not exceed five (5) square feet in area.

g. **Interior window signs** for authorized commercial uses, provided the signs do not cover more than forty (40) percent of the window area. Illuminated window signs shall be subject to the provisions of Section C.11 of this Article.

h. **Temporary signs**:

1. **Construction, Sale and Rental Signs** - Except as noted below, one non-illuminated sign not exceeding five (5) square feet in area, pertaining only to the sale, lease, rental or construction or improvement of the land or building upon which it is displayed;

   - Real Estate "For Sale" signs shall be removed as soon as the subject property is sold;
   - For construction projects, said signs shall only be displayed during the period of active construction.
   - For commercial or industrial projects approved by the Planning and Zoning Commission, one non-illuminated sign not exceeding sixteen (16) square feet in area, pertaining only to the contractors or professionals involved in the project may be maintained on the premises where the work is being performed. Said sign shall be removed prior to the issuance of any Certificate of Compliance and Occupancy permits.
   - For multi-family housing projects or subdivisions with more than ten (10) lots, one non-illuminated sign not exceeding sixteen (16) square feet in area, pertaining only to the name of the project and contractors or professionals involved with the project may be maintained on the premises, provided the sign is removed prior to the issuance of Certificates of Compliance for fifty (50) percent of the units or prior to the sale of fifty (50) percent of the subdivision lots.
   - For subdivisions that include the construction of a new road(s), one non-illuminated sign not exceeding thirty-two (32) square feet in area may be maintained on the premises, provided the following conditions are met:

     a. Said sign must include a map of the subject road(s) and lots. Otherwise, the sign shall pertain only to the name of the project and contractors and professionals involved with the project;

     b. Said sign shall not be posted until the issuance of a Zoning Permit for construction of the new road(s) and shall be removed within one (1) year of the issuance of said Zoning Permit;

     c. Said sign shall be in substitution of a sixteen (16) square foot sign as provided for in the preceding paragraph. Upon removal of the temporary thirty-two (32) square foot sign, a sixteen (16) square foot sign, pursuant to the provisions of the preceding paragraph, may be posted onsite.

2. **Special Event Signs for public, charitable, educational or religious events** One non-illuminated sign not exceeding thirty-two (32) square feet in area, for public, charitable, educational or religious events, provided the sign is posted at the site of the event no sooner than fourteen (14) days prior to the event and provided the sign is removed at the close of the event. In addition, up to three (3) offsite signs, provided each of said signs does not exceed eight (8) square feet in area and provided the signs are posted and removed as per the aforementioned time requirements.

3. **Agricultural/horticultural sales** See Article X Section T. 6 for agricultural sign provisions

4. **Political Signs** - Subject to obtaining property owner approval, political signs on private property are authorized. Political signs also are authorized along street rights-of-way abutting private property subject to obtaining the abutting property owners approval. All political signs must be in compliance with the traffic safety criteria of Section C.7. of this Article.

   Political signs shall not be located on public property or street rights-of-way abutting public property. To help reduce neighborhood impact and to help preserve Mansfield's scenic character, it is recommended that political signs be limited in size and number, be non-illuminated and be displayed for a limited period of time.

5. **Temporary holiday lights, decorations and displays**, provided said lights/displays do not promote a specific commercial use on the subject site.

6. **Program Registration Signs-** A maximum of one (1) non-illuminated sign not to exceed eight (8) square feet may be displayed to advertise registration for an upcoming program/event. Signs shall not be placed in the public right-of-way and shall be limited to one sign per property. Signs shall be posted no sooner than fourteen (14) days before the beginning of program registration and must be removed within seven (7) days of the close of registration. In no case may such sign be displayed longer than sixty (60) days.

**5. Signs that may be authorized with Zoning Permit approval (unless prohibited by Section 3 above)**

The following signs may be authorized with Zoning Permit approval, provided they comply with all other applicable provisions of these regulations and with the specific standards noted below:

**a. Identity Signs for Conforming Commercial and Industrial Uses.**

1. One free standing identity sign per site, regardless of the number of buildings or uses occupying the site, provided the sign is no larger than thirty-two (32) square feet in area and provided no dimension is larger than eight (8) feet. (See Section 6 for possible variations on this provision.)

2. One identity sign for each building occupant, attached onto a front facade of a building, provided said sign does not exceed one (1) square foot of area for each linear foot of the front facade of the principal building or portion thereof in which the subject occupant is located and the subject sign is situated. Where a building occupant has more than one front facade, the identity sign authorized by this section typically shall be located on the facade facing the primary entrance to the site. Any questions regarding the placement of this sign shall be reviewed and resolved with the Planning and Zoning Commission (see Section 6 for possible variations of this provision.)

**b. Identity Signs for Non-conforming Commercial and Industrial Uses**

1. One free-standing identity sign per site, regardless of the number of buildings or uses occupying the site, provided the sign is no larger than eighteen (18)

square feet in area and provided no dimension is larger than eight (8) feet (see Section 6 for possible variations of this provision.)

2. One identity sign for each building occupant, attached onto a front facade of a building, provided said sign does not exceed one (1) square foot of area for each linear foot of the front facade of the principal building or portion thereof in which the subject occupant is located and the subject sign is situated. Where a building occupancy has more than one front facade, the identity sign authorized by this section typically shall be located on the facade facing the primary entrance to the site. Any questions regarding the placement of this sign shall be reviewed and resolved with the Planning and Zoning Commission.

**c. Identity Signs for Multi-family Housing Developments, Mobile Home Parks and Churches:** One free-standing identity sign per site, provided the sign is no larger than twelve (12) square feet in area (see subsection 6 for possible variations of this provision)

**d. Offsite Directional Signs** (See Sections C.4.h.2 and 3 for directional signs associated with public, charitable, educational or religious special events or agricultural/horticultural sale sites) Offsite directional signs may be permitted for an authorized use that is on a site difficult to locate, provided other provisions of these Regulations are complied with and provided the following conditions are met:

1. The Planning and Zoning Commission determines that the site will promote traffic safety, the public convenience and general welfare and good aesthetic design (see Article X, Section C, subsections 10 through 12)

2. The size of each directional sign is no greater than two (2) square feet in area.

3. Any sign on State or Town property is approved by the State Dep't. of Transportation or other State agency having jurisdiction, or by the Mansfield Traffic Authority.

4. Where a directional sign is on private property, a letter authorizing the use from the subject property owner shall be submitted with the Zoning Permit application.

**e. Grand Opening Event Signs**: One free-standing sign no larger than sixteen (16) square feet in area, and strings of lights, streamers, banners, inflatables or flag-like devices hung from or attached to a building that would otherwise be prohibited by Section C.3.f of this article may be temporarily permitted by the Zoning Agent for grand opening events subject to compliance with the following criteria:

1. The proposed grand opening event shall be a bona fide opening of a new commercial or industrial business at the site or a bona fide change of business ownership at the site. Any questions regarding qualifications for displaying grand opening event signs shall be reviewed and resolved with the Planning and Zoning Commission.

2. All grand opening event signs shall be located on the site of the subject commercial or industrial business (see Section X, C.3(a)).

3. All grand opening event signs shall be displayed on the site and remain onsite for no more than twenty (20) days.

4. All grand opening event signs shall comply with the prohibited sign provisions of Sections C.3.b through e and C.3.g of this Article, the location and height provisions of Sections C.7 and 8.a and b of this Article, and all other applicable provisions of these Regulations.

5. All grand opening events shall be conducted within six (6) months of the business opening.

**f.** **Strings of lights**: The Planning and Zoning Commission may authorize (pursuant to the modification process of Article XI, Section D or the site plan or special permit provisions of Article V) the use of strings of light that would otherwise be prohibited by Section C.3.f of this Article, subject to compliance with the following criteria:

1. The proposed strings of lights shall be located on the site of an existing or proposed (application pending) commercial use;

2. The proposed strings of lights shall be low-intensity and non-intermittent. The lights shall not result in detrimental neighborhood impacts or onsite or offsite vehicular or pedestrian safety problems;

3. The proposed strings of lights shall be an integral element of the overall lighting plan for the property and shall enhance site safety or site aesthetics. The Commission shall have the right to require the proposed use of strings of lights to be designed by a qualified lighting or landscape professional if necessary to address the application requirements and approval criteria of these Regulations;

4. The strings of lights may only be illuminated during the hours the commercial use is open for business or until 11:00 p.m., whichever time is later;

5. The proposed strings of lights shall be installed in a safe, weatherproof manner and shall meet all other applicable provisions of these Regulations.

**g.** **Table Umbrella Signs**: In locations where outdoor seating areas have been authorized, table umbrella signs may be used subject to compliance, with the following criteria:

1. Businesses are allowed one (1) Table Umbrella Sign per every 25 square feet of outdoor seating area. Design for all umbrellas should remain consistent for any one business. A table umbrella alone does not constitute a sign. NOTE: The sign will not be counted as a business identity sign.

2. Umbrellas may consist of solid colors or panels of contrasting colors.

3. Lettering, emblems or logos are permitted on the umbrella fabric, provided that identification does not exceed an area of 36 square inches and is displayed on a maximum of 50% of the panels.

4. Alternatively, the umbrella flap may be used for identification provided that the flap is no greater than 6 inches in height.

5. The lettering, emblems, and/or logos of the establishment are allowed on table umbrella signs; other forms of advertising are not allowed.

**6. Possible Variations Regarding the Number and Size of Signs**

a. Gasoline Service Stations: In addition to the one freestanding sign that may be authorized for commercial and industrial uses, gasoline service stations may utilize one additional sign with Zoning Permit approval, for price information, provided the sign does not exceed twelve (12) square feet. Provided sightline or traffic safety problems are not created, the second sign shall be mounted on the same post as the primary identity sign.

b. For shopping centers with five or more separate stores where the subject buildings are set back a mini-mum of one hundred and fifty (150) feet from the highway clearance setback line, the primary free-standing identity sign may be increased from thirty-two (32) square feet to forty (40) square feet in area, with Zoning Permit approval.

c. Authorized freestanding identity signs may include a dimension greater than eight (8) feet, provided the Planning and Zoning Commission determines that the longer sign will not create safety problems and provided the proposed sign promotes excellence in design and aesthetic character (see Article a commercial or X, Sections C.10 through C.12).

d. Where a commercial or industrial use or multi-family housing project is located on an individual site that has frontage and public access on more than one public street, a second freestanding identity sign may be authorized on the same lot, provided the sign is no larger than twelve (12) square feet in area, provided said sign is located near a public access way and provided the Planning and Zoning Commission determines that said sign will clearly promote traffic safety, the public convenience and excellence in design and aesthetic character (see Article X, Sections C.10 through C.12).

e. Where a commercial or industrial use has a direct principal customer entrance on a building facade that is not the front facade provided for in subsection 5.a.2 or 5.b.2 above, one additional attached identity sign may be authorized, provided the sign is no larger than one (1) square foot of area for each linear foot of façade upon which the subject entrance is located, and provided the Planning and Zoning Commission determines that said sign will clearly promote traffic safety, the public convenience and excellence in design and aesthetic character. For the purpose of this subsection, a customer entrance off a common mall entry is not considered a direct principal customer entrance (see Article X, Sections C.10 through C.12).

f. Where an industrial park development within the IP or RD/LI zones has a number of distinct uses on separate lots but utilizes a collective identity, additional free-standing identity signs may be authorized, provided the Planning and Zoning Commission determines that the proposed signs are appropriately located and designed to promote traffic safety, the public convenience and excellence in design and aesthetic character, provided no sign is larger than thirty-two (32) square feet in size and provided all signs authorized under this subsection for a particular development project are uniform in size, shape and color (see Article X, Sections C.10 through C.12).

g. For commercial, industrial, multi-family or mobile home park uses, the PZC may authorize one additional identity sign that is composed of evergreen plantings or other natural materials. Said signs shall only be authorized where the applicant

provides suitable maintenance plans and where the sign provides excellence in design and aesthetic character (see Article X, Sections C.10 through C.12).

h. For shopping centers with five or more separate stores where such stores have individual customer entrances in the enclosed interior of the structure containing the stores, the Planning and Zoning Commission may authorize one additional free standing sign that complies with the following criteria:

   1. The proposed sign shall be utilized solely to announce events of public interest or store sales and store promotions taking place on the subject premises;

   2. The proposed sign shall not exceed twenty (20) square feet in area;

   3. The proposed sign shall promote excellence in design and aesthetic character;

   4. Provided sightline or traffic safety problems are not created, the proposed sign shall be mounted on the same post or structure as the primary identity sign;

   5. The proposed sign shall meet all lighting, location and other applicable provisions of these Regulations;

   6. To enhance sign visibility and legibility and therefore promote traffic safety, the proposed sign shall utilize lettering with a minimum height of three (3) inches.

i. Interior Lot Directory Sign: For shopping centers with five or more separate stores, the Planning and Zoning Commission may authorize interior lot directory signs that comply with the following criteria:

   1. The proposed sign(s) shall be designed and located to serve potential customers who have entered the site. Interior lot directory signs shall not be designed to attract potential customers to a site.

   2. The size, number and location of interior lot directory signs shall be determined by the number of businesses on the site, site layout, the location of customer entrances, the need for assisting potential customers with identifying and locating businesses onsite, and potential impacts on vehicular and pedestrian safety and site aesthetics.

   3. All proposed interior lot directory signs shall be compatible in size, scale, design color and construction with respect to the architecture of buildings on the site and other signs on the site. All lettering of interior lot directory signs shall have a maximum height of four (4) inches.

j. For all free-standing identity signs authorized by Article X, subsections C.5.a, C.5.b, C.5.c, C.6.d or C.6.f, the Planning and Zoning Commission may authorize, pursuant to the special permit provisions of Article V, Section B, an increase in the size of the identity sign where, due to the letter height provisions of Article X, Section C.10.b, the names of all onsite uses cannot be listed on the sign. All of the following criteria shall be met.

   1. The proposed sign shall be limited to the names of the authorized onsite uses and shall not identify products or services.

2. Subject to compliance with other applicable provisions of these regulations, the size of the sign shall be the minimum square footage necessary to identify the names of all site uses and any common name for the site. Where the names of all site uses are to be listed, three (3) inch letter heights shall be used. Where some, but not all, of the names of site uses are to be listed, the Commission may authorize larger letter heights.

3. The proposed sign shall be compatible in size and scale with the site's physical characteristics (frontage, topography, other natural or man-made features) and with the overall character of neighboring properties.

4. The proposed sign shall not result in sightline or traffic safety problems.

5. The proposed sign shall comply with all applicable construction/design standards of Article X, Section C.10 and shall promote excellence in design.

6. The proposed sign shall incorporate applicable provisions of Mansfield's sign design guidelines (see Appendix B of Mansfield Zoning Regulations).

7. The proposed sign shall meet all lighting, location, landscaping and other provisions of these Regulations.

k. For shopping centers with five or more separate stores, the Planning and Zoning Commission may authorize additional signage to identify the common name of the shopping center, provided such signage complies with the following criteria:

1. The proposed signage shall be incorporated as an integral architectural feature of the building or appurtenant structure, and shall be compatible in size and scale with the building's setting and physical characteristics, the site's physical characteristics (frontage, topography, other natural or manmade features) and other site signage.

2. The proposed signage shall not name or refer to any specific site use, product, or service.

3. The size and number of signs that may be authorized shall be determined by the Commission based on the provisions of subsections 1, 4, 5 and 6 of this regulation. Where more than one sign is proposed, the signage shall be identical unless a variation is authorized by the Commission due to building and site characteristics.

4. The proposed sign shall comply with all applicable construction/design standards of Article X, Section C.10 and shall promote excellence in design.

5. The proposed sign shall incorporate applicable provisions of Mansfield's sign design guidelines (see Appendix B of Mansfield Zoning Regulations).

6. The proposed sign shall meet all lighting and other provisions of these Regulations.

l. Where a commercial use has a front façade exceeding 300 feet in length and two principle customer entrances along this façade, a second identical attached identity sign may be authorized, provided the total square footage of both signs is not larger than one (1) square foot of area for each linear foot of façade upon which the signs are mounted, and provided the Planning and Zoning Commission determines said signs will clearly promote traffic safety, the public convenience,

and excellence in design and aesthetic character (see Article X, Sections C.10 through C.12).

m. For shopping centers with five or more separate stores, the Planning and Zoning Commission may authorize identity signage along the front façade of the subject shopping center structure for stores with customer entrances in an enclosed interior of the shopping center, subject to the following criteria:

1. The total square footage of attached identity signage for the shopping center shall be no greater than the total square footage permitted based on the front façade of the building being authorized by Article X, Section C.5.a.2.
2. The proposed signage shall be compatible in size and scale with the building's setting and physical characteristics and other site signage.
3. The proposed signage shall comply with all applicable construction/design standards of Article X, Section C.10 and shall promote excellence in design.
4. The proposed signage shall incorporate applicable provisions of Mansfield's sign design guidelines (see Appendix B of Mansfield Zoning Regulations).
5. The proposed signage shall meet all lighting and other provisions of these Regulations.

**7. Location**

a. All signs shall be located so that they do not block traffic control signs or devices, street signs, street or driveway intersections or sightlines for existing signs on neighboring property. Wherever possible, signs shall be set back a minimum distance of thirty (30) feet from any street intersection.

b. Unless specific authority is granted by the State Dept. of Transportation or the Mansfield Traffic Authority, no sign shall be located within the State or Town street right-of-way. Wherever possible, signs shall be set back a minimum distance of ten (10) feet from any property line.

**8. Height**

a. In all residential zones, the top of any freestanding sign shall not exceed a height of six (6) feet above the average ground level at the base of such sign.

b. In all commercial or industrial zones, the top of any freestanding sign shall not exceed a height of twenty (20) feet above the average ground level at the base of such sign.

c. No sign attached to a building shall be located upon the building's roof or shall extend above the top of the building's exterior wall to which it is attached.

**9. Sign Area**

For determining the area of a sign, the following standards, in conjunction with the definition of sign, area, shall apply:

a. For single or double-faced signs, the area shall be the square footage of the largest face.

b. For "V" shaped signs or any other configuration other than single or double-faced signs, the area shall be the combined area of all faces.

**10. Construction/Design**

a. Signs shall be constructed of weatherproof material, firmly supported and maintained in good condition and repair by the owner or lessee of the subject property. All provisions of the State Building Code shall be met.

b. To enhance sign visibility and legibility, and therefore promote traffic safety, all free standing identity signs defined in Article X, Section C.2 and as may be authorized in Sections C.5 and C.6 shall meet the following letter height provisions:

   1. All sign wording shall utilize lettering with a minimum height of three (3) inches, except for wording for a site's common name (addressed below) and minor accessory wording or symbols ("and, "+" or "&", etc.), which may have smaller-sized lettering.

   2. Where site uses are collectively identified with a common name, the sign wording for the name shall utilize lettering with a minimum height of seven (7) inches.

      These letter height provisions may be reduced by the Planning and Zoning Commission where a smaller size lettering would promote neighborhood compatibility and site character, and not detrimentally affect traffic safety.

c. All signs shall be compatible in scale, design, color and construction with the architectural character of the building(s) or premises to which they refer and with the neighborhood within which they are located. The structural portions of signs (columns, crossbeams, braces, etc.) shall be proportional to the sign panel they are supporting. All proposed signs should consider Mansfield's sign design guidelines (see Appendix B of Mansfield's Zoning Regulations).

d. Where more than one attached sign is located upon a building facade, the subject signs shall be compatible in scale, design, color and construction with respect to the architecture of the building and other signs on the site. Any questions regarding sign compatibility shall be reviewed and resolved with the Planning and Zoning Commission. Signs utilizing Federally registered trademark specifications shall be considered in compliance with this provision.

e. Sign colors and letter fonts shall take into account the need to read or interpret the sign in daylight and, as appropriate, nighttime periods. Color and font choices are particularly important for directional signs, public signs, including traffic control signs, and identity signs.

**11. Lighting**

All lighting of signs shall be low-intensity, non-intermittent, and shielded so that the source of illumination is not visible from any street or any adjacent lot. All sign lighting shall be designed to illuminate the sign face and, as appropriate, associated basal plantings, and not adjacent areas. Externally mounted light fixtures shall be mounted on the top of the sign structure and aimed downward unless it can be demonstrated that alternative designs will not result in light spillover. Except in all business and industrial zone classifications, illuminated signs shall be lighted only during the hours open for business. In all business and industrial zone classifications, illuminated signs associated with a permitted use may be lighted during the hours open for business or until 11:00 p.m., whichever time is later.

**12. Landscaping**

Freestanding signs shall meet the ground in an attractive manner. The use of appropriate plantings with year-round attractiveness, mulched with a fine stone aggregate or bark surface treatment shall be required in conjunction with the approval of a new sign if necessary for compliance with this section.

**13. Enforcement/Sign Removal**

a. The issuance of Zoning Permits and any necessary enforcement action due to violations of the provisions of these sign regulations shall be administered in accordance with the provisions of Article XI.

b. Provided all applicable provisions of these regulations are met, including color and design requirements for buildings and developments with multiple signs and provided any previous approval conditions are met, a separate Zoning Permit shall not be required for the repainting or alteration of the copy on an approved sign which is specifically designed for the use of replacement copy. The use of a new sign or any proposed structural changes to a sign require the issuance of a new Zoning Permit.

c. Signs which become unsafe, unsightly, physically damaged or otherwise in violation of these regulations shall, upon notice from the Zoning Agent, be repaired or replaced by the owner or lessee of the property on which the sign is located within thirty (30) days of said notice.

d. Wherever an existing land use is discontinued or terminated, and an associated store, building or lot area devoted to the use is vacated, all non-conforming signs associated with said use shall be removed by the subject property owner or lessee within thirty (30) days of notice from the Zoning Agent and all conforming signs associated with said use shall be removed or suitably covered by the subject property owner or lessee within thirty (30) days of notice from the Zoning Agent.

   Once a sign is removed in accordance with this provision, it may not be repositioned or replaced unless it is in conformance with the current provisions of the Mansfield Zoning Regulations.

e. Whenever a proposed change in use or site modification on a subject property necessitates Planning and Zoning approval in accordance with other provisions of these regulations, the PZC shall have the right to require any non-conforming signs pertaining to said use be altered or replaced to bring the signs into conformity with the current provisions of the Mansfield Zoning Regulations.

**14. Signage Regulations Applicable to all Storrs Center Special Design District (SC-SDD)**

The provisions of Article X, Sections C.1.c, C.1.d, C.3.i, C.5, C.6, C.7, C.8, C.9 and C.10 do not apply to property zoned SC-SDD. All other provisions of Article X, Section C apply to property zoned SC-SDD. Additional signage regulations pertinent to SC-SDD zone districts are contained or referenced in Article X, Section S.

## D. Required Off-Street Parking And Loading.

1. **Applicable to all uses -** Accessory off-street parking and loading spaces, open or enclosed, shall be provided for any lot for any use specified in 5 and 12 below, for the purpose of eliminating the creation of traffic hazards. This section shall not apply to properties zoned SC-SDD. All parking and loading requirements within a Storrs Center Special Design District shall be in accordance with the requirements of Article X, Section S. Any land which is developed as a unit under the single ownership and control with uses specified below in these sections shall be considered a single lot for the purpose of such regulations.

2. **Area counted as parking space -** A parking space may be any open or enclosed area, including any private garage, carport, driveway or other area available for parking, except that no street may be used nor may such parking space be located in a required front yard of a corner lot within 50 feet of the corner.

3. **Residential Driveways.** New driveways for construction of one and two-family homes on existing lots shall meet the requirements of Sections 7.9, 7.10.c through 7.10.j and 7.11 of the Mansfield Subdivision Regulations.

4. **Location of required accessory parking facilities -** Required accessory parking facilities, open or enclosed, shall be provided upon the same lot as the use to which they are accessory or elsewhere within 1,000 feet of such lot. All offsite parking spaces within 1,000 feet of a subject lot shall require special permit approval of the Commission in accordance with the provisions of Article V, Section B.

5. **Size of Space and Access Aisle** – All parking spaces and associated access aisles shall be sized and designed to ensure safe and convenient use. Except for required accessible parking spaces (see subsection 10 below), unless a reduction is specifically authorized by the Planning and Zoning Commission, all parking spaces shall have a minimum width of nine and one-half (9 ½) feet, a minimum length of nineteen (19) feet and a minimum access aisle width of twenty-four (24) feet.

   Depending on the nature of a subject use, site characteristics and parking lot design, and provided no traffic safety problems are anticipated and that a reduction will enhance the overall design, layout and physical impact of a proposed parking area, the Commission may, by majority vote, authorize a reduction in the minimum standards cited above. Potential reductions in parking space and aisle dimensions are most appropriate for parking areas designed for one-way travel or angled parking and for employee parking areas. (Also see subsection 7 below for access drive width requirements).

6. **Unless specific exceptions are noted, in other sections of these regulations, required parking spaces shall be as follows:**

| | | |
|---|---|---|
| A | Residences (single and multi- family) | Two for each dwelling unit |
| B | Home Occupation | As determined by the Commission |
| C | Buildings & Open Stands for display & sale of agricultural products | One for each 5 ft. of building frontage |
| D | Churches | One for every 4 seats |
| E | School, Public & Private | One for each 12 seats of students |
| F | Private Recreational Facilities | As determined by the Commission |
| G | Telephone Exchanges Utility Substations | One for each 2 employees or 300 sq. ft. of floor area, whichever is greater. |
| H | Trailers, Trailer Coaches, & Mobile Homes | Two for each dwelling unit |
| I | Theatres (Enclosed) | One for each 3 seats |
| J | Restaurants where food and drink are consumed onsite & there is no specified take-out service | One for each three customer spaces (seats, stools, spaces along counters and spaces in other areas where customers may be located and/or onsite consumption may occur) |
| K | Restaurants located on a site with 5 or more separate stores, shops, or businesses, where food, & drink are consumed onsite and there is a specified take-out service | One for each three customer spaces (as defined in subsection j above) plus 5 additional spaces; or the number of spaces required for a retail & personal service use as per subsection o below, whichever number of spaces is greater. |
| L | Restaurants located on a site with 4 or fewer stores, shops or businesses, where food & drink are consumed onsite & there is a specified take-out service | One for each three customer spaces (as defined in subsection j above), plus 5 additional spaces; or the number of spaces required for a retail and personal service use as per subsection o below, whichever number of spaces is greater. |
| M | Office Building | One for each 250 sq. ft. of floor area |
| N | Undertaker | One for each 200 sq. ft. of floor area, but not less than one for each 5 seats |
| O | Retail & Personal service uses within a building and involving one or two retail or personal service operations per store or shop. | Five spaces for the first 300 sq. ft. or less of floor area and one for each additional 200 sq. ft of floor area. For retail and personal service uses on sites with 50,000 square feet or greater of commercial building square footage "net retail floor area" may be used to calculate required parking. |
| P | Industrial Uses | One for each 500 sq. ft. of floor area or two employees, whichever is greater |
| Q | Motel | One space for each unit |
| R | Bank | As determined by the Commission |
| S | Retail and personal service uses within a building & involving three or more retail or personal service operations per store or shop | As determined by the Commission |
| T | Retail & personal service uses utilizing an outdoor area | As determined by the Commission |
| U | Retail, personal services, restaurant and other similar uses within a building or buildings on a site that contains not less than 250,000 sq. ft. of gross floor area in all buildings. | Four spaces per 1,000 sq. ft. of net retail floor area. Interior pedestrian walkways between tenant spaces shall not be included as net retail floor area. |

Parking requirements for other uses and activities shall be determined by the Planning and Zoning Commission. Furthermore, the Commission may require additional parking (beyond the standards cited above) whenever a subject use utilizes delivery vehicles or reduce the number of required spaces based on parking demand/actual need.

7. **Exceptions**

   a. For commercial uses located within PB-2 and PB-4 zones, the number of parking spaces required shall be reduced by 20%. The Commission may also consider a further reduction based upon the proposed commercial use and the nature of existing and anticipated pedestrian traffic due to the proximity of the University. This exception shall not affect those uses with parking requirements "to be determined by the Commission" as per section 5 above.

   b. For commercial uses located within Planned Business zones containing a building greater than 250,000 square feet of gross floor area with a theatre component of at least 1,000 seats, the number of parking spaces required per Section 5 above may be reduced by 20%, provided such reduction is supported by a specific shared parking analysis for the subject site and uses.

8. **Safe and convenient access to and from a street shall be provided subject to approval of local and/or State Highway Department.** Unless a reduced access drive width is specifically authorized by the Planning and Zoning Commission, such access shall consist of at least two 12-foot lanes for all parking areas. Depending on the nature and location of a proposed land use, the Planning and Zoning Commission may by majority vote authorize reduced access driveway widths provided no traffic safety problems are anticipated and provided the reduced width will enhance the overall design, layout and physical impact of the proposed land use. Reduced access driveway widths are most appropriate for non-commercial uses with low traffic volumes, for sites in residential zones and for sites accessed by existing roadways less than twenty-four feet in width. In situations where the Planning and Zoning Commission authorizes a reduced access driveway width, the Commission shall reserve the right to require, as a specific condition of special permit onsite plan approval, the subject driveway(s) to be widened. Any such condition shall include a review process and criteria designed to address potential traffic safety problems.

9. **Drainage and Surfacing** - All open parking spaces shall be properly drained and all such areas shall be provided with a dustless surface.

10. **Joint Facilities** - Required parking spaces, open or enclosed, may be provided in spaces designated to serve jointly two or more establishments whether or not located on the same lot, provided that the number of minimum required spaces in such joint facilities shall not be less than the total required for each such establishment.

11. **Accessible Parking Spaces** - All proposed commercial, industrial, governmental and multi-family residential land uses shall provide accessible parking spaces for handicapped individuals. Said spaces shall conform with Section 14-253a(h) of the State Statutes. At a minimum, accessible parking spaces shall be provided in the number required by the State Building Code. However, additional handicap spaces may, depending on the number of entrances and the nature of the population served,

be required by the Commission. Wherever feasible, the parking spaces located closest to a primary entrance shall be designated as accessible parking spaces. Appropriate access ways to and from the adjacent primary entrance shall be developed in association with all accessible parking spaces. All accessible parking spaces shall be clearly designated with signs situated approximately 5 feet above grade and, wherever possible, with pavement markings. The required crosshatch area shall be located on the right-hand side of each accessible space.

12. **Fire Lanes** - All parking areas shall conform with applicable requirements of the Mansfield Fire Marshal regarding adequate fire lanes and emergency vehicle access.

13. **Size, Location and Access of Loading Berths** - Each required loading berth shall be at least 12 feet wide, 50 feet long and 15 feet high, and may be located within a building or in open space, but not within required off-street parking spaces or accessory drives thereto. Unobstructed access at least 12 feet wide to and from a street shall be permitted or required loading berths shall be on the same lot as the use to which they are accessory, except as provided in 11 below. No accessory off-street loading berth, whether open or enclosed, shall be located within a required front yard.

14. **Off-street loading berths shall be required as follows**:

| | |
|---|---|
| Public Facilities & Public Schools | One berth for each 10,000 sq. ft. and an additional berth for each additional 25,000 sq. ft. or fraction thereof |
| Buildings with Offices, Retail and Service Establishments, and Manufacturing | One berth for 8,000-25,000 sq. ft. & one additional berth for each additional 25,000 sq. ft. or fraction thereof |
| Undertakers | One berth for each chapel, minimum size 10’x20’ |

15. **Joint Facilities** - Required open or enclosed loading berths may be designated to serve jointly two or more adjacent establishments, provided the number of such joint berths shall not be less than the total number of berths required for all of the establishments served by such joint facility.

16. **Access Near Street Corners** - No entrance or exit for any accessory off-street parking area with over ten parking spaces or any loading berth shall be located within 50 feet of the intersection of any two street lines.

17. **Lighting** - All parking and loading areas shall be adequately illuminated in order to prevent vehicular and pedestrian safety problems. All lighting fixtures shall be arranged (and, where appropriate, shielded) to prevent glare and to direct light away from any neighboring residential properties (also see Article VI, Section B.4.g.).

18. **Snow Removal** - All parking and loading areas shall be designed, constructed and maintained to address snowplowing and snow removal needs for the site. All loading areas and the minimum number of parking spaces required by these regulations and any Commission approval requirements shall be available for year-round use.

19. **Interior Parking Lot Landscaping** - In addition to the buffering and other landscaping requirements provided for in Article VI, Section B.4.q., any new parking area (including those portions of existing parking areas that would be substantially

altered in association with a proposed expansion or intensification of use on the property) which contains spaces for ten (10) or more cars shall include landscape areas within vehicle use areas. Said interior lot landscaping shall be equal to at least ten (10) percent of vehicle use areas which shall include portions of the site bound by parking, loading and driveway areas. For example, where a vehicle use area abuts a building, landscaping adjacent to the building is not considered part of the required interior lot landscaping. Similarly, perimeter buffer landscape areas are not part of the required interior lot landscaping.

The following additional criteria shall be met:

a. Interior lot landscaping shall be designed to reduce vehicular speeds and enhance parking lot safety, to help separate pedestrian and vehicular movements, to improve environmental quality and site aesthetics and to eliminate large expanses of impervious surface. Where possible, larger parking areas should be separated by center island medians and, in general, no parking space should be located more than 100 feet from an interior landscape area.

b. Interior landscape areas shall contain a mix of trees, shrubs, ground covers and other plantings. At a minimum, one deciduous shade tree at least two (2) inches in caliper, shall be planted for each ten (10) parking spaces. Trees and shrubs placed within five (5) feet of paved areas shall be of a variety capable of withstanding salt damage. Plants identified in the current State Department of Environmental Protection Agency listing of invasive species shall not be used.

c. Interior landscape areas shall be designed with adequate width to meet design objectives, to provide adequate areas for healthy plant growth and to help address snow removal requirements. A minimum island width of twelve (12) feet shall be provided. Where pedestrian ways are located within a landscape area, wider widths are necessary.

d. Interior landscape areas shall be protected by curbs, landscape timbers or other means acceptable to the Commission. Landscape areas shall be mulched with woodchips, shredded bark or other materials acceptable to the Commission.

e. To prevent sightline problems, at all locations where vehicular or pedestrian traffic intersects (especially at driveway and street intersections), landscape plantings shall not exceed a mature height of two (2) feet.

f. All required landscaping shall be installed in accordance with approved plans. Plantings and other improvements shall be maintained in a healthy and/or attractive state and replaced when necessary. See Article VI, Section B.4.q.3.

The Commission shall retain the right to modify the landscaping requirements of this subsection where specialized site conditions exist (such as existing trees or structures, unusual lot configuration, topographic or wetland/watercourse constraints, etc.), which would make strict compliance with these standards unreasonable. Whenever the Commission modifies interior lot landscaping requirements under this provision, reasons for the modification shall be cited.

20. **Deferred Construction**. In a commercial development in a Planned Business Zone, an applicant may defer construction of not more than ten percent (10%) of the required parking spaces provided it indicates on its site plan the location where such parking shall be constructed should actual use indicate a need for such parking spaces and provided further that it provides a parking study as part of its application to

demonstrate that the deferral of construction of such spaces will not adversely impact the operation of the development. If, at any time, the zoning enforcement officer determines that the deferred parking spaces (or a portion thereof) are required for the operation of the property in a safe manner, the owner shall construct such deferred parking spaces within a reasonable period of time of receipt of written notice from the zoning enforcement officer and, in any case, not less than 180 days from receipt of such notice.

## E. Flood Hazard Areas: Areas Subject To Flooding

### 1. General

Land which is designated as a flood hazard area, land within flood encroachment lines administered by the State Department of Environmental Protection, and other land subject to 100-year flooding (Base Flood) shall not be built upon, nor shall it be used for residential occupancy, but, subject to the prior receipt of special permit approval from the Planning and Zoning Commission, these areas may be used for those uses identified in Article VII, Section W. Maps and other information depicting areas subject to flooding are available for review in the Town's Planning Office.

When base flood elevation data or floodway data have not been provided through the Town's "Flood Insurance Study" and "Floodway" and "Flood Insurance Rate" maps, the Commission shall consider any available data from other sources, provided such information shall be satisfactory to the Commission and the Mansfield Department of Public Works. For the purposes of these Regulations, all areas depicted as zone "A" on the Town's Flood Insurance Rate Map" are designated as regulated floodways.

### 2. Definitions

The following definitions are provided for use in conjunction with the flood hazard area provisions of Article X, Section E of these Regulations. The definitions in this section shall be utilized only for issues involving flood hazard areas.

a. "**Base flood**" means the flood having a one percent chance of being equaled or exceeded in any given year.

b. "**Basement**" means that portion of a building having its floor sub-grade (below ground level) on all sides.

c. "**Development**" means any man-made change to improved or unimproved real estate, including, but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

d. "**Flood Boundary and Floodway Map**" (FLOODWAY) means the official map of a community on which the Federal Emergency Management Agency has delineated the boundaries of the floodway.

e. "**Flood Insurance Rate Map**" (FIRM) means an official map of a community on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

f. "**Flood hazard area**" is the land within a community subject to a one percent or greater chance of flooding in any given year. Flood hazard areas include areas subject to 100-year flooding as shown on the Federal Emergency management Agency "Flood Insurance Study," "Floodway" and "flood Insurance Rate Maps"

effective January 2, 1981 and further revisions. The maps and study are adopted by reference and declared to be part of this regulation.

g. "**Flood Insurance Study**" (FIS) means the official report from the Federal Emergency Management Agency (FEMA), which contains examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.

h. "**Flood-proofed**" is defined as water-tight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.

i. "**Floodway**" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

j. "**Lowest floor**" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area is not considered a building's lowest floor.

k. "**Manufactured home**" (also known as "mobile home") means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

l. "**New construction**" means structures for which the "start of construction" commenced on or after the effective date of the initial FIRM (January 2, 1981) and includes any subsequent improvements to such structures.

m. "**Recreational vehicle**" (also know as a "trailer") means a vehicle which is:

   1. built on a single chassis;
   2. 2. 400 square feet or less when measured at the longest horizontal projections;
   3. designed to be self-propelled or permanently tow able by a light-duty truck; and
   4. designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use.

n. "**Start of construction**" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, or any work beyond the stage of excavation. For a substantial improvement, the actual start of construction means the first alteration of the building, whether or not that alteration affects the external dimensions of the building.

o. "**Substantial improvement**" means any combination of repairs, reconstruction, alteration or improvements to a structure taking place over a one (1) year period, in which the cumulative cost equals or exceeds fifty percent (50%) of the market value of the structure. The market value of the structure should be (1) the appraised value of the structure (using the cost approach to value method) prior

to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary or safety code specifications, which are solely necessary to assure safe living conditions.

Use of the above-noted cost approach to value method to determine market value is based on the value of the bare land plus the depreciated replacement cost of the structure, using current rates for material, equipment and labor. It generally results in the highest market value for the property.

p. "**Water Surface Elevation**" means the height in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

**3. Procedure**

a. Before a special permit may be granted for use of the above-referenced area, the owner shall submit an application, fee and site plan in accordance with the provisions of Article V, Section B. In addition wherever applicable, the submitted site plan shall include the following:

1. Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all structures;
2. Elevation in relation to mean sea level to which any non-residential structure will be flood-proofed;
3. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development;
4. A statement as to whether or not the proposed alterations to an existing structure meet the criteria of the substantial improvement definition.

The owner may also be required to submit other data necessary to review the proposal accurately with respect to approval criteria.

b. Upon receipt of an application and other required information, the Commission shall schedule a legally advertised Public Hearing on the proposed activity. Upon completion of the Public Hearing, the application may be approved, denied or approved with modification.

c. All provisions of Article V, Sections B.7 (Conditions of Approval), B.8 (Violations of Approval) and B.9 (Revisions) shall be met.

**4. Approval Criteria**

No development plan shall be approved which is inconsistent with the public welfare, which impairs the integrity of these Regulations, or which does not fully safeguard the use of the land in the immediate neighborhood. No special permit shall be granted until the findings contained in Article V, Section B of these Regulations and the following criteria are met to the Commission's satisfaction.

a. No structures to be used for residential occupancy are allowed within designated Flood Hazard Areas. The lowest floor elevation, including basement, of all non-residential structures located within designated flood hazard areas shall be elevated to at least one (1) foot above the base flood level (100-year flood level) or be flood-proofed with structural certification by a registered professional engineer or architect certifying that the building will withstand a flood equivalent to the 100-year storm without damage.

b. In all Flood Hazard Areas and areas subject to a base flood, any new construction or any substantial improvements shall be:

    1. Anchored to prevent flotation, collapse or lateral movement of the structure; and

    2. Constructed with materials resistant to flood damage; and

    3. Constructed by methods and practices that minimize flood damage; and

    4. Constructed with electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding

c. All existing manufactured homes to be replaced or to be substantially improved shall be elevated so that the lowest floor is at least one (1) foot above the base flood elevation. It shall be placed on a permanent foundation which itself is securely anchored and to which the structure is securely anchored so that it will resist flotation, lateral movement and hydrostatic and hydrodynamic pressures. Anchoring may include, but not be limited to, the use of over-the-top or frame ties to ground anchors.

d. All recreational vehicles placed on sites within flood hazard areas shall be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect-type utilities and security devices, and has no permanently- attached additions.)

e. Enclosed Areas Below Base Flood Elevation – New construction or substantial improvements to buildings that include fully-enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.

    1. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

        a. Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;

        b. The bottom of all openings shall be no higher than one foot above grade; and

        c. Openings may be equipped with screens, louvers, valves or other coverings or devices, provided they permit the automatic flow of floodwaters in both directions.

f. Within designated floodways, including zone A as designated in the Flood Insurance Rate Map, all development is prohibited, unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed development would not result in any increase in flood levels within the community during the occurrence of the base flood discharge. The Town may request floodway data of an applicant for watercourses without FEMA-published floodways. When such data are provided by an applicant or whenever such data are available from any other source (in response to the Town's request or not), the Town shall adopt a regulatory floodway based on the principle that the floodway must be able to convey the waters of the base flood without increasing the water surface elevation more than one (1) foot at any point along the watercourse.

g. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood waters. Onsite waste disposal systems shall be located and constructed to avoid impairment to them or contamination from, during flooding. All applicable provisions of the Connecticut State Health Code shall also be met.

h. All work within special flood hazard areas is also subject to regulation under the Inland Wetland Regulations.

i. All necessary Federal and State permits shall be obtained by the applicant. Adjacent communities and the Department of Environmental Protection, Water Resources Unit, shall be notified prior to any alteration or relocation of a watercourse. All work within altered or relocated areas must be maintained so that the flood-carrying capacity is not diminished.

j. Earth excavations are also subject to the provisions of Article X, Section H.

k. Prohibited Uses – See Article VI.

**5. Certifications, Record**

a. A certification by a registered land surveyor shall be provided after the completion of construction of any new or substantially improved structure, stating the elevation above mean sea level of the lowest floor of the building, including basement, before a Certificate of Compliance shall be issued.

b. A file of all such certifications and flood-proofing certifications will be maintained for public inspection in the office of the Zoning Agent.

## F. Mobile Homes And Trailers

The purpose of these Regulations is to insure the protection of the health, safety and welfare of the residents of the Town by establishing minimum standards for mobile homes and trailers. These Regulations shall apply to all existing mobile home parks, expansion of those parks, and mobile homes and trailers used outside of approved mobile home parks.

**1. Definitions**

For the purpose of this section, the following words and phrases have the following meanings:

a. **Mobile Home -** A detached residential unit designed:

1. For year-round occupancy and containing sleeping accommodations, a flush toilet and a tub or shower and kitchen facilities and having both plumbing and electrical connections for attachment to outside systems; and

2. To be transported on its own wheels (or detachable wheels) or on a flatbed or other trailer; and

3. To be placed on rigid supports at the site where it is to be occupied as a residence, complete and ready for occupancy, except for minor and incidental unpacking and assembly operations and connection to utilities systems

A mobile home shall not include a modular or unitized dwelling placed on permanent foundations, which for the purpose of the Zoning Regulations are considered single-family dwellings.

b. **Trailer**- A trailer shall include a travel trailer, motor home, camper or similar units designed for recreation or other short-term uses. A trailer shall be construed to mean a mobile home.

c. **Trailer, Construction -** A portable, temporary mobile home, trailer, or semi-trailer, used, occupied or intended to be used or occupied for field office or storage purposes on the premises of a bona fide and active construction job.

d. **Mobile Home Park -** A plot of ground upon which two or more mobile homes, occupied for residential purposes, are located, and includes all mobile home parks in existence at the adoption of this section.

e. **Mobile Home Space or Lot -** A plot of ground within a mobile home park designed for the accommodation of one mobile home.

f. **Commission -** The Planning and Zoning Commission of the Town of Mansfield.

**2. Existing Mobile Home Parks**

a. Any mobile home park existing at the time of adoption of this section may be continued at its present location. No new mobile home park shall be established in the Town of Mansfield;

b. No existing mobile home parks shall be maintained or operated except as provided in this Section (F) of these Regulations;

c. Minimum standards to be maintained

All existing mobile home parks shall comply with the following standards:

1. The minimum standards as set forth in the applicable sections of the Public Health Code of the State of Connecticut and Chapter 412 of the Connecticut General Statutes;

2. Existing parks shall also maintain the standards set forth in Section 3.g herein for road maintenance, water supply, recreation area and refuse disposal;

3. Each mobile home shall also be connected to a public sewer or be provided with a sewage connection to a subsurface disposal system which meets all applicable state and local regulations;

4. All replacement mobile manufactured homes that are customarily moved on the highway in one section, and all related porches, decks and awnings, and all accessory storage sheds within the original portions of mobile manufactured home parks (as compared to expansion areas approved since 1976) shall comply with the following setback requirements (as per Article XI, Section C, Zoning Permit approval is required.)

    a. Replacement units, including carports, porches, decks and awnings, and all accessory storage sheds, shall be located at least ten (10) feet from the edge of the travel surface of interior roads or no closer than the owner can demonstrate existed in 1976;

    b. Replacement units, including carports, porches, decks and awnings, and all accessory storage sheds shall be located at least ten (10) feet from any designated mobile manufactured home space lines and twenty (20) feet from any portion of another mobile manufactured home unit, or no closer than the owner can demonstrate existed in 1976;

    c. Upon application through the modification procedures of Article XI, Section D, the Planning and Zoning Commission shall have the right to reduce these setbacks for replacement mobile manufactured homes (this modification process shall not apply to carports, porches, decks and awnings or accessory storage sheds), provided the applicant clearly demonstrates that:

        1. The reduction is necessary to locate a replacement unit of minimum standard width;

        2. There is no increase in the number of bedrooms;

        3. There is no interference with septic systems or other site utilities;

        4. No emergency access problems are created; and

        5. All applicable fire safety codes, health codes and building codes shall be met.

    All replacement mobile manufactured homes, including carports, porches, decks and awnings, and all accessory storage sheds, in expanded areas of mobile manufactured home parks approved since 1976 shall meet the setback requirements of Article X, Section F.3.g.

5. All replacement mobile manufactured homes that are customarily moved on the highway in more than one section and all related porches, decks and awnings, and all accessory storage sheds shall comply with all of the following requirements. (As per Article XI, Section C, Zoning Permit approval is required).

    a. Replacement units, including carports, porches, decks and awnings, and all accessory storage sheds, shall be located at least twenty (20) feet from the edge of the travel surface of interior roads;

    b. Replacement units, including carports, porches, decks and awnings, and all accessory storage sheds shall be located at least ten (10) feet from any designated mobile manufactured home space lines and twenty (20) feet from any portion of another mobile manufactured home unit;

c. All replacement mobile manufactured homes, including carports, porches, decks and awnings, and all accessory storage sheds in expanded areas of mobile manufactured home parks approved since 1976, shall meet the site requirements of Article X, Section 3.g;

d. The subject site shall have a minimum area of 6,500 square feet that does not include visible ledge, slopes exceeding ten (10) percent, or any watercourse, waterbodies or inland wetland soils as depicted on the Mansfield Inland Wetlands and Watercourses Map as may be modified by onsite inspection and testing. The subject 6,500 sq. ft. area shall be uniformly shaped, with a minimum dimension (width, depth, etc.) of fifty feet. As deemed necessary by the Zoning Agent, onsite testing and field-generated topographical surveys conducted by the property-owner or his agents may be necessary to determine compliance with this useable area requirement;

e. The subject replacement unit shall have no more bedrooms than the previous unit on the subject site;

f. The subject site shall have adequate area for a septic system and, as applicable, an onsite well. The location of the septic system, including tank and leaching area, and well, as applicable, shall be depicted on the submitted plot plan. The septic system shall not be located under the mobile manufactured home. No Zoning Permit shall be issued until the subject sanitary systems have been approved by the Mansfield Health Officer;

g. The subject site shall have a minimum of 400 square feet of area designed for two (2) off-street parking spaces;

h. The subject replacement unit shall have a pitched roof design and shall include foundation skirting;

i. The subject replacement unit shall be one story and shall have a maximum size of 26.5 feet by 48 feet, excluding roof overhangs. No storage building shall be larger than 144 square feet in size;

j. The cumulative lot coverage of the subject mobile manufactured home and all related porches, decks, storage sheds and parking area shall not exceed thirty (30) per cent of the useable area of the subject site as defined in subsection (d) above;

k. No emergency access problems are created and all applicable fire safety codes, health codes and building codes shall be met;

l. All replacement units or accessory site improvements or site work may be subject to permit requirements of the Inland Wetland Agency.

Due to the specific nature of these standards for replacement units, the above requirements shall not be varied by the Zoning Board of Appeals.

d. Upon written application by a park owner, the Zoning Agent may permit the temporary storage of mobile homes in a mobile home park for a period of up to thirty (30) days. Said storage is intended to assist mobile home park residents in the process of relocation. Storage is subject to the following:

1. Storage is limited to two mobile homes at a park at any one time.

2. Mobile homes stored shall not be occupied as a dwelling and no sanitary or water hook-ups will be permitted.

3. Mobile homes stored shall not be used for advertising or display purposes.

4. The specific area on which the mobile homes are to be stored shall be so described in the application and approved by the Zoning Agent. In no case shall any recreation area be used for storage purposes.

   An additional two thirty (30) day periods may be permitted by obtaining a permit from the Zoning Agent. This Section shall also apply to any park expanded pursuant to these Regulations.

**3. Existing Parks - Expansion Permitted**

a. **Special Permit required -** A special permit is required for the expansion of existing mobile home parks. A Public Hearing shall be held by the Planning and Zoning Commission before any such permit issued, and such permits shall be issued only in accordance with the standards and procedures set forth in this Section.

**1. Requirements for Special Permit:**

The application for such special permit shall include a site plan prepared by a registered land surveyor, or registered professional engineer. Said site plan shall show all applicable site requirements as outlined in Section 3.g herein, and shall cover the area proposed for expansion and also show all required improvements to the existing park. The plan shall be drawn to a scale of 1" = 40' or less, and shall include, as a minimum, the following:

a. Boundaries and area of mobile home park;

b. Names of adjacent property owners and existing zoning;

c. Location of all buildings, roads and property lines on the mobile home park parcel and adjacent parcels within 100 feet of the park area, both existing and proposed;

d. Location, size and number of existing and proposed mobile home lots;

e. Topography, showing existing and proposed grades, with two-foot contour interval;

f. Location, width and surface of all existing and proposed mobile home lots;

g. All required setback lines, shown as dashed lines;

h. Location and size of all existing and proposed storm drainage facilities, sanitary sewers and disposal facilities, septic system area (shown as dotted lines and labeled) and water lines;

i. Plans and profiles of all proposed roads, storm drainage facilities, sanitary sewers and water lines, at a vertical scale of l"=4';

j. Location and plans for any buildings to be constructed in the park;

k. Landscaping and buffer strips;

l. Location of all adjacent flood hazard areas.

All park development and construction shall be in accordance with an approved site plan and no change may be made to an approved plan without the approval of the Commission.

b. **Evidence to be Presented for Special Permit -** The applicant for such special permit must present to the Commission evidence of the following:

1. The proposed use will not be detrimental to the welfare of the Town;
2. The impact on surrounding property values;
3. Existing and future character of the neighborhood in which the expansion is to be located;
4. Traffic circulation in the general neighborhood of the proposed use, including evidence of circulation and loads on existing streets in close proximity to the proposed use;
5. Availability of water to the site, and provisions for adequate disposal of sewage and storm water;
6. Safeguards to protect adjacent property in the neighborhood in general;
7. Notification of property-owners within 500 feet of all boundaries;
8. Complete conformance with the requirements of Art. V, Sec. B

c. **Findings Required -** Before granting a special permit pursuant to this Section, the Commission shall make special findings that the proposed use as described and presented by the applicant:

1. Is appropriately located with respect to transportation, water supply, waste disposal, fire and public protection and other public facilities;
2. Will not cause undue traffic congestion or create a traffic hazard;
3. Will not adversely affect the character of or property values in the area;
4. Will not otherwise impair the public health, safety, convenience or other aspects of the general welfare of the Town;
5. Will comply with all other Regulations applicable to such use;
6. Will be consistent with the general intent and purpose of these Regulations;
7. Is in conformance with the requirements of Article V, Section B

d. **Scope of Expansion -** An existing mobile home park may be expanded after issuance of a special permit in the following manner:

1. Mobile home parks with a recorded number (as of the date of adoption of this section) of 100 units or more may expand by 50% of that recorded number.
2. Mobile home parks with a recorded number (as of the date of the adoption of this section) of less than 100 units may expand by a maximum of 50 units.

e. **General Requirements** - Park Expansion

1. The recorded number shall be determined by using that number of units stated on the last mobile home park permit issued prior to application for expansion.

2. Expansion of existing parks shall be permitted only in strict conformity with the standards and procedures of this Section. All such expansion shall be on portions of the mobile home park lot that existed when the park was established or subsequently authorized by the Planning and Zoning Commission.

f. **Additional Requirements** - As a condition to the approval of said permit, the Commission may require that certain improvements be made to the existing park area that would upgrade such items as, but not limited to, water supply, sewage disposal, road pavement, street lighting, grading and drainage, and appropriate screening, so as to comply with the standards as set forth in this Section, and that would benefit the public health and safety. In lieu of the completion of any actual improvement prior to granting of final approval for expansion, the Commission may require that the prospective permittee submit surety pursuant to Section 4 herein.

g. **Site Requirements** - No application for a special permit under this Section shall be approved unless it is in conformity with the following site requirements:

**1. Density**

The density of the area of a mobile home park proposed for expansion shall be such as to prevent overcrowding and to provide light, ventilation and open areas for each mobile home. Each mobile home lot shall contain a minimum of 9,000 square feet with an overall density not exceeding four units per acre. Where soil or topographic conditions warrant, the Commission may require larger permanent markers showing the lot number corresponding to the approved site plan. No lot shall have less than 75 feet frontage on a roadway.

**2. Yard and Setback Requirements**

a. Setback from Public Streets - 50 feet - The Commission shall require that a natural or landscape buffer or screen of at least 35 feet and up to 50 feet be provided and maintained on all boundaries of the park as well as from public streets. This buffer may be included as part of any setback requirements.

b. Setback from Adjoining Property Line - 50 feet - See paragraph (a) above.

c. Minimum side and end clearance between adjacent mobile homes - 40 feet.

d. Minimum front yard setback from interior road pavement - 20 feet.

**3. Roads**

All mobile home parks shall be provided with safe and convenient vehicular access from abutting public streets to each mobile home:

a. All park roads shall be well-drained, paved, and maintained in good condition.

b. Interior roadways within the parks shall be paved to a minimum width of 20 feet. Pavement specifications shall be as required by the Commission or its designated agent.

c. All park roads shall not exceed a grade of eight percent.

d. Road names shall be subject to the approval of the Commission.

**4. Parking**

At least two off-road designated parking spaces shall be provided for each unit and shall not be more than 200 feet from the mobile home that they are intended to serve. Group or general areas shall be screened by suitable landscaping or fencing.

**5. Lighting**

All roads and common areas within the park shall be adequately lighted and specifications shall be approved by the Commission.

**6. Grading and Drainage**

The parks shall be located onsite, graded to insure drainage of surface water, subsurface water, and shall be free from stagnant pools.

a. Provisions shall be made to dispose of surface water which now drains naturally into the park from adjoining properties, with proper allowance for the increased flow due to future development.

b. A complete storm drainage system shall be maintained, including headwalls, dry wells, piping, catch basins, and manholes with outfall to natural watercourse or existing storm drainage system.

**7. Sewage Disposal**

Each mobile home shall be connected to a public sewer or be provided with a sewage disposal system, which conforms to the regulations of the Public Health Code of the State of Connecticut.

**8. Water Supply**

A water supply of sanitary quality shall be provided in sufficient quantity to meet all requirements of the maximum number of persons residing in the mobile home park at any time. Whenever water is supplied from a well source, approval by the State Health Department in accordance with the Public Health Code and General Statutes is required.

**9. Director of Health Approval**

The method of refuse disposal utilized in connection with the operation of a mobile home park shall be approved by the Town of Mansfield Director of Health and shall be such as to create no nuisance. Before issuance of any renewal permit, the Director of Health shall provide the Zoning Agent with a statement stating that all applicable health and sanitary requirements are being met.

**10. Recreation Area**

Suitable outdoor recreation area shall be provided and maintained and shall be designated on the site plan for the proposed development.

**11. Building Code**

All applicable requirements of the State Basic Building Code shall be met before the issuance of any initial or renewal permit. The Town Building Inspector shall provide the Commission with a statement to that affect before said permit is issued.

**12. Foundation and Skirting**

All mobile homes shall be provided with an adequate foundation for the placement of a mobile home. Foundations shall be of such construction as to prevent heaving, shifting, or settling due to frost action.

All mobile homes shall be equipped with skirting, screening, or other type of enclosure.

**4. Bond Requirements**

In lieu of completion of all or part of the required improvements, the Commission may require the filing of a performance bond in accordance with the provisions of Article VI, Section C of the Zoning Regulations in an amount and with terms and conditions satisfactory to the Commission, securing to the Town the actual cost of construction and installation of such improvements. The period within which required improvements shall be constructed shall be specified by the Commission and expressed in the bond. Said bond shall be satisfactory to the Town Attorney as to form, sufficiency and manner of execution.

**5. Trailers and Mobile Homes on Individual Lots**

After April 28, 1959, no mobile home or trailer shall be permitted to be used or stored outside a mobile home park, with the following exceptions:

a. Existing non-conforming mobile homes on individual lots;

b. Storage of trailers owned by Mansfield residents and persons visiting Mansfield residents, subject to Section 7 herein;

c. Storage at their places of business of contractor's trailers which are used as field offices;

d. Temporary Occupancy:

1. Of one mobile home by the owner of the lot in any zone who has received a Zoning Permit and has begun construction or remodeling of a

residential building on that lot, subject to Section 7 herein of these Regulations and the provisions of Article VII, Section D.12

2. Of construction trailers used as field offices accessory to an active construction operation, but each such use shall not extend to a real estate or sales office connected with the sale of land and/or buildings, unless an occupancy permit is obtained for a period of one year, renewable upon application for successive 6-month periods but for not more than two years, and also subject to the requirements of Section 7 herein of these Regulations.

3. Of trailers or construction trailers accessory to an active construction operation, provided Planning and Zoning Commission approval is obtained and the developer demonstrates to the Commission's satisfaction that the trailers are clearly accessory to the subject construction project and that no health, welfare, safety, traffic or parking problems will be created.

**6. Issuance of Permits for Trailers and Mobile Homes Used Outside of Approved Mobile Home Parks**

Application for use of trailers and mobile homes, pursuant to Section 5 above, shall be made on a form furnished by the Zoning Agent. Upon determination that the requirements of Section 7 of the Regulations and the provisions of Article VII, Section D.12 have been met, the Zoning agent shall issue one of the following permits:

a. Temporary permit for accessory use to an active construction operation:

1. If occupied as a dwelling unit. Issued for a period of 12 months, renewable upon application for successive 6-month periods, provided at the end of the first 18 months construction is 60% complete.

2. If occupied as construction trailer or used as semi-trailer for storage. Issued for a period of 12 months, renewable upon application for successive 6-month periods.

b. Permit for mobile homes used as housing for hired agricultural labor (see provisions of subsection 7). Permits must be renewed every two years, starting on the first of January following an even numbered year.

**7. Requirements for Mobile Homes and Trailers Used Outside of Approved Mobile Home Parks**

a. Mobile homes used to house hired agricultural labor require a permit to be issued under the following conditions to the operator of a farm for occupancy by a person employed on the premises:

1. The farm shall be an active operation, and the farmer or operator shall reside in a permanent dwelling on the farm;

2. The mobile home shall be occupied only by a person who is employed fulltime in farming work on the premises, and may include such person's family;

3. The use of two or more mobile homes on a farm under this Section shall not be construed as a mobile home park, and the mobile home park requirements do not apply.

b. Mobile homes used to house hired agricultural labor and those which are, as of April 28, 1959, existing non-conforming individual mobile homes, shall meet the following requirements:

1. The Zoning Agent shall not issue a permit for the parking of mobile homes if the population per mobile home jeopardizes public health in the opinion of the Health Officer;

2. No mobile home shall be permitted to be occupied as a dwelling unless it is equipped with running water and sanitary facilities approved by the Health Officer;

3. The mobile home shall meet appropriate setback requirements for the district;

4. Water supply - The water system shall be installed in compliance with the Sanitary Code of the Connecticut Department of Health;

5. Sewage disposal - Each mobile home shall be provided with sewerage connection to a system which meets the requirements of the Sanitary Code of the Connecticut Department of Health;

6. Existing mobile homes may be replaced with units of the same size, provided the above requirements are met. Replacement of existing mobile homes with larger units shall require special permit approval in accordance with the provisions of Article V, Section B. (The provisions of this subsection shall not apply to mobile homes authorized for housing agricultural labor.)

7. The owner of record of the lot and the mobile home shall be the same;

8. No additional livable floor may be added to mobile homes unless mobile home (wheels removed) and additions are upon a permanent foundation, and such additions shall increase livable floor area to that of a single-family dwelling.

c. Persons visiting Mansfield residents may park and occupy their travel trailer, motor home, camping trailer, or pick-up coach on the property of their host for a period not exceeding 30 days in any one year period. Parking of trailers, (etc) shall be confined to an area within existing setback requirements or upon existing driveway areas. All Connecticut Health Code requirements shall be met.

Mansfield residents owning and parking a legally registered travel trailer, motor home, camping trailer or pick-up coach on the site of their residence may allow temporary occupancy of such vehicle to guests for a period not exceeding 30 days in any one year period. Parking of trailers (etc) shall be confined to an area within existing setback requirements or upon existing driveway areas. All Connecticut Health Code requirements shall be met.

d. Mobile homes used in conjunction with an active construction operation as a dwelling unit shall meet the following requirements:

1. The Zoning Agent shall not issue a permit for the parking of mobile homes until it is approved by the Health Officer;
2. No mobile home shall be permitted to be occupied as a dwelling unless it is equipped with running water and sanitary facilities;
3. The water system shall be installed in compliance with the Sanitary Code of the Connecticut Department of Health;
4. Each mobile home shall be connected to a public sewer or be provided with a sewerage connection to a system, which meets the requirements of the Sanitary Code of the Connecticut Department of Health.

## G. Hospitals, Sanitariums, Rest Homes, Convalescent Or Nursing Homes

1. **Procedure -** An application for such use addressed to the Planning and Zoning Commission shall be accompanied by a plan of development showing the location and elevations of all buildings, with renderings, together with permanent grading and landscaping plans to the surrounding area. The developer must also show at this time all necessary applications for licenses and permits from the Connecticut State Department of Health for the operation and maintenance of the proposed use.
2. **Location -** No site shall be approved unless it is on or within 300 feet of an arterial or collector street as set forth in the Zoning Regulations and unless it is connected to public sewers or is readily connected to such service.
3. **Height of Buildings -** No principal buildings may exceed the height of two stories or 40 feet, except a third story may be allowed if one of the three stories is a basement level as permitted below. In this instance said building height shall not exceed 45 feet.

   On a sloping site, a maximum height of three stories is allowed for a lower basement level with public egress, so long as the exposed basement level of the building does not exceed 50% of the foundation perimeter. No accessory building shall exceed the height of 15 feet.
4. **Site Area -** One acre of site shall be required for each fifteen patient beds. In no case shall the site be smaller than three acres.
5. **Site Requirements -** Buildings shall be sited and landscaping and buffer areas provided to assure maximum privacy to the patients and adjoining residential uses. In no case shall any structure or parking area be located less than 100 feet from any property line.
6. **Parking Areas -** Defined in Article X, Section D of these Regulations shall be required. Covered parking spaces shall be provided for each vehicle operated as a part of the use.
7. **Open Spaces -** Suitable recreation facilities appropriate in function and area shall be provided.
8. **Drives and Access and Egress Points -** Internal circulation shall provide for the easy movement of vehicular and pedestrian traffic and the convenient access of emergency vehicles.

9. **General-**No approval shall be granted which would be detrimental to the public safety, would create or increase traffic hazards, would tend to have a depreciating effect on the neighborhood properties or which is not in keeping with the stated intent of these Regulations.

## H. Filling/Grading/Excavation/Removal/Processing Of Soil, Stone, Sand And Gravel, Peat Moss And Other Similar Materials

As provided for in Article VII, Section D.11, the filling, grading, excavation, removal and/or processing of soil, stone, sand and gravel, peat moss and other similar materials may be permitted provided the specific requirements and criteria of this section are met and, unless exempted as per subsection 2, the special permit provisions of Article V, Section B are met.

**1. Statement of Purpose**

This section is designed to provide, through careful site analysis and design review and through appropriate mitigation control and regulation, the filling, grading, excavation, removal and/or processing of soil, stone, sand and gravel, peat moss or other similar materials while protecting the public's health, welfare and safety. More specifically, this regulation has been developed in order to:

a. Protect Mansfield's natural resources, including existing and potential surface and ground drinking water supplies, from potential adverse impacts including erosion and sedimentation problems and water contamination;

b. Protect residential properties from potential adverse impacts including noise, dust, visual impacts and other nuisance problems and the lowering of property values;

c. Protect citizens from potential vehicular or pedestrian traffic hazards;

d. Promote safe site conditions;

e. Promote appropriate site restoration and provide for appropriate future uses of the subject property;

f. Promote Plan of Development goals, objectives and recommendations.

**2. Exemptions to Special Permit Application Requirements**

Subject to compliance with applicable special approval criteria of subsections 5 and 6, the activities listed below, unless located in a designated Flood Hazard zone, are exempted from obtaining separate special permit approval. All proposed filling, grading, excavation, removal or processing activities in a Flood Hazard zone require special permit approval in accordance with Article V, Section B and this section. In those cases where proposed filling, grading, excavation, removal or processing of materials is associated with a proposed use necessitating subdivision, site plan or special permit approval (pursuant to State statutes or Article VII of these Regulations), the application requirements (subsection 3) and approval criteria (subsections 5 and 6) of this regulation shall be considered in conjunction with the pending subdivision, site plan or special permit application.

a. Filling, grading or removal of less than 100 cubic yards of material over a period of twelve months on a lot;

b. Filling, grading or removal of material associated with agricultural, horticultural or landscaping activity from one part of a property to another part of the same property;

c. Filling, grading or removal of material associated with the construction of a new building, the addition to an existing building, the installation or improvement of site features accessory to such building or other site activity for which site plan or special permit approval (or site modifications thereof) has been granted by the Commission and a Zoning Permit has been issued;

d. Filling, grading or removal of material associated with the construction of a road, public improvements or recreational improvements as shown on a subdivision map approved by the Commission;

e. Filling, grading or removal of material on land in public use (pursuant to Section 7-148(c)(8)(C) CGS);

f. Filling, grading or removal of material associated with the repair of an existing septic system pursuant to State Health Code requirements;

g. Filling, grading or removal of material associated with the installation of a new septic system on an existing lot or a proposed subdivision lot, provided no more than 350 cubic yards of material are deposited or removed from each lot;

h. Filling, grading or removal of material associated with the construction or alteration of a building, wall, fence, utility line, driveway, swimming pool, patio, lawn, garden or other site improvement for which a Zoning Permit has been issued, provided that application demonstrates that no more than 500 cubic yards of material are to be deposited or removed from the lot. This exemption shall only apply during the period between the issuance of a Zoning Permit and the issuance of the associated Certificate of Compliance.

i. Filling, grading or removal of material associated with activities located in an SC-SDD zone district for which a zoning permit has been issued.

**3. Application Requirements**

In addition to the submission requirements (site plan, erosion and sediment control plan, neighborhood notification, etc.) contained or cited in Article V, Section B (or, where applicable, Mansfield's Subdivision Regulations), all proposed filling, grading, excavation, removal or processing activities subject to this regulation shall, unless waived pursuant to subsection 4, contain the following supplemental information:

a. A statement of use describing the proposal in sufficient detail to determine compliance with all applicable approval criteria of Article V, Section B and the approval criteria of subsections 5 and 6 of this regulation. At a minimum, the following information shall be provided:

1. Proposed days and hours of operation for both onsite activities and offsite hauling activity (see subsection 5A: normally between 7 a.m. and 7 p.m., Monday through Friday);

2. Amount of material involved in the proposal and estimate of the length of time necessary to complete each designated phase of the proposed activity;

3. Proposed truck routes to and from the subject site and, as appropriate, proposed traffic controls, such as signage and use of traffic control persons;

4. Estimate of the number of truckloads of material to be deposited or removed from the site;
5. Listing of the number and type of portable machinery to be used on the site;
6. Description of any processing (screening, sorting, crushing, etc.) activity that will take place onsite;
7. Description of any proposed vehicle maintenance and refueling that will take place onsite, including information regarding the storage of fuels, oil or other chemicals;
8. Description of any existing or proposed buildings or construction trailers;
9. Description of any proposed rock or stump burial areas;
10. Description of any proposed stockpiling, including maximum height of stockpiles and actions to be taken to prevent wind erosion and dust problems, particularly from stockpiles, interior haul roads or other unvegetated areas;
11. Description of any proposed drainage work and any related drainage structures;
12. As applicable, a description of the proposed depth of excavation with respect to phasing, cut faces and potential steep slope problems. The proposal shall detail the actions that will be taken on a daily basis to help prevent the occurrence of an unsafe situation.
13. Description of proposal with respect to maximum groundwater elevation as determined by test pits, borings or other means;
14. Description of restoration plans, including information about the amount and nature of topsoil to be used, the amount of reusable topsoil onsite and fertilizer and chemical application;
15. Description of anticipated future uses

b. A data accumulation plan, with Class D and TD certification, prepared by a licensed professional land surveyor, showing the following offsite information:

1. Existing contours of all areas within five hundred (500) feet of the boundaries of the subject property. A ten (10) foot contour interval will usually be acceptable, provided existing and proposed offsite drainage patterns are indicated clearly. However, depending on the size and nature of the proposed activity and the specific physical characteristics of the area, the Commission shall have the right to require offsite contour information to be at a five (5) foot contour interval;
2. Plan of Development-designated inland wetland areas, watercourses and stratified drift aquifer areas within 1,000 feet of the subject property;
3. Property lines of the subject site and all properties within 1,000 feet of the site;
4. Location of all streets and dwelling units within 1,000 feet of the site;
5. Names and addresses of property owners within 1,000 feet of the site (based on current Assessor's records)

c. For proposed excavation activities, particularly those involving the removal of more than 5,000 cubic yards of material from a site (including all cumulative phases), the Commission shall have the right to require a comprehensive analysis (by a hydro- geologist, licensed Professional Engineer or other qualified professional) of test pit and soil boring information adequate to determine ground water elevations, direction of ground water flows, depth of bedrock and grain size distribution (i.e., percent gravel, percent sand, etc.). The analysis shall address the proposed depth of excavation with respect to the maximum water table, potential ground water and environmental impacts and how the nature of the material will influence its potential for dust problems and site restoration efforts.

d. Depending on the size and nature of the proposed activity and the specific physical characteristics of the area, the Commission shall have the right to require additional detailed information if it finds the information is necessary to review the application and determine compliance with applicable regulations and approval criteria. Such information may include, but shall not be limited to: drainage calculations and analysis prepared by a licensed professional engineer, environmental and neighborhood impact analysis by qualified professionals and property value analysis by a licensed professional appraiser.

**4. Waiver Provisions**

Depending on the nature of the proposal, the Planning and Zoning Commission may, by majority vote, waive the submission of all or part of the information required in preceding subsections 3A and 3B. These requirements may be waived only in situations where the information clearly is not needed to determine compliance with these Regulations. Reasons for any waivers shall be cited by the Commission. In general, these waiver provisions are most applicable to minor filling and excavation activities associated with existing agricultural or horticultural uses, existing residential or governmental land uses, or minor subdivision grading, filling or removal activities.

**5. Approval Criteria**

In addition to the approval criteria contained or cited in Article V, Section B (or, where applicable, Mansfield's Subdivision Regulations), all proposed filling, grading, excavation or removal applications subject to this regulation shall comply with the requirements listed below (see subsection 6 for special approval criteria for proposals involving the processing of materials):

a. Except as noted below, to protect the health, welfare and safety of Mansfield residents, all approved work shall be performed between the hours of 7 a.m. and 7 p.m., Monday through Friday. Additionally, sales and deliveries may be made from 7 a.m. to 7 p.m. on Saturday. Depending on specific site and neighborhood characteristics, the Commission shall have the right to modify these time restrictions, including the imposition of more restrictive work hours and restrictions on trucks arriving at a site prior to authorized hours of operation.

b. Truck access roads to and within the permit premises shall be arranged to minimize danger to vehicular and pedestrian traffic and to minimize nuisance to surrounding property owners. When required by the Commission, such access roads shall have a dustless surface, which is to be maintained in good condition at all times.

c. Provisions shall have been made for appropriate traffic controls, including barricades or fencing, highway warning signs and traffic control persons as deemed necessary by the Planning and Zoning Commission.

d. In considering any proposed activity, the Commission shall determine that appropriate measures shall be taken to protect nearby property owners from visual impacts, drainage impacts, noise impacts, dust impacts and potential property value impacts. Such measures, in addition to others required by the Commission, may include:

   1. Limitation on the location and height of stockpiles; (unless approved by the Commission, stockpiles shall not exceed a height of twenty (20) feet and no stockpile shall be located within fifty (50) feet of a property line);

   2. Provisions for the wetting, chemical treatment and/or revegetation of stockpiles and other exposed areas;

   3. Erection of fences, berms and/or planting of evergreen screening;

   4. Covering of all truck loads, both within the site and offsite;

   5. Limitation on the size of project phases;

   6. Limitations on the term or length of time authorized to complete the project or a particular phase.

   As a condition of approval, the Commission shall have the right to require the submission of professional monitoring reports including, but not limited to, information on noise levels and compliance with approved plans, including contour elevations.

e. If any excavation shall take place within fifty (50) feet from a property line, the applicant shall give notice of the application to the owner(s) of property from which such fifty (50) feet is measured within seven (7) days following the Commission's receipt of the application. Said notification, which shall be sent by Certified Mail, shall include the date and time of the scheduled Public Hearing, the applicant's Statement of Use and mapping that depicts areas of proposed activity. The notice shall also reference that the complete application is available for review in the Mansfield Planning Office.

f. Where an excavation has a depth of more than 10 feet and a slope of more than 3 to 1, suitable safety precautions as determined by the Commission shall be taken to prevent conditions detrimental to the public safety, health and welfare. Such precautions may include fencing, terracing, berms, control of the entrances and exits to the site and requirements for daily regrading of cut faces.

g. In considering any proposed activity, the Commission shall determine that appropriate measures shall be taken to protect onsite as well as offsite natural resource features, including surface and ground water quality. In addition to requiring strict adherence to the site development principles and sediment and erosion control plan provisions of Article VI, Sections B.4.r and s, the Commission shall have the right to require undisturbed buffer areas (see Article VI, Section B.4.q.2), the right to limit the size of project phases, and the right to restrict onsite vehicle maintenance and onsite storage of fuels, oils or other chemicals. Additionally, as a condition of approval, the Commission shall have the right to require periodic environmental testing and the submission of

professional monitoring reports, including, but not limited to, information on ground water elevations and ground water and surface water quality.

h. To help protect ground water quality and assure the suitability of the site for future uses, including onsite septic systems, all excavations (except as noted below) shall retain an undisturbed area at least five (5) feet thick above the maximum ground water elevation. For excavations directly associated with a proposed subdivision or specific construction project or for exceptional situations within sewered areas or commercial zones, the Commission shall have the right to reduce this distance above maximum ground water elevation, provided the applicant demonstrates with detailed documentation that a reduction on all or part of the subject site will not detrimentally affect potential permitted uses of the site or ground water quality.

i. Topsoil stripped from the site shall be stockpiled on the premises and shall not be sold or removed from the premises without prior Commission approval. Upon completion of site work within each approved project phase, the site shall be restored in accordance with the approved erosion and sedimentation control plan and in a manner compatible with anticipated future uses. At a minimum, all revegetated areas shall have a uniform depth of at least four (4) inches of topsoil, of a quality acceptable for the subject restoration plan. In situations where subsoil is excessively drained, more than four (4) inches of topsoil can be required. The Commission also shall have the right to restrict the onsite burial of trees, stumps or rocks, and no trash, refuse or other materials shall be buried onsite.

j. To help ensure compliance with proposed contours and other approval requirements, the Commission shall have the right to require the setting and maintenance of vertical and horizontal control points around the perimeter of the site or individual phases.

**6. Special Approval Criteria for Onsite Processing Activity**

There shall be no onsite processing of soil, stone, sand and gravel, topsoil, peat moss or other materials except where specifically authorized by the Commission in association with a permit approval. In considering any onsite processing, the following special approval criteria shall be met:

a. Depending on site and neighborhood characteristics, the Commission may authorize, on a temporary basis, the onsite use of portable screening or sorting devices and/or portable crushing devices. Restrictions, including limits on the number of days or hours of operation for use of the devices, the location and storage of the devices, may be imposed by the Commission.

b. No permanent or ongoing commercial processing of materials and no fixed machinery shall be allowed.

c. All proposed temporary processing activities shall be subject to the approval criteria cited in subsection 5 of this regulation.

d. Depending on site and neighborhood characteristics, the Commission may require the enclosure or wetting of materials at various processing steps.

**7. Bonding**

Before the issuance of any permit under these Regulations, the Commission may require the filing of a performance bond in accordance with the provisions of Article

VI, Section C of the Zoning Regulations, in an amount and with terms and conditions satisfactory to the Commission securing to the Town the actual cost of site restoration, erosion and sedimentation control, construction and installation of screening and other site improvements and repairs and restoration of any damage to Town roadways used in association with the proposed activity. The period within which required improvements shall be constructed shall be specified by the Commission and expressed in the bond. The bond agreement may require, prior to release, the submission of a professional "as-built" certification that all site work was completed in accordance with approved plans and that the required depth of topsoil has been deposited. Said bond shall be satisfactory to the Town Attorney as to form, sufficiency and manner of execution.

**8. Renewal Requirements/Revocation/Site Visitation**

a. All permits or renewals for the filling, grading, excavation, removal or processing of materials approved pursuant to this regulation (does not include exempt activities as described in subsection 2) shall expire on July 1 of the year following the date of issuance. The Commission may renew such permits, or renewals thereof, for additional periods of up to one year each. In considering any renewal, the Commission may require supplemental information and updated mapping in order to verify continued compliance with these regulations and conditions of approval. Renewal applications shall be submitted to the Commission at least forty-five (45) days and no more than ninety (90) days prior to the expiration of the existing permit. Failure to comply with the approved application or these regulations shall be grounds for revocation of the permit.

b. Upon notice to the applicant, the Commission and its staff shall have the right to enter the permit property at reasonable times in order to determine compliance with the approved application and these regulations. Denial of such permission by the permit holder is cause for revocation of any permit issued hereunder.

**9. Enforcement**

If it is determined by the Commission at any time after the issuance of a permit hereunder, and prior to the completion of the work authorized therein, that such work is not in accordance with the approved application and these Regulations, the Commission may, after due notice, revoke such permit, cash in the performance bond and/or take other appropriate enforcement action against the applicant.

## I. Live and/or Amplified Music

1. **Purpose.** The purpose of these regulations is to allow for amplified and live music as accessory to certain assembly related uses while establishing minimum standards to protect adjacent neighborhoods from noise impacts.

2. **Applicability.**
   a. Live and/or amplified music shall be permitted with Zoning Permit approval as an accessory use to the following uses pursuant to the requirements of this Section:
      - Restaurant
      - Hotel
      - Place of Assembly-Banquet Hall
      - Commercial recreation facility

- Brewpub/Restaurant and Brewery

b. The Zoning Permit requirements and restrictions on outdoor music contained in this section shall not apply to public property and properties in the SC-SDD.

3. **Outdoor Music.** Outdoor music will be allowed during the following days and times.

| | **Outdoor Music Permitted** |
|---|---|
| Thursday-Saturday | 12:00 pm – 10 pm |
| Sunday | 12 pm – 6 pm |

Outdoor music on days or times other than those identified in the above table may be authorized by Special Permit approval.

4. **Noise and Nuisance Regulations.** All events involving live and/or amplified music shall comply with the noise and nuisance regulations contained in Chapters 134 and 135 of the Code of Ordinances.

5. **Violations.** In addition to penalties for violation identified in Article Eleven, Section F of these regulations and Chapters 134 and 189 of the Mansfield Code of Ordinances, the Zoning Permit for any live/amplified music use may be revoked by the Zoning Agent if there are two or more noise and/or nuisance violations within a 12 month period. Special Permit approval shall be required for reinstatement of any Live/Amplified Music Permit that has been revoked.

## J. Special Provisions for Plan of Conservation and Development designated Historic Village Areas

1. **Intent**
Mansfield's Plan of Conservation and Development emphasizes the importance of preserving historic structures, historic neighborhoods and other historic and/or archaeological resources. Although seventeen (17) separate historic village areas are identified in Mansfield's Master Plan, ten (10) of these areas have retained common characteristics that warrant special protective measures. To help preserve and enhance the character of these remaining village areas, the following special provisions have been adopted. These provisions shall apply to the following historic village areas as specifically identified on Map 5 of Mansfield's Plan of Conservation and Development: Eagleville, Gurleyville, Hanks Hill, Mansfield Center, Mansfield Depot, Mansfield Four Corners, Mansfield Hollow, Mount Hope, Spring Hill and Wormwood Hill.

2. **Special Historic Village Area Review Criteria**
All exterior construction within the ten (10) historic village areas noted above in Section 1, including but not limited to new primary or accessory structures, building additions, swimming pools, signs and site work or site improvements, that require site plan or special permit approval pursuant to Article V, Sections A or B of these regulations and/or Zoning Permit approval pursuant to Article XI, Section C of these regulations shall comply with the following provisions:

a. New buildings and site improvements shall be designed to fit the individual characteristics of their particular site and village neighborhood. Careful

consideration shall be given to promoting compatibility in building size, architectural form, massing, detail and materials. This includes façade mass, façade projections or recesses, windows, doors, roof mass and profile, as well as other architectural features.

b. All structural elements shall be in scale with and proportionate to adjacent buildings and other visual structures.

c. Overall spacing between roadside structures within the village area shall be maintained.

d. Setbacks from roadways and property lines shall be consistent with neighboring structures within the village areas.

e. The height of new buildings shall be consistent with neighboring structures within the village area. One and one-half to two and one-half story structures are typical in Mansfield's historic village areas. Through the use of variations in building height, roof line and grade definition, the perceived high of buildings can be influenced.

f. Building and site improvements shall be designed to avoid impacts on significant trees, stone walls, scenic views and vistas and other features that contribute to a historic village area.

g. Traditional building materials, such as wood siding and brick that reflect Mansfield's architectural tradition shall be used. Modern materials, such as fiber cement siding, that have the same visual characteristics as wood are considered acceptable.

## K. Special Requirements For Multi-Family Housing For The Elderly

Where provided for in Article VII, the Commission may grant a special permit, in accordance with Article V, Section B., for the construction by a public or non-profit authority or group, of housing designed and used exclusively for the elderly, provided said housing is supported or assisted by the Town of Mansfield or a State or Federal grant limiting the housing to the exclusive use of the elderly, and provided the following specific requirements are met:

1. **Location** - No site location shall be approved unless it is on or within 300 feet of an arterial or collector street as set forth in these Regulations.

2. **Height of Buildings** - No building shall exceed 3 stories or a height of 40 feet.

3. **Road, Drainage and Infrastructure Improvements** - All roadways, drainage and infrastructure improvements shall be designed and constructed in accordance with the standards and specifications of the Mansfield Public Works Department. As a noted exception to this requirement, the Commission may approve alternate widths for private internal roadways that are not major circulation roads.

4. **Dwelling Unit Density** - Maximum of six units per acre. The Commission may permit higher densities if it can be demonstrated to the Commission that septic effluent can be safely disposed of, adequate potable water can be secured, and no adverse impacts will be felt by the surrounding neighborhood.

5. **Floor Area** - Minimum livable floor area requirements:

| Occupancy (persons) | 1 | 3 |
|---|---|---|
| Description | Efficiency | 1 Bedroom |
| Floor Area | 400 sq. ft. | 500 sq. ft. |

6. **Site Area -** Minimum site of five acres. Total ground floor area of all buildings shall not exceed 25% of the site area. The Commission may permit a smaller minimum site area if it can be demonstrated that septic effluent can be safely disposed of, adequate potable water can be secured and no adverse impacts will be felt by the surrounding neighborhood.
7. **Off-Street Parking -** Off-street parking shall be provided at the ratio of one space for every dwelling unit plus adequate visitor parking in an amount determined by the Commission.
8. **Permitted Accessory Uses -** Community building for use of residents thereof.
9. **Building and Site Design/Architectural Plans -** Wherever possible, buildings and site improvements shall be designed to fit the existing topography, thereby preventing unnecessary disturbances of existing grades and vegetation. Wherever possible dwellings shall utilize a solar orientation and all improvements shall be designed to preserve and enhance neighborhood property values. Safe and suitable access shall be provided to all dwelling units and parking areas.

   All applications for a multi-family development under this section shall include detailed architectural plans for all proposed buildings and structures including recreational facilities and signs. Said plans shall include exterior elevations, floor plans and information on the nature and color of building materials.
10. **Distance Between Structures -** The distance between any two structures shall be no less than the average height of both, but in no case less than 30 feet. The Commission may vary this spacing requirement when it determines that such variations will enhance the design of the project without detrimentally affecting emergency access.
11. **Special Reports -** All applicants for multi-family projects shall be prepared to submit detailed information regarding the impacts associated with the proposed development with their special permit application. Professionally prepared traffic studies, watershed and drainage analyses and comprehensive environmental assessments are examples of the types of specialized information that the Commission may require.

## L. Efficiency Units

1. Statement of Purpose: The purpose of this amendment is to permit homeowners residing in a residential district the option of constructing an efficiency unit addition to either their existing home or a proposed home for the use of not more than two persons. This amendment will meet an identified need to provide housing for immediate family members, usually the parent(s) of either spouse. In addition, it will also allow young individuals or couples another housing option when unable to purchase houses, given the rapid and expected continued increase in the price of the conventional single-family unit. The efficiency unit may also act as a source of income for financially overburdened families. It also may allow the elderly to

continue to live in their own homes knowing there is someone else on the premises in case of emergency.

2. Where provided for in Article VII, the Commission may grant a special permit, in accordance with the provisions of Article V, Section B, to allow an existing or proposed single-family detached residence to contain an additional separate dwelling unit (hereinafter referred to as "efficiency unit", provided the following specific criteria are met:

    a. This separate efficiency unit within a single-family detached residence shall contain at least 400 square feet of livable floor area and shall not exceed 35% of the square footage of livable floor area of said single-family residence. This efficiency unit shall include independent living quarters, a distinct kitchen or kitchen area containing a sink, refrigerator, stove or stovetop, oven, cabinets and adequate counter space for food preparation and serving, and a bathroom containing toilet, sink and shower or bathtub. This efficiency unit shall also meet the following requirements:

        1. Either the single-family detached residence or the efficiency unit shall be owner-occupied. To help ensure compliance with this requirement and with other provisions of these Regulations, the record-owner of the subject property shall submit to the Commission the following information:

            a. Proof of owner-occupancy, which shall consist of a notarized affidavit.

            b. A written statement specifying that all the provisions of Article X, Section M of the Zoning Regulations, regarding efficiency units, are being complied with;

            c. Other information as deemed necessary by the Commission or the Zoning Agent to document compliance with all applicable regulations.

                This information shall also be provided at the time a Certificate of Compliance is issued for the efficiency unit and, from that time on every two years, starting on the first of January of the following even-numbered year.

        2. There shall be interior access between the single-family residence and the efficiency unit.

        3. Adequate off-street parking shall be provided, but in no case shall the number of spaces for both the single-family residence and efficiency unit be less than three (3). Unobstructed access from the street to each required parking space shall be provided and no parking space shall take place on lawn areas.

        4. The occupancy of the efficiency unit shall be limited to not more than two (2) persons.

        5. The single-family residence with efficiency unit shall comply with the requirements of the use district in which such dwelling is located and shall also comply with the applicable height, area and yard requirements. All proposed efficiency units shall be located on a lot of not less than 40,000 square feet in area.

        6. The single-family detached residence shall retain its original character as a single-family residence.

7. Prior to granting the special permit, the Commission shall refer the application to the Health Department and shall consider all the Department's recommendations in reviewing the application. The Commission shall not grant a special permit if adequate sewage disposal is not demonstrated. To address potential septic system issues suitably, an applicant shall document and demonstrate to the Commission's satisfaction that:

    a. The existing or proposed septic system is adequately sized (based on current State Health Code requirements) for all proposed bedrooms and any previously utilized bedrooms, plus the proposed efficiency unit, and that a suitable septic reserve area exists, or, alternatively:

    b. A new or expanded septic system has been designed (based on current State Health Code requirements) for all proposed bedrooms and any previously utilized bedrooms, plus the proposed efficiency unit, and that a suitable septic reserve area exists. The need to construct new or expanded septic facilities shall be deter-mined after receipt of the Health Department's report. Onsite soil testing shall be required in association with the design for new or expanded septic systems and onsite soil testing may be required for new or expanded reserve areas. The applicant shall document the need for any fill in association with a septic system design.

8. Efficiency units are not permitted within Flood Hazard Areas as defined in these Regulations.

9. All efficiency units shall be on a lot with frontage on a street as defined in these Regulations.

10. Prior approval from the Inland Wetland Agency shall be required for all proposed and potential improvements, including, but not limited to, additions, parking areas and septic systems (including reserve areas and systems designed for possible future installation) that are within regulated wetland or watercourse areas.

3. Application Procedure: The owner of the single-family residence may make application to the Commission for a special permit as outlined in Article V, Sec. B. In addition to the requirements contained therein, all applications shall be accompanied, where applicable, by architectural and building plans sufficient in content to depict the proposed floor layout, construction materials and conformance to the requirements herein.

## M. Use Of Rear Lots

1. The provisions of this section are intended to permit the use of an existing rear lot for one single-family dwelling unit in the residential districts. Rear lots created after the adoption of this section shall not be used for residential purposes.

2. No dwelling unit shall be erected on a rear lot unless there is provided for such lot an unobstructed right of access held in the same ownership as the lot, at least 20 feet wide to accommodate fire apparatus or other emergency equipment. If, however, the area of the rear lot shall exceed twice the area requirements of the zone in which the rear lot is located, such right of access shall be at least 50 feet wide.

3. A rear lot shall conform to all requirements prescribed for the zone in which it is located. The minimum lot area shall be computed as the area of the lot exclusive of the area of access.
4. Only the erection of one single-family dwelling and appurtenant accessory buildings or structures shall be permitted on a rear lot, regardless of the size of the lot. No Zoning Permit shall be issued for more than one dwelling on the rear lot until all regulations for subdivision have been complied with.
5. The access area shall be limited for the exclusive use of the one dwelling unit on the rear lot and shall not be used for access to any other land or separate rear lot.
6. The lot line from which the right of access leads shall be considered the front of the rear lot.

## N. Home Occupations

**1. Permitted Uses**

A home occupation may include, but not be limited to, the following uses for the zones indicated:

a. R-20 and R-90 residential zones: Art studios, barber shops, beauty salons limited to one operator, dressmaking, teaching, bed and breakfast operations provided no more than 3 bedrooms are utilized for guests, office of a recognized profession, such as physician, lawyer, engineer, architect, real estate or insurance agent, contractor or tradesman and similar such uses, but specifically excluding the sale of any goods on the premises.

b. All other zones: All the uses permitted in 1.a. above and in addition, the sale of antiques, the sale of handcrafted items produced on the premises, the assembly, repair and sale of small retail goods, home baking and limited food preparation/catering operations, and the limited storage or parking of vehicles, equipment and/or materials associated with a contractor, tradesman or other home occupation use.

**2. Requirements**

a. Except for authorized on-site parking or storage, the home occupation shall be conducted wholly within a detached single-family residence dwelling or within a completely enclosed permitted accessory building on the same lot as the detached single-family residence. Home occupations are not permitted within dwellings that contain two or more dwelling units or within buildings accessory to a dwelling containing two or more dwelling units.

b. Except for authorized on-site parking or storage, the total area devoted to the home occupation shall not exceed thirty-five percent of the livable floor area of the single-family residence dwelling.

c. No more than two persons who are not residents of the detached single-family dwelling shall be employed and working at the site of the home occupation, except as provided in 1.a above, for beauty salons. A home occupation use may involve additional employees, provided these employees do not work or leave their vehicles at the site of the home occupation.

d. There shall be no display or advertising of the home occupation on the lot except for a nameplate not exceeding five (5) square feet in area. The nameplate shall

indicate that the business may only be transacted by appointment in letters having a minimum height of 1 ¼ inches. Home occupation signs shall not be internally illuminated and, if lighted externally, the sign shall be lighted only during the hours open for appointments.

e. Except for authorized signage, there shall be no indication of the home occupation or alteration of the residential character of the residence dwelling or the lot.

f. No offensive noise, vibration, smoke, dust, odors, heat, or glare shall be produced; no health or safety hazard shall be created; no interference with radio or television reception in the neighborhood shall be produced.

g. Parking adequate to meet the needs of the proposed home occupation shall be provided

h. All home occupations involving food preparation, such as bed and breakfast, home bakery or catering operations, shall demonstrate that:

    1. Onsite sanitary systems (well/septic), are adequately sized and in suitable condition to serve the proposed use;

    2. All other applicable health code requirements are met;

    3. All applicable fire and building code requirements are met;

    4. All refuse generated shall be covered, screened from public view and promptly removed from site;

    5. All other requirements applying to home occupations

i. All home occupations involving on-site storage or parking of vehicles, equipment and/or materials shall demonstrate through application submissions that the following requirements shall be met:

    1. All on-site vehicle, equipment and/or material storage areas shall meet applicable setback provisions of Article VIII for the zone classification of the subject site.

    2. All vehicles, equipment and/or materials stored on site shall not be visible from adjacent properties. Where fencing and/or evergreen plantings are proposed, details of the subject fencing and/or evergreen screening (including size and type of proposed plantings) shall be provided. Tractor-trailer bodies, truck bodies, with or without a chassis, shipping or storage containers, boxcars or similar objects are prohibited for on-site storage purposes.

    3. All on-site vehicle, equipment and/or material storage areas shall be limited in size and clearly accessory to the primary residential use of the site. A listing of all vehicles, equipment and materials to be stored on site (including size, height and type) shall be provided and updated where appropriate. Depending on site and neighborhood characteristics, the Zoning Agent shall have the authority to specifically restrict the area approved for on-site storage and/or the size, height and type of vehicle, equipment or material storage.

    4. All vehicle and equipment use shall not begin before the hour of 7am Monday-Saturday or before the hour of 9am on Sundays and holidays. No vehicle and equipment use shall take place after 9pm.

5. All outside vehicle, equipment and/or material storage areas shall comply with applicable Inland Wetland Regulation and approval requirements.

**3. Permit**

a. A Home Occupation Permit, issued by the Zoning Agent, shall be valid for a period ending January 1 of an even-numbered year and may, upon application by the holder of such permit, be renewed for additional periods of two years each, provided the requirements and intent of this Section are continually met. Such permit shall not be transferable.

b. All applications for a home occupation shall include:

1. A completed application form for a Home Occupation Permit;

2. A detailed statement of use fully describing the use or uses to which the subject building, accessory structures or site shall be devoted. Said statement of use shall fully address the approval criteria of Article X, Section N.2 (above) and provide adequate information to determine that the proposed home occupation complies with applicable zoning definitions, permitted use provisions, performance standards and other applicable zoning regulations;

3. A plot plan depicting property lines, house, accessory structures, driveway, parking areas, on site storage areas and any other information deemed necessary by the Zoning Agent to determine compliance with applicable zoning regulations;

4. Any other information deemed necessary by the Zoning Agent to determine compliance with all applicable zoning regulations.

c. No Home Occupation Permit shall be issued until the Health Officer, Fire Marshal, Building Official and Inland Wetland Agent have signed the subject permit application to indicate that all applicable Health Code, Fire Code and Building Code requirements have been satisfactorily addressed in the subject home occupation proposal.

d. A Home Occupation Permit shall not be renewed and an outstanding Permit may be revoked if, in the opinion of the Zoning Agent and the Commission:

1. The use has clearly altered the residential character of the premises and neighborhood through the generation of traffic or noise substantially in excess of that normally generated by a residential dwelling unit;

2. Changes in the lot or the occupied building have been made altering the residential character of same, or

3. Other conditions prohibited in subsection N.2 above have been created.

Any uncertainty regarding the issuance or renewal of a Home Occupation Permit shall be resolved by the Mansfield Planning and Zoning Commission.

4. The granting of a permit for a home occupation shall not constitute the establishment of a legal non-conforming use.

5. Prohibited Uses - A home occupation shall not be construed to include restaurants, or other eating and drinking places, kennel, animal hospital, automotive repairs, small engine repair, or any other use which in the opinion of the Zoning Agent or the Commission would create conditions prohibited in Section N.2 above.

## O. Churches And Other Places Of Worship

As provided for in Article VII, churches and other places of worship may be permitted provided the provisions of Article V, Section B are complied with and the following specific criteria are met:

1. The subject site shall be located on or within 300 feet of an arterial or collector street as defined in these Regulations.
2. The subject site shall be a minimum of 3 acres.
3. No off-street parking shall be allowed within 50 feet of any property line and all parking areas shall be permanently screened and buffered from the neighboring properties by walls, fences, plantings or other devices that may be specified by the Commission. This 50-foot setback requirement may be reduced by the Commission if an alternate design utilizes the site's topography and vegetative character to reduce visual and auditory impacts on neighboring properties.
4. With the exception of storage sheds that comply with the provisions of Article VIII, Section B.1.d, all buildings and structures shall be located 100 feet from all property lines. This 100-foot setback requirement may be reduced by the Commission if an alternative design utilizes the site's topography and vegetative character to reduce visual and auditory impacts on neighboring properties.
5. Accessory buildings and uses not specifically authorized by a special permit approval shall not be constructed or initiated until Planning and Zoning Commission approval is granted. Depending on the nature of the proposed accessory building or use, special permit approval may be required by the Commission.

## P. Special Requirements For Development On Non-Conforming Lots Of Record Without Frontage On An Existing Street

As provided for in Art. IX, Sec. B, the Commission may authorize, through the issuance of a special permit, development on non-conforming lots of record, or non-conforming lots existing by virtue of separation from adjacent lots by physical acts acceptable to the Commission pursuant to Article IX, Section B.2, as of April 28, 1959, without frontage on an existing street, provided the provisions of Art. V, Sec. B are complied with and the following specific criteria are met:

1. This section is not applicable to lots created after April 28, 1959;
2. The applicant demonstrates through the special permit submissions that a right of access exists from an existing street. Where possible, an easement establishing concise maintenance and liability agreements regarding the use of the private access drive shall be submitted with the application and, if the application is approved, the easement shall be recorded for each affected lot. All applicants shall demonstrate in application submissions that a concerted attempt was made to obtain easement rights;
3. The submitted plans shall clearly note that Town approval of development on the subject lot shall not obligate the Town to assume any future responsibilities, including repair or maintenance work on the subject private access drive or other private property;
4. All new improvements on the subject non-conforming lot shall meet all applicable setback requirements for the subject zone. For the purposes of this requirement, all

frontline setbacks shall be measured from a line twenty-five (25) feet from the center line of the private access drive;

5. All other municipal regulations shall be met, including applicable provisions of the Town's Inland Wetlands Regulations;

6. The applicant shall identify the name that will be utilized for the private access drive and said name must be acceptable to the Planning and Zoning Commission after consultation with the Fire Marshal. The applicant shall specify in the special permit submission that an identification sign shall be installed where the private access drive meets a Town or State road. Said sign shall be constructed and installed in accordance with Town standards for public street signs and said sign shall specify 'Private Way';

7. To ensure safe and suitable year-round access, including emergency vehicle access to and from the affected lot, the applicant shall submit plans to demonstrate to the Commission's satisfaction that the subject private access drive has suitable width, travel surface, grade, drainage, sightlines and turnaround provisions. As necessary to ensure safe access to the subject lot, improvements to the subject private access drive may be required as part of the special permit authorization.

## Q. Wireless Telecommunication Sites, Facilities And Services

As provided for in Article VII, Section D.17, wireless telecommunication sites, facilities and services may be permitted provided the provisions of Article V, Section B are complied with and provided the specific requirements and criteria of this section are met.

1. **Statement of Purpose -** This section is designed to provide for the establishment and/or expansion of wireless telecommunication services within the Town of Mansfield while protecting neighborhoods and minimizing the adverse visual and operational effects of wireless telecommunications facilities through careful design, siting and screening. More specifically, this regulation has been developed in order to:

   a. Maximize use of existing and approved towers and other structures to accommodate new antennas and transmitters in order to reduce the number of communication towers needed to serve the community;

   b. Encourage providers to co-locate their facilities on a single tower, or single site;

   c. Site facilities below visually prominent ridge lines;

   d. Minimize the location of facilities in visually or environmentally sensitive areas;

   e. Encourage creative design measures to camouflage facilities;

   f. Protect historic and residential areas from potential adverse impacts of communication towers;

   g. Avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures.

2. **Definitions**: For the purpose of applying the provisions of this section, the terms below shall be defined as follows:

   a. Antenna means a device used to receive or transmit electromagnetic waves. Examples include, but are not limited to whip antennas, panel antennas and dish antennas.

b. Co-location means locating wireless communication facilities from more than one provider on a single site.

c. Fall zone means the area or location within which a tower or mounted antenna would drop, slide or settle in the event the tower or antenna is blown from its support structure, collapses or is otherwise dislodged from its foundation or its mounting.

d. Height of tower means the vertical distance measured in feet from the average existing level of the ground surrounding the tower and within ten feet thereof to the topmost point of the tower including any antenna or other appurtenances. The existing elevation shall mean the actual or approved elevations of the property at the time of application.

e. Tower means a structure that is intended to support equipment used to receive and/or transmit electromagnetic waves. Design examples of towers include (a) self-supporting lattice, (b) guyed and (c) monopole.

f. Wireless telecommunication services means licensed wireless telecommunication services including, but not necessarily limited to, cellular, personal communication services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging and similar services that are marketed to the general public.

g. Wireless telecommunication site means a facility operated by a licensed wireless telecommunication service provider which consists of the equipment and structures involved in receiving or transmitting electromagnetic waves associated with wireless telecommunication services.

3. **Application Requirements -** In addition to the submission requirements contained or cited in Article V, Section B, all proposals for a wireless communication site and facilities shall contain the following supplemental information:

a. A plan showing where and how the proposed antenna will be affixed to a particular building or structure;

b. Details of all proposed antenna and mounting equipment including size and color;

c. Elevations of all proposed shielding and details of materials including color;

d. An elevation of all proposed equipment buildings or boxes. Details of all proposed fencing including color;

e. A design drawing including cross section and elevation of all proposed towers. A description of the tower's structural integrity and load capacity including the number and type of antennas it can accommodate as well as the proposed location of all mounting positions for co-located antennas and the minimum separation distances between antennas. Where a monopole is proposed, the design shall illustrate how the tower will collapse upon itself without encroaching upon any adjoining property line;

f. A geotechnical report of soil borings by a licensed professional engineer demonstrating the appropriateness of proposed design specifications for any tower foundation, support structures, anchors, etc.;

g. A report from a licensed professional engineer indicating that the proposed wireless telecommunication site will comply with the emission standards found

in Subsection 4 of this regulation. Such report shall also certify that the installation of such site will not interfere with public safety communications, radio or television transmissions or other existing communication systems;

h. An analysis of the fall zone for the proposed tower prepared by a licensed professional engineer;

i. All applications shall include proof that either the applicant or co-applicant holds bona fide license from the Federal Communications Commission (FCC) to provide the telecommunication services that the proposed tower is designed to support;

j. A report or letter from the Federal Aviation Administration that the proposed tower complies with all airport safety requirements for Windham and other airports;

k. A map depicting the extent of the provider's planned coverage within the Town of Mansfield and nearby towns, approved or proposed locations in nearby towns and the service area of the proposed wireless telecommunication site;

l. A landscape/buffering plan and a lighting plan designed to address the provisions of this section of the Regulations, the provisions of Art. V, Sections A.3.d 15 and 16, and Art. VI, Sections B.4.g and q;

m. A map indicating the search radius for the proposed wireless telecommunication site and a description of the process that eliminated other potential sites;

n. A viewshed analysis showing all areas from which the tower would be visible. The analysis also shall describe efforts that have been made to avoid prominent ridgelines and plans that have been made to screen the proposed site, camouflage proposed facilities and otherwise minimize adverse visual impacts;

o. Upon request of the Commission, the applicant shall provide a simulation of the proposed wireless telecommunication site in order to help the Commission ascertain the visual impacts associated with such proposal;

p. All applications shall include information on the status of any application filed or to be filed with the Connecticut Siting Council.

4. **Approval Criteria -** In addition to the approval criteria contained or cited in Article V, Section B, all proposals for a wireless communication site and facilities shall comply with the following requirements:

**a. General Requirements:**

1. No wireless telecommunication site shall be located within 200 feet of a residence.

2. No tower exceeding 60 feet in height shall be located within 1,000 feet of the boundary of an historic district under the jurisdiction of Mansfield's Historic District Commission. It shall be demonstrated that any proposed tower 60 feet or under within this area will preserve the historic and/or architectural character of the landscape or any structure.

3. No lights shall be mounted on proposed towers unless otherwise required by the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC) or the Connecticut Siting Council. All strobe lighting shall be avoided if possible. When lighting is required and said lighting is

permitted by the FAA or other Federal or State authority, it shall be oriented inward so as to project as little as possible onto surrounding residential property.

4. Towers not requiring special FAA painting or markings shall be painted a color that minimizes visual impact for the specific site.
5. Except as required by other governmental licensing agencies, towers shall not be used to exhibit any signage or other advertising.
6. Any proposed tower shall be designed in all respects to accommodate both the applicant's antennas and comparable antennas for at least two additional users if the tower is over 100 feet in height or for at least one additional comparable antenna if the tower is over 50 feet in height. The Commission may require the tower to be of such design as to allow for future rearrangement of antennas upon the tower and to accommodate antennas mounted at varying heights. Applicants may be required as a condition of approval to submit an affidavit or other documentation stating that space on the proposed tower will be made available to future users when technically possible.
7. Antennas or equipment buildings/boxes mounted to or on buildings or structures shall to the greatest degree possible blend with the color and design of such building.
8. Any proposed wireless telecommunication site shall be designed, located or operated in compliance with State and Federal requirements regarding interference with existing or proposed public safety communications, radio or television transmissions or other existing communication systems.
9. All applications for wireless telecommunication sites within the Flood Hazard Zone shall comply with the standards found in Article X, Section E of these Regulations.
10. Any proposed wireless telecommunication site shall be in compliance with State and Federal requirements regarding non-ionizing electromagnetic emissions.
11. All utilities proposed to serve a wireless telecommunication site shall be installed underground unless otherwise approved by the Commission.
12. All generators installed in conjunction with any wireless telecommunication site shall comply with all State and local noise regulations.
13. In a case where a wireless telecommunications site is proposed to be located on or within 1,000 feet of a property designated in the U.S. Department of the Interior's National Register program, it shall be demonstrated that the proposal will preserve the historic and/or architectural character of the landscape or any structure.
14. All wireless telecommunication sites shall have security fencing or other measures to prevent unauthorized access.

**b. Lot Size, Height and Setback Requirements**

1. **Lot Size -** All new wireless communication sites shall meet the minimum lot size requirements for the subject zone as per the provisions of Article VIII.

2. **Height** - All wireless communication towers or rooftop-mounted equipment or structures shall be the minimum height necessary to provide the proposed service and address the co-location provisions of these Regulations.

3. **Setbacks**

   a. Freestanding monopole towers shall comply with the following minimum setbacks:

      1. Front yard - A distance equal to 3/4 the height of the tower or the setback required for the underlying zone, whichever is greater

      2. Side or rear yards

         a. In residential zones, 50 feet for towers less than 60 feet in height and 100 feet for towers equal to or greater than 60 feet;

         b. In commercial or industrial zones, 25 feet for towers less than 60 feet in height and 50 feet for towers equal to or greater than 60 feet. However, where a side or rear lot line is contiguous to a residential zone, the setback for that particular yard shall be as required for such a tower in a residential zone.

   b. All other towers shall comply with the following minimum setbacks:

      1. In commercial or industrial zones, all other freestanding towers shall be located a minimum distance from any property line at least 100 feet or a distance equal to the height of the tower, whichever is greater.

      2. In residential zones, all other freestanding towers shall be located a minimum distance from any property line equal to 125 percent of the proposed tower height.

   c. All other structures, equipment buildings, boxes or storage areas shall comply with all applicable setback provisions of Article VIII of these Regulations.

**c. Additional Locational Approval Criteria**

1. Locational preferences: The locations for siting the equipment involved in receiving or transmitting electromagnetic waves associated with wireless telecommunication services are listed in paragraphs a through e below, in order of preference:

   a. On existing towers or on existing structures such as buildings, water towers, utility poles, etc., in Mansfield or nearby towns;

   b. On towers or structures approved but not yet constructed in Mansfield or nearby towns;

   c. On new towers located at existing telecommunications sites;

   d. On new towers located in institutional, commercial or industrial zones;

   e. On new towers located in residential zones

2. In the case where an application for the proposed location of a wireless telecommunications site is not a preference “a” or “b” location as noted above, the applicant shall adequately describe the efforts and measures taken

to pursue those preferences and why a higher preference location was not technologically, legally or economically feasible. The supplied documentation shall evaluate the following factors:

a. The planned equipment would cause unacceptable interference with the operation of other existing or planned equipment on an existing or approved tower or structure as documented by a qualified licensed professional engineer and that the interference cannot be prevented or eliminated at a reasonable cost.

b. The planned equipment cannot be accommodated on existing or approved towers or structures due to structural deficiencies as documented by a qualified licensed professional engineer and that such deficiencies cannot be eliminated at a reasonable cost.

c. The existing or planned equipment on an existing or approved tower or structure would cause unacceptable interference with the equipment proposed by the applicant as documented by a qualified professional licensed engineer and that the interference cannot be prevented or eliminated at a reasonable cost.

d. Any restriction or limitation imposed by the FCC, FAA or Connecticut Siting Council

**d. Landscaping/Screening Criteria**

In addition to meeting the landscaping and screening provisions of Article VI, Section B.4.q, all applications for a wireless telecommunications site shall demonstrate to the degree technologically, legally or economically feasible, that the proposed site and design has minimized adverse visual effects, has avoided prominent ridge lines and has been screened and designed to camouflage the facilities.

5. **Monitoring -** As a condition of approval, the Commission shall have the right to require periodic environmental testing and the submission of environmental monitoring reports, including, but not limited to information on electromagnetic emissions and noise levels. The Commission shall have the right to require the establishment of an escrow account or cash bond fund to help ensure compliance with this provision.

6. **Abandonment -** As a condition of approval, the Commission shall have the right to require a wireless telecommunication site not in use for 12 consecutive months to be removed by the service facility-owner. Wherever removal is required, the site shall be restored to its previous appearance and, where appropriate, revegetated to blend with the surrounding area. The Commission may require that an appropriate bond as per the provisions of Article VI, Section C, be submitted to help address this provision.

## R. Architectural And Design Standards

**1. Statement of Purpose**

This section is designed to provide comprehensive standards that encourage and guide the coordinated development of specialized and more intensive uses and groups of principal buildings and uses, with the exception that this section shall not apply to property located in an SC-SDD zone district. Subject to compliance with more

specific provisions of these Regulations, these standards shall be utilized as design-determinants to organize a site layout and to develop the composition and character of new buildings and site improvements. The use of these standards shall promote goals and objectives contained in Mansfield's Plan of Conservation and Development and shall help protect and promote the public's health, safety and convenience. Additionally, these standards shall:

a. protect and enhance the value of properties in the neighborhood of a subject site and encourage the most appropriate use of land in Mansfield;

b. protect and enhance natural and manmade features and scenic views and vistas on and adjacent to a subject site;

c. protect and enhance historic areas and encourage the adaptive use of historic structures and features;

d. protect and enhance special features of existing neighborhoods and promote a harmonious character in developing areas

**2. Site Layout Standards**

a. Identify the following site and neighborhood features and incorporate as appropriate into project design, based on the standards of this section:

   1. Natural features, including: water bodies, watercourses, existing vegetation, hills, ridges, hedges, rock outcropping, etc.

   2. Historic/Cultural Features, including: existing structures, foundations, stone walls, fences, cemeteries, historic sites, etc.

   3. Scenic Features, including: significant views and vistas on or adjacent to the subject site

b. Protect and enhance site and neighborhood features which are of environmental, historic or scenic importance or otherwise provide or contribute significant character to the subject site or neighborhood. (see Article X, Section J.2 for special historic village area review criteria)

c. Create significant and proportional spatial relationships between site and neighborhood features and the mass (the size or bulk of the building) and scale (the size relationship of the building to the site and also to the person(s) who use it) of proposed structures and site improvements. Where appropriate, separate incompatible uses with large open space or natural buffers. In large developments with multiple buildings, consider open space breaks and preserving existing vegetation to create identifiable places within the development.

d. Where appropriate, respect prevailing building setbacks and continue existing visual patterns (e.g., density, location of sidewalks/parking areas, etc.).

e. Where appropriate, site new buildings to promote energy conservation.

f. Vehicular and pedestrian safety and accessibility shall be addressed in a comprehensive and intermodal manner. Design site entrances and, where appropriate, building entrances, to be clearly visible and identifiable from public accessways or any other primary vantage points. Provide safe and attractive walkway/bikeways and, where appropriate, public transit amenities and interconnected development that promotes walking and cycling to, and within, the area and enhanced public transit opportunity.

g. Where appropriate, locate major parking areas to the rear or side of proposed buildings.

**3. Building Layout and Design Standards**

a. Balance the visual relationships of building mass and size with its site and adjacent sites, especially when viewed from a distance. Where applicable, preserve and reinforce historic scale, massing and proportions between building height, length and width.

b. Avoid long, large, box-like structures. Break large building volumes into smaller forms to lessen the total building mass and to provide continuity with nearby patterns. Consider projections (overhangs, awnings, etc.) or recesses (e.g., windows) on all buildings and stepping back upper levels on larger buildings.

c. Strive for visual simplicity rather than complexity and create variety through compatibility rather than conformity. Coordinate color schemes and materials with neighboring buildings and coordinate all exterior elevations of a building (color, materials, architectural form, detailing, etc.). Establish character by creating shadow patterns using architectural elements (overhangs, trellises, projections and awnings, etc.).

d. Form a consistent composition between the roof mass and building façade. Where appropriate, consider rooflines of adjacent properties and adjacent building roof details (e.g., dormers, fascias, roof pitches, etc.).

e. To encourage pedestrian use, build elements (e.g., protective canopies, stairs, columns, wall or roof projections and recesses, etc.) to human scale at sidewalk level and incorporate weather protection, convenience and safety features.

f. Conceal view of all roof-mounted equipment (HVAC, plumbing, exhaust fans, etc.), particularly from the public right-of-way, using detailing incorporated into the architectural design. Avoid false detailing (mansard roofs, partial HVAC screens, truncated roof structures, etc.).

g. Natural materials, or modern materials with the same visual characteristics, in their traditional applications (e.g., wood, stone, brick, glass, metal, etc.) should be used as primary building materials. The number of different materials on the exterior building elevation should be limited and attention shall be given to detail at corners, trim, openings and wherever there are abutting materials. Long term maintenance shall be an important consideration in the selection of building materials.

h. National franchise uses shall utilize building designs and building materials that reflect Mansfield's architectural traditions in their form, materials and details.

i. Secondary rear or side building facades that are visible from public spaces or adjacent properties shall be designed to complement the architectural treatment of primary facades.

j. The design of signage, lighting fixtures, accessory structures, fences, storage enclosures, bicycle racks, benches, trash baskets and other site improvements shall be coordinated with primary buildings in form, materials and details.

k. Buildings shall be sited and designed to promote energy conservation. Consideration should be given to solar orientation, insulation, lighting, plumbing, landscaping and other energy efficient design elements.

### 4. Landscaping/Lighting/Site Improvement Standards

a. Balance the quantity of onsite landscaping with the scale of the proposed development. Landscape around buildings to establish continuity within the site and incorporate interior parking lot landscaping as per the provisions of Article X, Section D.18. Provide areas for snow placement and removal.

b. Where appropriate, integrate existing mature vegetation into the design. Incorporate a variety of plant species into the design and avoid monocultures. Plants identified in the current State Department of Environmental Protection Agency listing of invasive species shall not be used.

c. Utilize landscape buffers, berms, fencing, etc to screen parking areas and waste storage areas from adjacent streets, walkways, bikeways, other pubic spaces, and, as appropriate, neighboring properties.

d. Coordinate lighting fixture assembly with site and building designs. Use lighting fixtures with shielding devices or cut-off refractors to eliminate or minimize light spill. Wherever possible, conceal lighting sources from the public right-of-way and neighboring properties.

e. Avoid relative brightness differences with adjacent land uses. Use white lamps (metal halide, fluorescent, incandescent, etc.) rather than low or high-pressure sodium sources for all new development. White light is crisp and has true color retention. Provide photometric data as requested for specific development projects.

f. Provide safety-textured and, where appropriate, patterned walking surfaces and plazas. Include benches and/or low walls in places where they will encourages pedestrians to gather without creating safety issues.

g. Provide vehicle barriers (curbs, bollards or low walls/fences) located to protect and not obstruct adjacent walks or plazas or where appropriate for other safety purposes (e.g., grade changes, traffic lanes, trees, etc.).

h. Install underground utilities to serve new developments and, where appropriate, relocate existing overhead services belowground.

## S. Storrs Center Special Design District (SC-SDD)

### 1. General

The intent of the Storrs Center Special Design District is to create a zoning mechanism that will enable Storrs Center to be developed in a responsible yet efficient manner. Because Storrs Center is proposed to be a comprehensively designed mixed use environment, with a variety of land uses carefully integrated both horizontally and vertically in a compact form, a conventional zoning district that separates land uses into single-use areas would be unworkable and inappropriate. Accordingly, the Storrs Center Municipal Development Plan (the "MDP") approved by the Town and the Connecticut Department of Economic and Community Development provides that a new zoning district should be created to accommodate and facilitate development of Storrs Center.

The Storrs Center Special Design District is a mixed use zoning district that functions like a floating zone. The Storrs Center Special Design District is available only to property located within the MDP area, and the provisions of the SC-SDD district will

apply only to specific properties that are rezoned to an SC-SDD designation by the Planning and Zoning Commission. Upon rezoning to an SC-SDD designation, a unique, numbered zone district classification (SC-SDD[#]) is created on the Zoning Map of the Town of Mansfield, and the preliminary master plan approved as part of the map amendment shall become part of the zoning for the land included within the map amendment. There is no minimum area of land required for rezoning to SC-SDD. For the purposes of this Article, the Storrs Center Special Design District shall not be considered one of the Designed Development Districts, as that term is defined in these Regulations.

**2. Relationship to Zoning Regulations**

In cases of specific conflict with other provisions of these Regulations, the provisions of this Section shall prevail.

**3. Procedure to Amend the Zoning Map to Storrs Center Special Design District**

**a. Procedures**

The procedures to amend the Zoning Map to Storrs Center Special Design District are described in Article XIII, Section A.

**b. Informal Review**

All prospective applicants considering development within the Storrs Center Special Design District are encouraged to review with the Planning and Zoning Commission, on an informal and pre-application basis, a draft preliminary master plan and drafts of other information required by the Zoning Regulations. Although this process may enable a prospective applicant to obtain meaningful preliminary feedback, this informal review is not intended to include evaluation of application specifics. Any statements by members of the Commission are not binding and are not intended to indicate prejudgment in any way of an actual application, should one later be submitted. Similarly, silence by Commission members during an informal review should not be construed as assent or acceptance of what is presented. The Commission's official decision-making process only commences upon the submission of a formal application.

**c. Application Requirements**

Petitions to amend the Zoning Map to Storrs Center Special Design District shall provide all applicable information required by Article XIII, Section B. The following information shall also be required:

(i) Preliminary Master Plan for the area to be rezoned, including the following elements:

(1) boundary survey of the land to be included in the district at a scale that clearly depicts the area to be rezoned.

(2) existing topography with contours of sufficient spacing to show the general gradient of the site, existing structures, existing roads

and rights-of-way, major topographic features, and limits of inland wetlands, watercourses and floodplains

(3) existing land uses and zoning within 500 feet of the area to be rezoned

(4) names of all property owners located within 500 feet of the boundary of the property to be rezoned, as listed on the Town Assessor's records as of a date no more than 15 days before the application is filed

(5) location of proposed land uses within the area to be rezoned

(6) location of wetlands and watercourses, exposed ledge and areas that are known to be shallow to bedrock

(7) proposed contours with intervals adequate to indicate drainage and grades

(8) general location of proposed buildings and structures

(9) identification of neighborhoods, if appropriate

(10) public and private streets and circulation patterns and potential traffic improvements

(11) general locations of on and off street parking, loading and delivery areas

(12) existing and proposed pedestrian facilities and circulation routes

(13) potential location of public transit connections or stops

(14) public and private open spaces

(15) general locations of utilities and drainage facilities to serve the area to be rezoned

(16) general landscaping plans, including existing vegetation to be preserved and general location of landscape buffers

(17) preliminary project phasing, including phasing of public improvements and provisions to address construction traffic

(ii) Comprehensive parking study ("Master Parking Study") for the area to be rezoned. The following information should be included in the Master Parking Study:

(1) Overall analysis of parking demand for the area to be rezoned, including shared use analysis if applicable

(2) Types and approximate locations and number of parking spaces to be provided

(3) Comparison of parking demand and parking to be provided

(4) Parking space dimensions

(iii) Comprehensive traffic study ("Master Traffic Study") for the area to be rezoned. The following information should be included:

(1) Existing and projected background traffic counts on major streets located in and adjacent to the area to be rezoned

(2) Analysis of anticipated traffic to be generated by the land uses proposed for the area to be rezoned, including projected levels of service and queuing at key intersections

(3) Description of traffic improvements, including pedestrian and public transit improvements, to mitigate traffic impacts

(4) Anticipated phasing of traffic improvements within project area

(iv) Comprehensive stormwater drainage study ("Master Stormwater Drainage Study"). The following information should be included:

(1) Analysis of existing and proposed peak rates of stormwater discharge from the property

(2) Description of stormwater drainage improvements to be constructed, including phasing

(3) Preliminary description of stormwater quality measures to be incorporated into the area to be rezoned

(v) Documentation of the availability of potable water and sanitary sewer service

(vi) Design guidelines for the district, including information on the following:

(1) General statement of intent and project vision

(2) Dimensional requirements, including building heights and setbacks

(3) Schematic cross sections of building mass and height along streets

(4) Nature and color of building materials for facades and roofs

(5) Public and private roadway and sidewalk cross-sections and design

(6) Location and type of walkways, including paths and trails, if any

(7) Design format for General Identity Signs and Directional Signs

(8) Standards for lighting fixtures

(9) Landscape features for public spaces such as street frontages and parks, including planting details, buffers, hardscapes and accessory fixtures such as benches and trash receptacles

(10) Waste disposal facilities such as dumpster areas

(11) Treatment of service areas, loading and delivery areas and aboveground utilities such as transformer boxes

**d. Notification of Neighboring Property Owners**

All petitions to amend the Zoning Map to Storrs Center Special Design District shall adhere to the notification requirements contained in Article XIII, Section C.

**e. Approval Considerations**

The Commission may approve, approve with minor changes or modifications, or disapprove any application to amend the Zoning Map to SC-SDD. In considering any petition to amend the Zoning Map to SC-SDD, the Commission shall make a finding, in addition to the findings required by Article XIII, Section D, that the Preliminary Master Plan, Master Stormwater Drainage Study, Master Parking Study, Master Traffic Study and Design Guidelines are consistent with the Municipal Development Plan for Storrs Center dated August, 2005, as it may be amended from time to time, and are adequate to ensure safe and appropriate implementation of permitted uses.

**f. Adoption/Protests**

All those provisions of Article XIII, Section E pertaining to Zoning Map amendments shall apply to any petition to amend the Zoning Map to Storrs Center Special Design District.

**g. Filing of Approved Preliminary Master Plan and Zoning Map Amendment**

Following approval of an SC-SDD amendment to the Zoning Map, the Preliminary Master Plan, together with the approved Master Parking Study, Master Traffic Study, Master Stormwater Drainage Study and Design Guidelines, shall be filed in the office of the clerk of the Town of Mansfield. The approved map amendment shall be identified on the Zoning Map with a numbered SC-SDD designation (e.g., SC-SDD 1, SC-SDD 2).

**h. Modification of Approved Zoning Map Amendments**

Approved SC-SDD zoning map amendments may be modified by the Commission following the procedure to approve a zoning map amendment to SC-SDD. The Commission may waive any of the application requirements contained in subparagraph 3.c of this section if such requirements are not necessary to adequately review and decide the application.

**4. Uses Permitted in the Storrs Center Special Design District**

a. The following land uses are allowed within the Storrs Center Special Design District, whether in separate buildings or in mixed use buildings and whether owned or leased:

(i) Single family residences

(ii) Two-family residences

(iii) Multi-family residences

(iv) Age-restricted multi-family residences as defined in Article VII, Section H

(v) Live-work units (defined as a mixed use unit that includes a direct internal connection between office or retail space and residential space, whether on the same or different floors).

(vi) Use of residence for personal business purposes as defined in Article VII, section D

(vii) Retail uses

(viii) Restaurants, including sit-down and take-out varieties

(ix) Banks and financial institutions

(x) Offices, including medical offices and physical therapy clinics

(xi) Personal service shops including, but not limited to, beauty salon, barber, and tailoring

(xii) Photocopying, facsimile, document processing, courier and similar services

(xiii) Repair services or businesses, including the repair of bicycles, electronics, home appliances, office equipment, watches, clocks, clothing, shoes and similar uses, but excluding the repair of internal combustion engines

(xiv) Commercial printing or production accessory to an on-site retail business, provided the following conditions are met:

(1) the floor area used for such printing or production shall be limited to 3,000 square feet;

(2) all goods prepared shall be sold to customers on the premises; and

(3) no floor drains or other direct connections to the exterior of the building shall be permitted

(xv) Governmental and civic uses, including but not limited to post offices, libraries, University of Connecticut uses, Town of Mansfield uses, parks, squares and greens

(xvi) Art galleries or studios, museums, music recital halls, cinemas, and theaters of all types

(xvii) Dance halls and juice bars not serving alcohol

(xviii) Live music, whether as a principal or accessory use, so long as it is conducted at acceptable noise levels in conformance with all codes and ordinances of the Town.

(xix) Public and private parking garages

(xx) Public and private parking lots

(xxi) Self-service laundromats, and laundry and dry-cleaning drop-off and pick-up, provided no dry cleaning is conducted on the premises

(xxii) Public or private schools

(xxiii) State licensed or registered day-care centers

(xxiv) Recreation facilities, whether public or private and whether indoors or outdoors, such as health clubs, physical fitness centers, gyms, playgrounds, and billiard halls

(xxv) Private clubs, such as university faculty clubs, university graduate clubs and clubs for civic or religious organizations, with or without residential units, but excluding clubs or housing for student fraternities, sororities and other student groups.

(xxvi) Sale of alcoholic liquor, subject to the provisions of all town ordinances.

(xxvii) Brewpub/Restaurant as defined in Article IV.

**5. General Requirements**

a. All buildings, structures and site improvements in SC-SDD zones shall address all applicable dimensional provisions contained in the Preliminary Master Plan, Master Parking Study and Design Guidelines approved in conjunction with the establishment of the SC-SDD zone classification for the property.

b. All development in SC-SDD zones shall be served by public water and sanitary sewer facilities.

c. All new utilities shall be installed underground, unless waived by the Director of Planning and Development due to physical constraints or other special circumstances. Utilities that are not customarily installed underground, such as transformer boxes, are not required to be installed underground.

d. Underground tanks for the storage of petroleum products or hazardous materials are prohibited in SC-SDD zones.

**6. Zoning Permit Application Review**

Following approval of a map amendment rezoning land to an SC-SDD designation, all applications for zoning permit review shall be submitted to the Mansfield Director of Planning and Development pursuant to the following process:

**a. Informal Review**

All prospective zoning permit applicants are encouraged to review zoning permit applications with the Director of Planning and Development and the Zoning Agent on an informal and pre-application basis.

**b. Application Process**

(i) Applications for zoning permit review in an SC-SDD district are submitted to the Director of Planning and Development. A minimum of eight complete sets of all application materials shall be submitted and the Director of Planning and Development shall have the right to require additional sets to satisfy referral requirements. The applicant shall also submit at least one set of plans at one-half or one-quarter size to facilitate referrals and public review.

(ii) The Director of Planning and Development shall promptly refer the application to the Mansfield Downtown Partnership for the purpose of holding a public hearing on the application and rendering an advisory opinion regarding the application to the Director of Planning and Development. The Partnership public hearing shall be advertised in a manner consistent with the statutory requirements for public hearings on special permit applications. The Partnership shall conclude its public hearing on the application within 35 days of the date that the Director of Planning and Development refers the application. The applicant may consent to an extension of time to open or conclude the public hearing of up to a total of 35 days. If the Partnership does not deliver its written report to the Director of Planning and Development within 10 days of the close of its public hearing, the Director of Planning and Development shall presume that the Partnership's advisory opinion is favorable to the application.

(iii) The Director of Planning and Development shall complete his review of the application no later than 20 days following the due date for the report from the Mansfield Downtown Partnership provided that, if any of the activities proposed in the application are regulated by the Mansfield Inland Wetlands and Watercourses Agency (IWA), the Director of Planning and Development shall not render a decision on the application until the IWA has rendered a decision on such regulated activities. Upon completion of a favorable review by the Director of Planning and Development, the Zoning Agent is authorized to issue the zoning permit.

**c. Application Requirements**

All applicants for zoning permit review shall provide the application materials required by Article XI, subsection C.2. The following additional information shall also be submitted:

(i) Summary table of land uses, including number of dwelling units in each building, amount of square footage of each non-residential land use type in each building, dimensional requirements and statement of consistency of the application with the above requirements

(ii) Statement of intent regarding common interest ownership within the project, if applicable

(iii) Plan sheets including all applicable information required by Article V, Sections A.3.d, A.3.e and A.3.f of these Regulations, as well as the following information, if applicable:

(1) Location or key map, depicting the location of the site plan within the area that is zoned SC-SDD, if the application pertains to an area that is less than the entire area zoned SC-SDD

(2) Roadway and right-of-way widths, sidewalk widths, roadway cross-sections and paving materials

(3) Identification of all land and improvements intended to be dedicated to the Town of Mansfield

(4) Parking plan, including on-street parking areas

(5) Exterior building elevations of all sides of each building, including building height and exterior building materials

(6) Interior floor plans of each floor of each building, provided that the location of interior walls and partitions shall be considered preliminary and subject to change.

(iv) Statement regarding construction traffic and steps to be taken to address traffic safety issues and potential neighborhood impacts from construction

(v) Documentation that all development within an SC-SDD classification shall be served by public water and sewer facilities

(vi) Statement of Consistency with Plans, Studies and Guidelines

A statement, prepared by a professional with expertise in the relevant subject area, shall be provided demonstrating reasonable consistency with the following documents that were approved as part of the map amendment to SC-SDD:

(1) Preliminary Master Plan

(2) Master Parking Study

(3) Master Traffic Study

(4) Master Stormwater Drainage Study

(5) Design Guidelines

(vii) The Director of Planning and Development is authorized to require a current shared parking analysis at the time of zoning permit application submittal.

**d. Approval Considerations**

In reviewing any zoning permit application, the Director of Planning and Development shall determine the following:

(i) That the criteria contained in Article V, Section A.5 (but not including review by the Planning and Zoning Commission) and Article XI, subsection C.3 have been addressed.

(ii) That the application is reasonably consistent with the Preliminary Master Plan, Master Parking Study, Master Traffic Study, Master Stormwater Drainage Study and Design Guidelines. In these regulations "reasonable consistency" means that some variation or deviation from specific provisions is acceptable, provided that the overall intent of the provision is achieved with respect to health, safety, environmental and other land use considerations.

(iii) That all other applicable provisions of the Mansfield Zoning Regulations have been addressed including, but not limited to, pertinent portions of Article X, Section C (Signage); and Article X, Section H (Filling, Grading, Excavation). Specific building locations that are depicted on zoning permit applications may differ from building locations depicted on the approved Preliminary Master Plan, so long as all other requirements are satisfied.

**e. Approval Conditions**

The provisions of Article XI, subsections C.3 and C.4, shall apply to all zoning permit applications approved pursuant to this Section, except that the Director of Planning and Development may add additional conditions consistent with the provisions of the Zoning Regulations deemed necessary to ensure compliance with all applicable regulatory requirements.

**f. Bonding**

The Director of Planning and Development may require a cash site development bond to address potential erosion and sedimentation control problems or other site construction issues. The Director of Planning and Development may require a site performance bond to ensure completion of public improvements. Letters of credit may be approved subject to compliance with the provisions contained in Article VI, Section C.2.

**g. Modification of Approved Plans**

(i) Since all zoning permit approvals are based on the submitted plans and specifications, all proposed revisions to zoning permit approvals within property zoned with an SC-SDD classification are required to receive prior approval pursuant to the following provisions.

(ii) Changes to approved zoning permits within an SC-SDD area which the Director of Planning and Development deems to be significant shall be referred to the Mansfield Downtown Partnership for a public hearing and decided in accordance with the provisions of section 6.a of this regulation

(iii) Any other changes to approved zoning permits within an SC-SDD area shall be decided by the Director of Planning and Development within 30 days of receipt and do not require referral to the Mansfield Downtown Partnership. A copy of each modification application and decision shall be provided to the Partnership.

(iv) The Director of Planning and Development, in the reasonable exercise of his or her discretion, shall have the right to approve modifications to approved zoning permits without the submission of a new zoning permit application. In those instances where the Director of Planning and Development determines the proposed modification to be significant, the Director of Planning and Development shall have the right to require the submission and processing of a full zoning permit application pursuant to this section.

**7. Required Parking and Loading in the Storrs Center Special. Design District**

**a. Applicability**

Accessory parking and loading spaces, open or enclosed, on-street or off-street, shall be provided for all uses within the Storrs Center Special Design District for the purpose of providing safe and convenient access to buildings and land uses within and adjacent to Storrs Center.

**b. Area Counted as Parking Space**

A parking space may be any open or enclosed area, including any public or private garage or parking facility, carport, driveway, public or private street or other area available for parking.

**c. Location of Required Accessory Parking Facilities**

Required accessory parking facilities within the Storrs Center Special Design District, open or enclosed, shall be provided anywhere within the district or at any other locations that are consistent with the Master Parking Study.

**d. Dimensional Requirements for all Parking Spaces and Access Aisles**

All parking spaces and associated access aisles shall be sized and designed to ensure safe and convenient use. Except for required accessible parking spaces (see Article X, section 7h), all parking spaces shall conform to the pertinent dimensions referenced in the Master Parking Study.

**e. Required parking spaces within the Storrs Center Special Design District**

The amount of parking required to be provided within the Storrs Center Special Design District shall be based upon the analysis of parking demand contained in the Master Parking Study.

**f. Access Drive Width**

Safe and convenient access to and from a street shall be provided subject to approval of the local and/or state highway department. The width of access driveways shall be consistent with the Master Parking Study and the Preliminary Master Plan. Depending on the nature and location of the proposed land use, the Director of Planning and Development may authorize access driveway widths that are less than that provided in the Master Parking Study or Preliminary Master Plan provided no traffic safety problems are anticipated and provided the reduced width will enhance the overall design, layout and physical impact of the proposed land use.

**g. Drainage and Surfacing**

All open parking areas shall be properly drained and all such areas shall be provided with a dustless surface.

**h. Accessible Parking Spaces**

All proposed commercial, governmental and multi-family residential land uses shall provide accessible parking spaces for handicapped individuals. Said spaces shall conform with section 14-253a(h) of the Connecticut General Statutes. At a minimum, accessible parking spaces shall be provided in the number required by the State Building Code. Wherever feasible, the parking spaces located closest to a primary entrance shall be designated as accessible parking spaces. Appropriate access ways to and from the adjacent primary entrance shall be provided in association with all accessible parking spaces. All accessible parking spaces shall be clearly designated with signs situated approximately five (5) feet above grade and, where ever possible, with pavement markings. The required cross hatch area shall be located on the right hand side of each accessible space.

**i. Fire lanes**

All parking areas shall conform with the applicable written requirements of the Mansfield Fire Marshal regarding adequate fire lanes and emergency vehicle access.

**j. Lighting**

All parking and loading areas shall be adequately illuminated in order to prevent vehicular and pedestrian safety problems. All lighting fixtures shall be arranged (and, where appropriate, shielded) to prevent glare and to direct light away from any neighboring residential properties. Standards for lighting fixtures shall be addressed in the Design Guidelines required by Article X, section S.3.c(vi).

**k. Snow Removal**

All parking and loading areas shall be designed, constructed and maintained to address snow plowing and snow removal needs for the site. All loading areas and the minimum number of parking spaces required by these regulations shall be available for year round use.

**l. Loading Areas**

All loading areas shall be adequately sized and located to serve the applicable land uses. Loading areas may be located on street or off street and shall have appropriate signage.

**8. Signage Regulations Applicable in all Storrs Center Special Design Districts (SC-SDD)**

a. **Definitions**. The following definitions apply to signage in the SC-SDD, in addition to those definitions set forth in Article X, Section C.2:

(i) Building Frontage. The length of a particular building wall.

(ii) Primary Occupancy Frontage. The length of that portion of an exterior building wall occupied by a particular occupant and where the primary entrance to the occupant's premises is located, including both sides of a corner.

(iii) Secondary Occupancy Frontage. The length of that portion of an exterior building wall occupied by a particular occupant and where the secondary entrance to the occupant's premises, if any, is located.

(iv) Sign, Awning. A sign attached to, affixed to, or painted on an awning or canopy.

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

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

(vii) Sign, Menu Board. A freestanding or wall-mounted sign identifying items offered for sale within a restaurant.

(viii) Sign, Sandwich or A-Frame. A portable sign which is movable and not attached to a building, structure or the ground. These signs shall not count in the calculation of Identity Signage attached to buildings.

(ix) Sign, Site. A sign that does not identify a particular building or establishment, but which identifies a neighborhood or other group of buildings or establishments.

(x) Sign, Suspended. A sign that is suspended from the underside of a horizontal plane and is supported by such surface.

(xi) Sign, Table Umbrella. A sign attached to, affixed to, or painted on an umbrella or parasol connected to an outdoor restaurant table.

(xii) Sign, Window. An identity sign that is etched onto, or otherwise attached to, the surface of a window such that visibility is maintained through the window.

b. **Types of Signs Allowed and Prohibited in the SC-SDD Zone District**

(i) **Prohibited Signs**. All of those signs listed in Article X, Section C.3, except for Sandwich or A-Frame Signs that meet the requirements set forth below and Advertising Signs that meet the requirements of Table Umbrella Signs.

(ii) **Signs authorized without Zoning Permit approval**. Unless prohibited by Article X, Section C.3, all of the signs listed in Article X, Section C.4 are allowed without Zoning Permit approval, provided they comply with all other applicable provisions of these regulations.

(iii) **Signs authorized with Zoning Permit approval**. The following types of signs are allowed with Zoning Permit approval, provided they comply with all other applicable provisions of these regulations and are consistent with the provisions of the Design Guidelines:

(1) Awning Signs

(2) Blade Signs

(3) Directional Signs, both on-site and off-site

(4) Grand Opening Event Signs

(5) Identity Signs

(6) Menu Board Sign

(7) Projecting Wall Signs

(8) Sandwich or A-Frame Signs

(9) Site Signs

(10) Suspended Signs

(11) Table Umbrella Sign

c. **Standards for all Signs in SC-SDD**

The location, dimensions, height, area, and other physical characteristics of all signs within the SC-SDD zone districts shall be consistent with the provisions of the Design Guidelines.

## T. Agricultural Uses

### 1. Statement of Purpose

The purpose of these regulations is to preserve existing agriculture uses, encourage new agriculture uses, and to maintain and promote a healthy and sustainable environment for people, livestock, plants and wildlife in the Town of Mansfield through the use of appropriate standards and permit processes. Agriculture in Mansfield has its roots in the New England tradition of the small farm, the fruit orchard, and the dairy. It has continually evolved to include other farming enterprises such as silk worms, poultry, horses and ornamental horticulture. These numerous types of farms and farming enterprises have contributed to Mansfield's economy, scenic character and environmental resources. The Town's farmlands offer an inviting atmosphere and local source of fresh foods, ornamental plants and recreation. Grazing livestock, the scent of new mown hay and experiencing the ever changing farmland scenery are treasures these regulations seek to preserve.

For the purposes of these regulations, agriculture is considered as the growing of crops, the raising of livestock and the storing, processing and sale of livestock and horticultural products and commodities, including those defined in Connecticut General Statutes Section 1-1q, as incidental to agricultural operations.

### 2. Agricultural uses such as field crops and orchards are permitted by right provided the following standards are met (special provisions apply to the on site display and sales of agricultural products):

a. All State and Federal requirements, including pest control and provisions for the storage and use of fertilizers, pesticides, fungicides and other chemicals, shall be met. Each property owner shall be responsible for maintaining records and data required by State or Federal agencies that pertain to the subject agricultural or horticultural use, including information on fertilizers, pesticides, fungicides and chemical uses onsite. All agricultural uses are encouraged to utilize practices recommended by the USDA National Resources Conservation Service, the USDA National Organic Program Standards, the State Department of Agriculture, the University of Connecticut Cooperative Extension Service, the University of Connecticut Animal Science and Plant Science Departments, the Connecticut Agricultural Experiment Station and/or the Connecticut Department of Environmental Protection;

b. All other applicable sections of Mansfield's Zoning Regulations, including the Performance Standards cited in Article VI, Section B shall be met;

c. All agricultural uses involving onsite display and sales of products, including seasonal retail outlets, pick-your-own operations or permanent retail sales outlets shall comply with the standards listed below. It is the intent of these standards to

allow the on-site retailing of agricultural products primarily grown or produced on the subject property or other land owned, leased or used by the subject property owner and a limited amount of related products. Furthermore, these standards are designed to prevent retail operations where a significant portion of the products displayed and sold are grown or produced on sites that are not owned, leased or used by the subject property owner, as this type of retail operation is more appropriately located in one of the Town's commercial zones.

It is recognized that for certain periods each year, due to seasonal or weather related issues or cooperative arrangements between agricultural property owners that the display and sale of products grown on land not owned, leased or used by the subject property owner may exceed a limited amount and may be considered significant. Any questions regarding whether the display and sale of agricultural products is in compliance with the intent of these regulations or the provisions listed below shall be resolved by the Planning and Zoning Commission.

1. The on-site display and sales of products shall be limited to agricultural products grown on the premises or on other land owned, leased or used by the property owner, a limited amount of agricultural products grown off-site on land not owned, leased or used by the property owner, and a limited amount of products that are accessory and associated with the agricultural products sold on the subject site. Examples of accessory products include but are not limited to: wreaths or tree stands associated with a Christmas tree farm; jams, jellies, herb vinegars or cider associated with a fruit or vegetable farm; maple syrup associated with a sugar bush; and seeds, fertilizers, peat moss and other soil amendments;

2. To address traffic safety concerns, adequate off-street parking shall be provided so that customers and employees do not park on the travel portion of town or state roads. A minimum of one off street parking space for each five feet of stand or building length shall be provided pursuant to Article X, Section D. Except for authorized seasonal retail outlets, all parking spaces shall meet the setbacks contained in the Schedule of Dimensional requirements cited in Article VIII, Section A, or be 100 feet from existing dwelling units on adjacent properties, whichever setback is greater, unless these setbacks are waived by the Commission after a referral to the Agriculture Committee and consideration of potential neighborhood impacts and safety problems;

3. All driveway and parking areas shall be designed and constructed to promote vehicular and pedestrian safety and the proper discharge of storm water runoff. Safe and adequate sightlines shall be provided at access drive intersections with Town or State streets. As required, a driveway permit shall be obtained from the Mansfield Public Works Department or the State Department of Transportation;

4. In situations where sales or pick-your-own operations, parking areas, or access driveways are within one hundred (100) feet of an adjacent lot containing an existing residence, buffering by the use of fencing, berming or vegetative screening shall be considered, where appropriate, to help minimize neighborhood impacts;

5. All signs shall comply with the provisions of Article X, Section T.6;

6. Seasonal retail outlets consisting of display tables, shelving carts and/or structures less than 300 sq. ft. in area, that are only utilized during periods when agricultural or horticultural products are harvested onsite or on other land owned, leased or used by the property owner and "pick-your-own" operations are permitted by right, provided the following criteria are met:

   a. The seasonal retail outlet is on the same site as the agricultural or horticultural use;
   b. Applicable provisions of subsection c.1 through c.5 above are met;
   c. Any structures shall be at least fifteen (15) feet from front lines and thirty (30) feet from other lot lines, unless these setback provisions are specifically reduced or waived by the concurrence of the Chairman of the Planning and Zoning Commission and the Zoning Agent. Any waiver or reduction shall be based on specific site characteristics and a determination that the structure's location is not expected to result in neighborhood or environmental impact, traffic safety or parking problems. (Any questions regarding this provision and the appropriateness of a setback reduction or waiver shall be referred to the Agriculture Committee and resolved by the Planning and Zoning Commission);

7. Other retail sales outlets (any fixture or structure other than one authorized in Subsection c.6 above) that is utilized for retail purposes either seasonally or for longer periods of time) are permitted, provided Special Permit approval is obtained in accordance with Article V, Section B and provided the following additional criteria are met:
   a. The retail use is on the same site as the agricultural or horticultural use;
   b. The provisions of subsection c.1 through c.5, above, are met

### 3. Keeping of Farm Animals

The following provisions establish four (4) separate permitted use categories that authorize the keeping of animals. Section 3.a, Principal Farm Use, Section 3.b, Accessory/Secondary Use and Section 3.c, 4H, FFA or other Student Project Use authorize the keeping of farm animals by right provided applicable standards are met. Section 3.d authorizes, subject to special permit approval of the Planning and Zoning Commission, additional Accessory/Secondary Uses where the number of animals per lot exceeds the number of animals per lot authorized by right in Section 3.b

#### a. Principal Farm Use Permitted by Right

The keeping, breeding, or raising of beef or dairy cows, sheep, poultry, swine, goats, horses, and other animals for either commercial or non-commercial purposes, and accessory buildings and facilities, are permitted by right, provided the following standards and recommendations are addressed:

1. The subject lot is a minimum of five (5) acres in size exclusive of non-farmable wetlands and watercourses. (Any questions regarding non-farmable

wetlands and watercourses shall be referred to the Agriculture Committee and resolved by the Planning and Zoning Commission)

2. The animals shall be provided with safe and adequate shelter and shall be kept in a manner that conforms to all applicable regulations of the Connecticut Department of Environmental Protection, the Connecticut Department of Agriculture and the Connecticut Department of Public Health and with all applicable provisions of the State Statutes.
3. Zoning Permits, pursuant to Article XI. Section C, shall be required for all buildings and structures and all applicable zoning setback requirements shall be met.
4. It is recommended that all property owners keeping animals prepare a farm management plan that addresses the particular shelter, outdoor keeping areas, pasture and manure management needs related to the specific animals being kept on the property and any associated drainage or neighborhood impact issues. Information available from the CT Department of Agriculture, the University of Connecticut Cooperative Extension Service, the Connecticut Farm Bureau and/or the USDA Natural Resources Conservation Service should be utilized in preparing a site specific farm management plan. Agriculture practices contained in the Connecticut Department of Environmental Protection's manual of Best Management Practices for Agriculture should be followed.
5. Agriculture practices recommended by one of the agencies listed above in Section 3 a. 4 shall be utilized for all manure piles. Surface water flows shall be diverted away from manure piles, stables, barns and outside keeping areas such as corrals or pens. Unless these setbacks are specifically waived or reduced by the concurrence of the Planning and Zoning Commission Chairman and Zoning Agent, manure piles, stables, barns, and outside animal keeping areas (such as corrals or pens but excluding fenced pastures, portable small animal enclosures that are regularly moved to maintain ground cover and animal shelters less than two hundred (200) square feet in area) shall be a minimum of sixty (60) feet from front property lines, one hundred (100) feet from side or rear property lines and a minimum of seventy-five (75) feet from any well. Standard setbacks as per Article VIII shall be met for animal shelters less than two hundred (200) square feet in area. There are no setback requirements for pastures or portable small animal enclosures that are regularly moved to maintain ground cover.

   Any waiver or reduction shall be based on site and neighborhood characteristics and a determination that a waiver or reduction in setbacks would not be expected to result in environmental or neighborhood impacts. Waivers or reductions in setbacks are most appropriate where abutter consent has been granted; where properties abut existing agricultural uses or land without human occupied buildings; and/or where human occupied buildings and associated yards or other residentially used areas are a minimum of one hundred (100) feet from the subject property line. (Any questions regarding this provision and the appropriateness of a setback waiver or reduction shall be referred to the Agriculture Committee and resolved by the Planning and Zoning Commission)
6. In order to maintain and improve animal health and water quality, all pasture land shall be managed to maintain healthy grass cover and it is recommended

that pastures be a minimum of thirty-five (35) feet from rivers, streams and other watercourses. Additionally, it is recommended that all stables, barns, outside animal keeping areas, such as corrals or pens, and manure/compost piles be located a minimum of one-hundred (100) feet from rivers, streams and other watercourse areas. Greater setback buffers are recommended wherever slopes exceed fifteen (15) percent between watercourse channels and stable barns, outside keeping areas and manure/compost piles. It is further recommended that any necessary livestock watercourse crossings be confined to a short length of the watercourse and that culverts or bridges be used at crossings when feasible.

7. All manure stored on an agricultural site shall be composted or removed from the site on a regular basis pursuant to agricultural practices recommended by the CT Department of Agriculture, the University of Connecticut Cooperative Extension Service, the Connecticut Farm Bureau, the USDA Natural Resources Conservation Service and/or the CT Department of Environmental Protection.

**b. Keeping of Farm Animals-Accessory/Secondary Uses Permitted by Right**

The keeping, breeding, or raising of beef or dairy cows, sheep, poultry, swine, goats, horses and other animals for accessory and primarily, non-commercial purposes, and accessory buildings and facilities, on lots not meeting the lot size provisions of Article X, Section T.3.a. above are permitted by right, provided the following standards and recommendations are addressed. These standards and recommendations are designed to help ensure that each qualifying site is physically capable of safely supporting the proposed keeping of farm animals and that authorized animals are kept in a safe manner without inappropriate impact on the environment or neighboring land uses.

The provisions of Article X, Section T.3.a 1. through 7. shall be met.

1. Unless special permit approval is granted pursuant to the provisions of Article X, Section T.3.d, the square footage requirements contained in the following chart shall be met for each animal category. These square footage requirements exclude non-farmable wetlands and watercourses but include areas used for residential structures and accessory site improvements.

| FARM ANIMALS: ACCESSORY/SECONDARY USE CHART FOR RESIDENTIAL LOTS | |
|---|---|
| **ANIMAL CATEGORY** | **SQUARE FOOTAGE (Excludes non-farmable wetlands and watercourses but includes areas used for residential structures and accessory site improvements)*** |
| Large animals including: Beef or Dairy Cows, Horses, Ponies, Mules, Buffalo, Donkeys and similar sized animals ** | One (1) animal per 40,000 sq. ft. |
| Swine | Two (2) breeding sows plus litter (3 months or less) per 40,000 sq. ft |
| Medium animals including: Sheep, Goats, Ostriches, Alpacas, Llamas and similar sized animals | Five (5) animals per 40,000 sq. ft. |
| Small poultry including: Chickens and Ducks*** | Sixteen (16) birds per 40,000 sq. ft. |
| Large poultry including: Geese and Turkeys | Eight (8) birds per 40,000 sq. ft. |
| Rabbits | Twenty-five (25) animals per 40,000 sq.ft. |
| Other Animals | As determined by the Zoning Agent consistent with this chart |
| * Combinations consistent with this chart are permitted as determined by the Zoning Agent. Livestock offspring shall not apply to the animal unit calculation until after weaning. Special provisions also may be approved by the Zoning Agent for dwarf animal breeds and for young animals who have not reached adult size. Any questions regarding non-farmable wetlands shall be reviewed with the Planning and Zoning Commission. | |
| ** Male animals in this category shall be neutered on or before one (1) year of age. Non-neutered males over the age of one (1) are not authorized by this use provision. | |
| ***Due to potential noise and neighborhood impact problems, it is recommended that guinea fowl not be kept pursuant to this permitted use provision. | |

**c. 4H, FFA or other Student Projects Permitted by Right**

Student projects involving the temporary keeping of farm animals are authorized by right provided a Statement of Use and animal management plan (see Article X, Section T.3.a.3) that comprehensively describes the proposed project, including shelter provisions, outside keeping areas and manure management, is prepared and found acceptable with respect to animal welfare and potential environmental and neighborhood impacts by the 4H Club Agent of the Cooperative Extension Service or a qualified school instructor or project manager.

**d. Keeping of Farm Animals-Accessory/Secondary Uses-Permitted subject to Special Permit Approval**

It is recognized that on a case by case basis, it may be appropriate to authorize a greater number of animals then is allowed by right pursuant to Article X, Section T.3.b. Therefore, subject to obtaining special permit approval in accordance with Article V, Section B, property owners may seek approval for more animals that would otherwise be permitted pursuant to Article X, Section T.3.b and the associated Farm Animals: Accessory/Secondary Use Chart For Residential Lots. To help address potential animal safety issues and potential environmental and neighborhood impact issues, applications shall include a specific animal management plan that demonstrates compliance with the standards of Article X, Section T.3.a.1 through 7 and all special permit approval criteria of Article V, Section B.5. Article X, Section T.3.a.4 provides potential sources of information that should be considered in preparing an animal management plan. Special Permit applications submitted pursuant to this provision shall be referred to Mansfield's Agriculture Committee for review and comment.

4. **Other Commercial Agricultural Uses (Special Permit Approval Required)**
Any other agricultural use that is not specially authorized by subsections T.2. and T.3. above or other provisions of these Regulations may be permitted provided special permit approval is obtained in accordance with Article V. Section B.

5. **Manure/Compost**

Any excess manure and/or compost produced on an agricultural site may be sold for off-site use. However, compost that is primarily from materials not generated on the subject site shall not be sold for off-site use unless special permit approval is obtained in accordance with Article V, Section B. (Any questions regarding this provision shall be referred to the Agriculture Committee and resolved by the Planning and Zoning Commission)

6. **Agricultural Signage**

The following agricultural signs are authorized in Mansfield;

a. **Identity Sign**: One unlighted agricultural identity sign per site is authorized by right provided the sign does not exceed sixteen (16) square feet in area and it complies with the location, height, sign area and construction and design standards of Article X Sections C 7 through 10.

b. **Product Identification Signs**: Up to three (3) unlighted product identification signs per site are authorized by right on sites with onsite retail sales outlets provided the cumulative square footage of the sign(s) does not exceed thirty-two (32) square feet in area and the sign complies with the location, height and sign area standards of Article X Sections C7 through C9. Product identification signs shall be removed during seasonal periods when products are not available for sale.

c. **Directional Signs:** Up to four (4) unlighted off site directional signs are authorized by right for sites with onsite retail sales outlets provided each sign does not exceed a size of four (4) square feet and provided the signs comply with the locational provisions of section C.7. for seasonal retail outlets; off site directional signs shall be removed during seasonal periods when products are not available for sale. In addition, for agricultural sites that qualify for a State Department of Agriculture authorized permanent directional sign, one additional sign complying with state requirements is authorized provided the locational provisions of Article X Section C.7 are met.

7. **Agriculture Committee**

The Planning and Zoning Commission shall refer Special Permit applications pursuant to this section to the Town of Mansfield's Agriculture Committee for their advice and comment.

## U. Preservation Uses

1. **Statement of Purpose.** The purpose of these regulations is to facilitate the preservation of historic and culturally significant properties and to promote principles of preservation and conservation of the Town's natural, cultural and historic resources in accordance with Policy Goal 2 of the Mansfield Plan of Conservation and Development.

2. **Eligible Organizations and Properties**. To qualify as a preservation use, the following criteria must be met:

   a. The organization is a local not-for-profit organization whose core mission is related to historic preservation, land conservation, environmental advocacy or cultural activities.

   b. The primary use of the property is for the organization's offices, museum or educational facility.

   c. The property proposed for use by the organization is considered a significant historic or cultural resource in the community. For purposes of determining compliance with this requirement, the following shall be deemed to be a significant historic or cultural resource:

      - Any property identified on the National Register of Historic Places
      - Any historic site or structure identified in Appendix C of the Plan of Conservation and Development
      - Any property within a designated local historic district or historic village identified in the Plan of Conservation and Development
      - Any other property that is deemed by the Planning and Zoning Commission to have historic, environmental or cultural significance. Such determination must be sought and obtained prior to submission of a special permit application.

3. **Neighborhood Impacts.** To minimize the potential for neighborhood impacts, the following criteria shall be considered by the Commission in its review of a special permit application in addition to the criteria established in Article V, Section B.5:

   a. **Intensity of the proposed use**. Factors used to determine overall intensity of the proposed use include but are not limited to: number of employees using the property on a daily basis, the number of meetings and average attendance, including weekly meetings, evening meetings, community open houses/tours and special educational events.

   b. **Size of the property**. Due to the wide range of historic properties, no minimum size for a preservation use has been established. Generally, the property must be sufficiently sized to accommodate the proposed intensity of use as described above. Organizations that are proposing a higher intensity of use may require more land to ensure that adequate buffers can be provided, particularly to shield adjacent residential homes from regular parking areas. Other factors that may be taken into consideration when determining whether the property is large enough to accommodate the proposed use include proximity of nearby homes and size of adjacent properties.

   c. **On-Site Parking.** Ability of the site to accommodate sufficient parking for daily use of the property as well as occasional special events, if such events are contemplated as part of the overall use of the property.

## V. Water Pipeline Overlay Zone

1. **Purpose.** The purpose of this section is to protect rural areas of the community (designated as Rural Character Conservation Areas in the POCD) from inappropriate development that could be spurred by new water transmission mains traversing these areas prior to reaching areas designated as Smart Growth Development Areas in the POCD. To that end, the presence of water mains in Rural Character Conservation Areas shall not be used to justify the intensification of land uses in a manner that would conflict with the overall character of that specific area as described in the POCD.

   To implement this objective, this section establishes standards for connecting to new water mains in Water Pipeline Overlay Zones and identifies limitations specific to properties that will be served by the interconnection between the Connecticut Water Company and University of Connecticut water systems.

2. **Applicability.** The standards set forth herein are applicable to all properties located within the Water Pipeline Overlay Zone as depicted on the Official Zoning Map.

3. **Establishment of New Water Pipeline Overlay Zones.** This district may be applied to any area where a water pipeline exists or an extension is proposed that meets one or more of the following requirements:

   a. The property is designated on the current POCD Future Land Use map as:

      - Conservation/Recreation/Managed Resource Area
      - Rural/Residential/Agriculture/Forestry;
      - Rural Residential Village;
      - Village Center; or
      - Rural Commercial.

   b. The property was designated in the 2006 POCD as:

      - Low Density Residential; or
      - Planned Office/Mixed Use; or
      - Neighborhood Business/Mixed Use.

4. **Development Requirements**. Any owner of property located within a Water Pipeline Overlay Zone that desires to connect to the water main shall meet the following requirements.

   a. Any property that will be served by the Connecticut Water Company shall comply with the requirements of Article 6, Section B.4.u.

   b. Any use that exists as of the effective date of this Regulation may connect to the water main with a service connection(s) properly sized to serve only that use.

   c. New uses that are permitted in the underlying zone may connect to the water main upon receipt of a Zoning Permit.

   d. New residential developments requiring subdivision approval shall be limited to the number of units allowed in the underlying zone either through conventional design or cluster design pursuant to the Mansfield Subdivision Regulations. While the overall number of units shall be limited to what could have been developed without access to a public water system, the Commission may authorize alternative minimum lot size, frontage and setback requirements by Special Permit to preserve a greater amount of open space.

e. The Commission may approve a Special Permit to allow higher density development to occur on a portion of a property while preserving the remainder of the property as open space provided the overall density of development on the entire property is not greater than what can be achieved in the underlying zone. The Commission may require a density analysis that gives consideration to such features as wetlands and water courses, steep slopes, soil conditions, and access to determine the development potential of the property in the underlying zone.

5. **Easements and Water Main Extensions**. Extension of water service to properties located outside of the Water Pipeline Overlay Zone through an easement or right-of-way on property located within the Water Pipeline Overlay Zone shall be permitted only in those instances where there is not a source of potable water otherwise available to service that parcel or the parcel located outside the Overlay Zone is designated as Compact Residential, Mixed Use Center or Institutional on the POCD Future Land Use Map.

# ARTICLE ELEVEN

## Administration And Enforcement

### A. Enforcement Officer

Except as otherwise provided in these regulations, the Zoning Agent or Agents appointed by and responsible to the Planning and Zoning Commission shall administer and enforce these regulations. Zoning Agent responsibilities shall include the inspection of any building, structure, premises or use, the issuance of violation notices with appropriate follow-up and the processing of Zoning Permits and Certificates of Compliance. The Zoning Agent shall review with the Planning and Zoning Commission officers and, as necessary the Planning and Zoning Commission, any questions that arise regarding administrative forms and procedures and/or the interpretation and/or enforcement of these Regulations.

### B. Administrative Forms And Procedures

In addition to procedural requirements contained in these Regulations, the Planning and Zoning Commission may establish administrative forms and procedures that are deemed necessary for the proper administration of these Regulations.

### C. Zoning Permits

**1. Applicability**

a. The following provisions for Zoning Permits are in addition to any application requirements associated with uses and/or construction activities that also require the review and approval of the Planning and Zoning Commission. All proposed uses and/or construction activities shall comply with permitted use provisions and all other applicable regulatory provisions. Except as noted below in subsection b, Zoning Permits shall be required for the following activities:

1. the erection, placement or enlargement of any building or structure, including accessory buildings, or the construction of site improvements or external or internal building alterations authorized by the Planning and Zoning Commission under Article XI, Section D or other provisions of these Regulations;

2. the erection, placement or enlargement of any sign requiring prior approval under the provisions of Article X, Section C;

3. the placement or replacement of any trailer or mobile manufactured housing unit or addition thereto.

4. the erection, placement or enlargement of any building or structure, including accessory buildings, or the construction of site improvements or external or internal building alterations on any property zoned SC-SDD, consistent with the requirements of Article X, Section S.

5. Site work and or site improvements authorized by the Planning and Zoning Commission in association with subdivision or special permit approval. Examples include: tree removal, site grading, drainage improvements, road or driveway improvements, etc.

6. Temporary Special Outing Liquor Permits pursuant to Article VII, Section D.15.

7. The erection, placement or enlargement of any structure, sign, fence, wall or similar site improvement for properties within one of the ten (10) historic village areas identified in Article X, Section J.

b. A Zoning Permit is not required for repairs or alterations to existing buildings or structures, provided the repairs or alterations are for maintenance purposes and will not alter the square footage of the subject building or structure, and provided the repairs or alterations will not conflict with any associated Planning and Zoning Commission or Zoning Board of Appeals actions.

c. Zoning Permits also are required for all lot line revisions. An applicant shall submit to the Zoning Agent adequate information to demonstrate that a proposed lot line revision is in compliance with all applicable zoning and subdivision requirements.

**2. Procedure/Application Requirements**

In situations where a Zoning Permit is required, the subject use or construction activity shall not commence until the Zoning Agent has issued a Zoning Permit for the proposal. Applications for a Zoning Permit shall be made by a property-owner or his/her authorized agent. Applications shall be complete in all details and shall be returned to the applicant in the event a submitted application is incomplete. Except as noted below within each subsection, Zoning Permit applications shall include the following information:

a. a completed application form and fee payment;

b. a statement of use, fully describing the proposed construction activity, the use or uses to which the subject buildings, structures or site shall be devoted, the estimated cost of construction, and estimates of the quantity of fill material (soil, stone, sand and gravel, etc.) to be brought to the subject site, and quantity of material (soil, stone, sand and gravel, etc.) to be moved within or removed from the site;

c. three copies of a plot plan, prepared and certified by a registered land surveyor, drawn to a scale of not more than 1"=50', showing the property lines, lot area, and dimensions of the subject lot; the subject zone classification; the location and size of existing and proposed buildings; structures, driveways, parking areas, wells and septic systems; bordering streets; existing and proposed contours; inland wetlands and watercourses; flood hazard areas; setback dimensions between property lines and all buildings and structures and any other information that may be required by the Zoning Agent to determine compliance with these Regulations. For proposed construction activity involving subdivision lots approved after June 30, 2002, plot plans shall include building area envelopes and development area envelopes (see definition in Subdivision Regulations).

The Zoning Agent may waive this certification requirement provided all applicable regulatory provisions, particularly dimensional requirements, will be clearly met, and provided the proposal involves one of the following:

1. an accessory structure(s) or attached garage addition;

2. an addition less than 500 square feet in ground floor area; or an addition proposed to be located farther than five (5) feet from a required building setback line;

3. a new house on property shown on an A-2 survey subdivision map, provided the proposed structures clearly are within setback lines and provided the foundation certification requirements of Article XI, Section C.4.d will be met in association with the submittal of an "as built" plan.

4. Signs, site or building modifications or other proposals that have been granted special permit or site plan approval without a surveyor's site plan. In this situation, the approved site plan may be accepted as the plot plan.

5. An agricultural building or structure: In situations where a surveyor's plot plan is not required, the submitted plot plan shall be accurately drawn to scale by the applicant or his agent and shall contain all information deemed necessary by the Zoning Agent to determine compliance with applicable regulations.

   For signs or other construction activities that require a Zoning Permit but do not affect the floor area of a structure or site improvements, the Zoning Agent may waive or modify the plot plan requirements.

d. Two copies of dimensional floor plans, building elevations or dimensional details of proposed signs. This requirement may be waived by the Zoning Agent where the information is not needed to verify compliance with applicable regulations.

**3. Approval Considerations for Zoning Permits**

In reviewing and approving any application for a Zoning Permit, the Zoning Agent shall determine that the following provisions have been complied with:

a. The Zoning Permit application is complete and all necessary information has been submitted;

b. All applicable provisions of the Zoning Regulations, including, but not limited to, dimensional requirements, performance standards, permitted use provisions and filling, grading, excavation, removal, processing of soil, stone, sand and gravel, peat moss, and other similar materials regulations, have been met or varied through the prior action of the Zoning Board of Appeals;

c. All applicable Planning and Zoning Commission and/or Zoning Board of Appeals conditions have been met including, but not limited to, the posting of any required performance bond and the filing of any special permit or variance notice on the Land Records. In situations where a site plan or special permit application has been approved by the Planning and Zoning Commission, no Zoning Permit shall be issued until the approved plans have been signed by the Chairman of the Planning and Zoning Commission;

d. The Mansfield Inland Wetland Agent signs the subject Zoning Permit application to indicate that all necessary Inland Wetland Agency approvals have been granted and have been incorporated in the subject application;

e. The Mansfield Health Officer signs the subject Zoning Permit application to indicate that all necessary Health Department approvals have been granted and have been incorporated into the subject application;

f. The Mansfield Town Engineer, or his designee, signs the subject Zoning Permit application to indicate that all necessary Public Works Department approvals, including the issuance of driveway permits and any necessary approvals of the Water Pollution Control Authority, have been granted and have been incorporated into the subject application;

g. That permit requirements of State and Federal agencies, including the State Department of Environmental Protection, Health, and Transportation have been considered by the applicant and that all known State and/or Federal permits that are applicable to the subject application have been issued;

h. That all required erosion and sedimentation controls that are to be installed prior to development according to an approved erosion and sedimentation control plan have been installed. A certification that this has been accomplished can be required by the Zoning Agent (see Article VI, Section B.4.s.7.b);

i. That any other applicable regulations of the Town of Mansfield, including the Town's Subdivision Regulations, have been met.

j. For all properties within one of Mansfield's designated "Historic Districts" and/or one of the ten (10) historic village areas identified in Article X, Section J, no zoning permit shall be issued until:
   1. Any required "Certificate of Appropriateness" has been granted by Mansfield's Historic District Commission;
   2. The Planning and Zoning Commission has reviewed the proposed development and determined compliance with the special historic village area review criteria contained in Article X, Section J.2.

**4. Approval Conditions for Zoning Permits**

All approved Zoning Permits shall be subject to all itemized conditions noted by the Zoning Agent and the following provisions as they apply to the specific use or construction activity. Notice of all Zoning Permits, including renewal permits, shall be reported to the Commission.

a. The recipient of a Zoning Permit accepts the Permit on the conditions that he/she, or his/her agents or assigns will comply with all zoning regulations, ordinances or other regulations of the Town of Mansfield and with all State and Federal laws regarding the use and occupancy of the premises;

b. A Zoning Permit shall be voided unless construction is commenced within six months of the date of issue, and unless construction is completed eighteen months after the date of such issue. Renewal permits may be granted by the Zoning Agent for good cause, provided necessary extensions of special permit or site plan approvals have been granted by the Planning and Zoning Commission.

c. Approved Zoning Permits should be posted on the premises at all times during the period that such permit is in force. Permits should be posted in public view in a weatherproofed manner. All zoning permits shall be available for public inspection in the Mansfield Municipal Building;

d. In situations where a surveyor's plan was required, no foundation walls for any building, addition or structure shall be constructed, until the recipient of the Zoning Permit has filed with the Zoning Agent a signed and sealed certification from a surveyor verifying that the subject foundation footings were installed in

accordance with approved plans. Modifications of an approved foundation location may be authorized by the Zoning Agent, provided all Zoning Permit approval considerations are still met, and provided the approved plot plan is appropriately revised;

e. To promote the health, welfare and safety of Mansfield residents, no site clearing, grading or construction activity shall take place before the hour of 7:00 a.m. Monday through Saturday, or before the hour of 9:00 a.m. on Sundays and holidays. Furthermore, no site clearing, grading or construction activity shall take place after 9:00 p.m. daily. On a case-by-case basis, these time restrictions may be modified by the Planning and Zoning Commission, based on site and neighborhood characteristics and the nature of planned construction activity.

## D. Site And Building Modifications

For uses and construction activities that have had site plan or special permit approval or require said approvals according to the current Permitted Use Provisions of these Regulations, site and building modifications require prior authorization. Any proposed site or building modification involving activities within regulated areas, as defined by the Mansfield Inland Wetland Agency (IWA) also is subject to IWA regulations, and no modification approval shall be granted unless all necessary IWA licenses or license modifications have been granted. Within an SC-SDD zone district, all site and building modifications are subject to the provisions of Article X, Section S. In all other cases, Planning and Zoning Commission approval is required for:

1. Site and building modifications affecting the overall layout, design or nature of existing or proposed buildings or site improvements including, but not limited to, changes to entrance drive design or locations, overall parking, storm drainage or waste disposal layouts, or
2. Substantive changes in external building design, signs or building materials;
3. Interior alterations or renovations that alter or intensify a land use, such as, but not limited to, increases in finished floor area for the subject use, alterations affecting the nature of occupancy or number of possible occupants or customers, alterations affecting water supply or waste water disposal needs, or alterations to uses involving hazardous materials.

Other site and building modifications may be authorized by the concurrence of the Chairman of the Planning and Zoning Commission and Zoning Agent. This requirement shall be administered in accordance with the provisions of Article V, Section B.9 for special permit uses; or Article V, Section A.8 for site plan uses. Any questions regarding the provisions of this Section shall be reviewed with the Zoning Agent and, as appropriate, the Planning and Zoning Commission.

## E. Certificates Of Compliance

1. **Applicability** - No land, building or structure shall hereafter be occupied and no new use or change in use, including extensions or enlargements of non-conforming uses of land or buildings, shall be initiated or added to an existing use until a Certificate of Compliance has been issued by the Zoning Agent. See Article VII, Section A for regulatory information regarding changes in use.
2. **Procedure/Application Requirements** - Applications for a Certificate of Compliance shall be made by a property-owner or his/her authorized agent.

Applications must be complete in all details and shall be returned by the Zoning Agent in the event a submitted application is complete. Except as noted below within each subsection, applications for Certificates of Compliance shall include:

a. A completed application form, which depending on the nature and size of the use, may be a part of the Zoning Permit application form;

b. A statement of use fully describing the use or uses to which the subject buildings, structures or site shall be devoted. This requirement may be met with information that has already been presented in conjunction with an approved Zoning Permit, or a Planning and Zoning Commission or Zoning Board of Appeals application.

c. In situations where a construction project that has received special permit or site plan approval was based on a plan prepared by a professional land surveyor and/or engineer, a written certification, from the professionals responsible for the plan, stating that the approved plan has been followed shall be submitted with the application for a Certificate of Compliance. Where substantial changes to an approved plan have been authorized, a certified as-built plan shall be required for a Certificate of Compliance.

   These certification requirements may be postponed or modified by the Planning and Zoning Commission for situations where the Commission has authorized a Certificate of Compliance prior to the completion of all site improvements (see Section 3.d below).

d. Where a new building or structure is situated within three feet of any setback requirement, the Zoning Agent may require that verification of the subject setback distance be provided by a professional land surveyor.

e. Any other information deemed necessary to determine compliance with the Mansfield Zoning Regulations.

3. **Approval Considerations for Certificates of Compliance** – Notice of all Certificates of Compliance shall be reported to the Planning and Zoning Commission. In reviewing an application for a Certificate of Compliance, the Zoning Agent shall determine that the following conditions have been complied with:

   a. All required or necessary information has been submitted;

   b. The proposal meets all applicable provisions of the Mansfield Zoning Regulations and all other Town regulations and permit requirements. As provided for in subsection d. (below), Certificates of Compliance may be issued before all site improvements are completed.

   c. All known State and Federal regulations applying to the proposal have been met;

   d. All structures, buildings or site improvements have been constructed in accordance with plans approved by the Zoning Agent through the Zoning Permit and, as appropriate, with plans approved by the Planning and Zoning Commission and/or Zoning Board of Appeals.

      In situations where a project that has received special permit or site plan approval and public health and safety components of the project (or sections thereof) have been satisfactorily completed, the Planning and Zoning Commission may authorize the issuance of a Certificate(s) of Compliance for individual units, individual buildings or separate phases of the development, provided a suitable

bond with written bond agreement has been submitted and approved for the remaining site work or provided acceptable alternative arrangements are approved by the Commission.

In situations where a project has been authorized through the issuance of a Zoning Permit, without prior special permit or site plan approval, and public health and safety components of the project (or sections thereof) have been satisfactorily completed, the Zoning Agent may issue a Certificate of Compliance provided a suitable cash bond with written bond agreement has been submitted and approved.

e. All specified conditions in any Zoning Permit and/or Planning and Zoning Commission or Zoning Board of Appeals approval have been met, including the posting of any required maintenance bonds;

f. All sanitary systems, roadways and driveways designed to serve a prospective dwelling unit have been suitably constructed.

4. **Approval Conditions for Certificates of Compliance -** The recipient of a Certificate of Compliance accepts the permit on the condition that he/she or his/her agents or assigns will comply with the use as described in application submissions and will comply with all applicable Federal, State or local laws regarding the use and occupancy of the premises.

## F. Violations/Penalties

1. 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 these Regulations and/or specific permit authorizations, any official having jurisdiction, in addition to other remedies, may institute an action or proceeding to prevent such unlawful erection, construction, alteration, conversion, maintenance, or use, or to restrain, correct or abate such violation or to prevent the occupancy and use of such building, structure or land or to prevent any illegal act, conduct, business, or use in or about such premises.

2. The owner or agent of any building or premises where a violation of any provision of these Regulations has been committed or exists, or the lessee or tenant of any part of the building or premises in which such violation has been committed or exists, or the agent, architect, builder, contractor, or any other person who commits, takes part or assists in any such violation or who maintains any building or premises in which any such violation exists, shall be subject to the civil and criminal penalties provided for in Section 8-12 of the Connecticut General Statutes and any other penalties that may be applicable.

   These penalties shall apply to any person who, having been served with an order to discontinue any such violation, fails to comply with such order within ten days (10) after such service, or having been served with a cease and desist order with respect to a violation involving grading of land or removal of earth, fails to comply with such order immediately, or continues to violate any provision of these regulations.

3. Wherever the Zoning Agent and/or the Planning and Zoning Commission determine that the terms, conditions or restrictions upon which a special permit, site plan, or other permit application was approved have been violated or that required site improvements have not been maintained, the Agent shall issue a violation notice to the subject property-owner and any other persons, firms or corporations responsible.

If the violation is not corrected within the time limits set by the Zoning Agent and/or the Planning and Zoning Commission, the Certificate of Zoning Compliance shall be revoked and enforcement shall be pursued through the legal remedies provided by State Statutes.

## G. Zoning Board Of Appeals

1. The Zoning Board of Appeals shall have the following power 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 official charged with the enforcement of these Regulations;

    b. To hear and decide all matters upon which it is required to pass by the specific terms of these Regulations;

    c. To determine and vary the application of these Regulations in harmony with their general purpose and intent and with due consideration for conserving the public health, safety, convenience, welfare and property values 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 so that substantial justice will be done and the public safety and welfare secured.

    d. To hear and decide on applications as required by State Statute.

    Applications to the Zoning Board of Appeals shall be made directly to the Zoning Board of Appeals.

2. Any variance granted by a Zoning Board of Appeals shall run with the land and shall not be personal in nature to the person who applied for and received the variance. 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.

3. Variances involving flood hazard areas:

    a. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

    b. Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the structure is to be built, and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation up to amounts as high as $25 for $100 of insurance coverage.

## H. Historic District Commission

Residents of Historic Districts must secure Certificates of Appropriateness and Conformance from the Historic District Commission as required by the Connecticut General Statutes as amended.

# ARTICLE TWELVE

## Applicability And Separability

### A. Regulations Are Minimum Regulations

In their interpretation and application, the provisions of these Regulations shall be held to be minimum requirements, adopted for the promotion of public health, safety, morals, and general welfare. Wherever the requirements of these regulations are at variance with the requirements of any other lawfully adopted rules, regulations, deed restrictions or covenants, the most restrictive or that imposing the higher standards, shall govern.

### B. Validity

Should any section, paragraph, clause or provision of these Regulations be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of these regulations as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

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# ARTICLE THIRTEEN

## Amendments To The Zoning Regulations/Zoning Map

### A. Procedures

In accordance with the provisions of Section 8-3 of the Connecticut General Statutes, these Regulations and/or the Zoning Map may be amended either on the initiative of the Commission or by petition from property-owners or residents of the Town of Mansfield. Petitions for amendments must include all required application materials (see Section B below) and only shall be received at a regular meeting of the Commission. Petitions should be filed in the Mansfield Planning Office at least seven (7) days prior to a regular meeting for completeness and placement on the agenda.

Once the petition has been received as complete, the Commission shall hold a formal Public Hearing, complete its review and, within statutory time limitations, adopt or deny the changes requested in such petition. The Commission shall give reasons for its action and establish an effective date for approved changes to the Zoning Regulations or Zoning Map. Pursuant to Section 8-3a of the State Statutes, the Commission shall state on the record its findings on consistency of a proposed zoning regulation or boundaries or changes thereof with the Mansfield Plan of Development. Upon receipt of a petition to amend the Zoning Regulations and/or Zoning Map, the Commission may refer the application materials to local staff members and in accordance with statutory provisions, referrals to the Windham Regional Planning Agency or adjacent municipalities may be necessary.

Legal notices shall be published in accordance with statutory requirements and a copy of the proposed amendment of the Zoning Regulations or revision of the Zoning Map shall be filed in the office of the Mansfield Town Clerk prior to the publication of notices for the scheduled Public Hearing. Revised or supplemental application information shall not be received during the period between the publication of Hearing notices and the scheduled Public Hearing, unless the Commission agrees to receive revised information and unless the applicant agrees to pay for all advertising costs associated with a rescheduled or continued Public Hearing and agrees to waive statutory time restrictions. No new information shall be received from the applicant or the public after the close of the Public Hearing.

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 (12) months.

### B. Application Requirements

Petitions to amend the Zoning Regulations and/or Zoning Map shall, except as noted otherwise, include the following information:

1. Completely filled-out application form including the signatures of all petitioners and all subject property owners and including fee payment;
2. Statement of Justification for the proposed regulation amendment, or Zoning Map change. Said statement should address all the approval considerations contained in Art. XIII, Section D and should substantiate: the compatibility of the proposal with respect to the Mansfield Plan of Development; the reasons for the particular

changes(s); and the effects such a change would have on the health, safety, welfare, and property values of Mansfield residents.

3. Petitions for changes to the Zoning Regulations shall include the exact wording of all proposed amendments and Article and Section references. All applications to amend the Zoning Regulations should incorporate into the proposal all related sections of the Regulations that must be modified to ensure consistency among the various regulatory provisions. The Director of Planning and Development may be contacted for assistance in reviewing procedures and regulations that may be related to the proposed change.

4. Petitions for changes to the Zoning Map shall include five (5) copies of a map, prepared and appropriately signed and sealed by a surveyor licensed in the State of Connecticut. For a rezoning involving ten acres or less, said map shall be at a scale of one-inch equals one hundred feet or less. For areas greater than ten acres in size, the map shall be at a scale of one-inch equals 200 feet or less. For areas over twenty acres in size, the Planning and Zoning Commission may authorize an alternative scale provided the proposed area of rezoning and all properties within five hundred (500) feet of this area are clearly represented. The zone change map shall be distinct from any site plan and shall include the following:

    a. The area of the zone change and all area within five hundred (500) feet of the proposed rezoning;

    b. Existing and proposed zoning district boundary lines;

    c. Existing streets, rights-of-ways, easements, watercourses, wetlands and flood hazard areas;

    d. Existing property lines and the names and addresses of the current property-owners, including those across any street, as per the Mansfield Assessor's records.

5. In situations where the mapping information required in Section 4 above cannot fit on one 24 inch by 36 inch sheet, the application shall also include an additional 24 inch by 36 inch sheet depicting all property within the area of the zone change and all property within five hundred (500) feet of the proposed rezoning.

6. Petitions for changes to the Zoning Map shall include a legally defined boundary description of the areas to be rezoned.

7. Petitions to create or expand a Design Development District zoning classification shall also comply with the provisions of Article X, Section A. Depending on the nature of the proposed zone change, traffic studies, environmental assessments and other special reports may be required to create or expand any of the Designed Development Districts.

8. Traffic studies, environmental assessments and other special reports may also be presented for any petition to create or expand a zone classification.

9. Petitions to create or expand and SC-SDD zone district classification shall also comply with the provisions of Article X, Section S.

## C. Notification Of Neighboring Property-Owners

To ensure ample opportunity for neighborhood opinion to be expressed, the applicant shall be responsible for notifying in writing all property-owners within 500 feet of the perimeter boundaries of the subject zone change area. Such notice, which shall be sent be certified mail at least 10 days prior to the date of the scheduled Public Hearing, shall include the Statement of Justification received by the Commission, a map showing the subject zone change area, the date and time of the scheduled Public Hearing and the fact that the subject plans are on file in the Mansfield Planning Office. Such notice shall also include a copy of Article XIII, Sections D (Approval Considerations) and C (Adoption/ Protests). A copy of the applicant's notice to neighboring property-owners, a listing of the property- owners notified and return receipts from the certified mailings shall be filed in the Mansfield Planning Office at least five (5) days prior to the Public Hearing. If return receipts are unavailable prior to the Public Hearing, they shall be submitted at the Public Hearing.

## D. Approval Considerations

In considering any petition to amend the Zoning Regulations or revise the Zoning Map, the Planning and Zoning Commission shall determine that the applicant's proposal will promote the public's health, safety, property values and general welfare. Further, the Planning and Zoning Commission shall make the following findings:

1. The proposal is complete and contains all required application information;
2. The proposal is consistent with the goals, policies and recommendations contained within the Mansfield Plan of Conservation and Development. This finding shall be stated on the record, pursuant to Section 8-3a of the State Statutes;
3. The proposal is consistent with the expression of regulatory intent and purpose contained in the provisions of Article I of these regulations and Section 8-2 of the Connecticut General Statutes, as amended;
4. Any proposal to amend the Zoning Regulations is: appropriately-worded and legally sound and comprehensive and consistent with respect to other regulatory provisions;
5. Any proposal to revise the Zoning Map has comprehensively considered: the size and physical characteristics of the subject area; the character and supply of land currently zoned in the subject classification; and the effect of the proposal on existing land uses in the surrounding area.

## E. Adoption/Protests

Amendments to the Zoning Regulations or revisions to the Zoning Map shall be adopted by a majority vote of all the members of the Commission, except where a formal protest against a proposed revision to the Zoning Map is filed at or before a Public Hearing on the subject revision. Such a protest must be appropriately signed by the owners of twenty percent or more of the area of the lots included in such proposed change or of the lots within five hundred feet in all directions of the property included in the proposed change. Where such a protest is appropriately filed, the proposed change shall not be adopted except by a vote of two-thirds of all the members of the Commission. Anyone considering the filing of a formal protest against a proposed revision to the Zoning Map, as per the provisions of the State Statutes and this Section, is advised to contact the Mansfield Planning Office for assistance with respect to proper format and requirements regarding legal signatures, and, as appropriate, to seek legal advice.

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# ARTICLE FOURTEEN

## Effective Date

These Regulations and any amendment or change thereto shall be in full force and effect upon the date established by the Commission in accordance with the provisions of the Connecticut General Statutes as amended. A record of all amendments to the Zoning Regulations since their initial adoption on April 28, 1959, is on file in the Mansfield Planning Office. Any zoning provisions replaced or modified due to approved amendments or changes shall be considered repealed, except that if any part of these Regulations is declared to be invalid by a court of competent jurisdiction, the repeal provision of this Article shall be inoperable with respect to any land which would otherwise be considered unzoned or unregulated as a result of such judicial decision.

A listing of the amendments to date may be found at the end of this book.

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# APPENDIX A

## Revisions To Mansfield's Zoning Regulations

| Effective Date | Subject |
|---|---|
| 12/31/66 | Sec. 5.98, Sale of Alcoholic Liquor |
| 12/1/67 | Subdivision lots filed prior to 4/28/59 without PZC approval |
| 11/15/67 | Sec. 5.9.2, Lot area-M/F residences in RM-20 residence district served by city water/sewer) |
| 1/20/69 | Sec. 6.14.4, Subdivision lots filed but not approved |
| 8/1/72 | Live Music Permits |
| 10/11/1972 | Arts. I,V,VI,VII,VIII,IX,X; also, rezoning of some areas |
| 11/15/71 | Art.III.21.12, Radio and & facilities;<br>Art. III, 3, Art. IV, 6, Radio & tower facilities |
| 1/1/73 | Zoning Map revised; major revisions to Zoning Regulations |
| 2/28/74 | Sand & Gravel Ordinance amendments (Town lands exempted) |
| 7/25/74 | Art. VII, C, Golf courses allowed in RAR-40 and RAR-90 zones;<br>Art. X, D, Changes to parking requirements |
| 12/24/74 | Deletion of Art. X, I.2.f, liquor sales within 2,500 ft. of an educational bldg |
| 8/15/75 | Art. X, I, Amendments to liquor regulations |
| 1/1/76 | Art. VII, J, to allow hotels/motels as permitted uses in IP zones |
| 3/1/76 | Art. X, F, Mobile homes and trailers amendments |
| 5/15/76 | Art. IV, #35, and Art. V, G, Rear lots |
| 7/8/76 | Art. X, I.2.g, permits full service restaurants to serve liquor as an adjunct to hot meals |
| 10/1/76 | Art. VIII, A, Maximum building coverage in B and PB zones |
| 9/1/77 | Art. VIII, H, delete banks as a permitted use in PO zones<br>Art. X, I, Sale of alcoholic liquor, distance differentiated by age groups<br>Art. VII, C and Art. X, L, permits multi-family housing for the elderly<br>Art. IV, B and Art. V, C, Home occupations |
| 3/22/79 | Art. VII, G.2, Art. X, K.1 and 1.2, Clarification of ambiguities in these regs |
| 4/16/79 | Art. VIII, A, Industrial building coverage |
| 5/1/79 | Art. V, Revised Fee Schedule |
| 6/15/79 | Art. X, A.8, Professional Office districts |
| 10/1/79 | Art. X, Sand & Gravel Ordinance amendments |
| 12/1/79 | Art. V, L, Site Plan/landscaping requirements, S&E controls |
| 7/15/80 | Art. VII, B.10 and C.2.1; Art. X, M, Efficiency units |
| 12/1/80 | Art. X, F.3.g(8), Sewage disposal for trailer parks |
| 1/1/81 | Flood Hazard amendments |
| 4/1/81 | Art. IV, B.35, Definition of lot frontage |
| 9/1/81 | Art. X, K.8, Furnishing site and building plans |

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| | Art. VII, Clarification of Preamble, Permitted Uses, condominium policy |
| 1/15/82 | Deletion of fee amounts from Zoning Regulations |
| 4/1/82 | Sand & Gravel Ordinance, Section C, revision of expiration date |
| 1/1/83 | Art. VII, F, multi retail and personal services uses; Art. X, D.5, parking |
| 7/25/83 | Art. V, L and Art. XIII, Special Permit and Site Plan requirements; |
| | Art. III, amendments to Regs and Map; Art. VI, A, B and C (Bonding) |
| 10/1/83 | Art. XIII, clarifies responsibilities and procedures for Zoning Agent and Zoning Permits |
| | Art. X, M, changes to regulations on Efficiency Units - changes to zones where allowed and area of coverage |
| 11/20/84 | Extensive revision of Zoning Map and comprehensive revisions to all Articles |
| 12/1/84 | Art. VII, R, Permitted Uses/Procedures in RD/LI zones |
| 4/1/85 | Art. VII, O.2, adding multi-family housing as a separate permitted use in PB-2 zone |
| 7/1/85 | Art. VI, B.4.s, E&S control plans for land development; Art. X, B.4.r, site development principles; related changes to reference these changes |
| | Art. X, Sec. I, Sale of alcoholic liquor and addition of temporary liquor uses as a permitted use in Art. VII, D |
| | Art. VIII, B.3.d, allows, under specific provisions, lots on private roads in commercial and industrial zones; related change to Dimensional Schedule (Art. VIII, Sec. A); |
| | Miscellaneous revisions: Revised definition of 'street'; new dimensional provisions for satellite dish antennae; antennae; height waivers for rooftop structures included with site plan applications and modification of height waivers for rooftop structures included with site plan applications and modification of surveyor requirements for verifying foundation locations |
| 2/15/86 | Art. VII, Q.2.h.(1), Restaurants in IP zones |
| 7/15/87 | Art. X, C, major revisions to sign regulations |
| | Art. V, B.6, to incorporate Special Permit provisions for environmental testing & monitoring |
| | Art.VI, Mobile homes/tractor-trailers prohibited unless specifically authorized |
| | Art. VI, Animal breeding |
| | Art. VI, B.4.m.1, Detailed applicant reports for septic systems in aquifer areas |
| | Art. VII, D.9, Home business storage, use of accessory buildings |
| | Art. VII, D.12, to allow occupation of existing residence on a lot during construction of a home replacement |
| | Art. VII, G.14.b(5) and I.15(b)5, to reduce number of poultry allowed per acre in less than 5-acre lots |
| | Art. VII, G.15 and I. 16, to require Special Permits for commercial |

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| | agricultural uses |
| | Art. VIII, B.5, square footage of new residential lots requirements (and % of wetlands, slopes, ledge) |
| | Art. X, F.5.d(3), allows trailers access to an active construction project |
| | Art. X, F.7.b(6), replacement of mobile homes |
| | Art. X, K.2, Maximum densities to be computed excluding inland wetlands, waterbodies and watercourses |
| | Art. XI, C, Zoning Permit required for certain signs and certain site, interior or exterior improvements |
| | Art. XI, D and Art. V, A.8 and B.9, and Art. VII, A.2.d, Sign revisions which may alter a land use shall require prior approval |
| 7/15/87 | New Art. VIII, B, requiring neighborhood notification for applicant-submitted zone change applications |
| | Art. VI, B.4.q.1, landscaping; Art. VI, B.4.s.4.h, erosion control monitoring reports; |
| | Art. VII, I.3 and Art. X, M.2.a, efficiency units; |
| | Art. VIII, A, dimensional requirements references and exceptions; |
| | Art. VIII, A, B.1.c., B.2.b.2, B.2.b.3 and the Dimensional Chart |
| | Art. X, A.4.d, setback waiver provisions |
| 12/1/87 | Art. X, A.6, change to density provision in Planned Residence Districts |
| 6/1/88 | Art. X, Sec. O, Home occupation revisions |
| | Revisions necessitated by Inland Wetlands Statutes changes; revisions to delivery services and food services at retail stores |
| | Art. X, J.8 and Art. VII, G.2 and I.2, Conversions and 2-family dwellings; clarification of "community sewage systems" |
| | Art. IV, Revisions to Flood Hazard areas regulations |
| 10/1/88 | Art. VI, A, Revisions involving truck bodies and storage containers as prohibited uses |
| | Art. VII, E.4 and F.6, Permitted use provisions for family or group day care houses |
| | Art. V, A.6.a and B.7.a, Bonding, including cash site development bonds |
| | Art. III, K, Art. V, A.2 and B.2, Art. XIII, A, Notification of neighboring towns |
| | Art. X, F, Replacement units in mobile home parks |
| 12/1/88 | Art. XIII, E and C, filing a formal protest against a Zoning Map revision |
| | Art. VI, A and Art. IV, B.36, Junkyards and unregistered vehicles |
| | Art. VII, D.7, vehicle storage and parts, camp trailers, misc. materials, equipment |
| | Art. IV, B.36, definition of 'junkyards' |
| 2/15/89 | Art. VII, O.2.d, allows chapels in PB-2 zone with Special Permit approval |
| 9/1/89 | Art. X, G.3, height of buildings |

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| | Art. VIII, Schedule of Dimensional Requirements |
| 10/1/89 | Aquifer protection revisions |
| 2/9/90 | Sorority/fraternity house revisions; limit of 2 on shared driveway |
| | Art. X, Q, Development on non-conforming lots of record without frontage on existing streets |
| 2/15/90 | Art. X, K.2, Density provisions in aquifer areas |
| 3/1/90 | Art. X, I.4.a, Liquor at restaurants a minimum of 500 ft. from certain schools |
| 8/15/90 | Art. X, M.2.a, Efficiency units |
| 9/10/90 | Art. X, C.4.h.4, Political signs |
| 11/15/91 | Art. VI, C (Appendix A) Sand & Gravel Regulations, bonding provisions |
| | Art. VI, B.4.s and Art. XI, C.3, Sediment & Erosion control inspections |
| | Art. X, C.11, Lighting of business signs till 11 p.m. |
| | Art. V, A.2 & B.2 and Art. XIII, A, No new information after the close of a Public Hearing |
| 6/1/94 | Art. IV, B.8 and B.73, Clarification of definition of boarding house; broaden building setback definition (side/rear setbacks) |
| | Art. XI, G and Art. X, E, FEMA requirement regarding flood hazard areas |
| 11/20/94 | Art. VII, R.4.d, deletion of heliports as a permitted use in the RD/LI zone |
| 7/15/95 | Art. X, C.6.h, additional freestanding sign for shopping centers with interior malls |
| 8/1/96 | Art. II replaced with new Secs. A (listing of zoning districts) and B (designation of Design Development Districts) |
| | Art. IV, A.1, Art. VI, A and Art. VII, A.1, deletion of "clearly" |
| | Art. IV, deletion of definitions of "Apartment house" (B.4) and "Residence, duplex" (B.65) |
| | Art. IV, B.23, amended definition of "Dwelling Unit" |
| 8/1/96 | Art. IV, Sec. B.30, amended definition of "Fraternity/Sorority House" |
| | Art. VI, B.4.c, addition of chainsaws and associated forestry equipment and other agricultural or horticultural machinery and equipment |
| | Art. VII, numerous revisions to the Permitted Uses article, including significant revisions involving business, office and industrial/research provisions in many areas of town |
| | Art. VIII, B.2.b, deletion of subsection 1; deletion of generalized NB and PO zone references and addition of more specific references to PB, NB, PO and I zones |
| | Art. VIII, B.3.d, same deletions and additions as above |
| | Art. VIII, C.2, deletion of Business zone reference and replacement with "all business, industrial and institutional zones" |
| | Art. VIII, Schedule of Dimensional Requirements chart, appropriate revisions and additions made in “Zone” column |

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| | Art. X, A, Deletion of generalized NB and PO zones and addition of references to more specific PB, NB, PO and I zones |
| | Art. IV, Revise definition of "Home Occupation" |
| | Art. V, A.3, Notification of abutting property-owners for site plan applications |
| | Art. V, B.7.e, Expiration of PZC approval |
| | Art. VI, D.9.a, clarifies and broadens traffic impacts for personal businesses |
| | Art. VIII, B.1, setback flexibility for handicap ramps-existing structures |
| | Art. IX, C.1, Flexibility to reconstruct non-conforming buildings/structures/site improvements |
| 1/1/97 | Art. IC, C.2.b, requires additional variance approval for expanding non-conforming structures |
| | Art. X, D.6, provides PZC flexibility to reduce driveway widths |
| | Art. X, F.1 deletes subsections f and g (mobile home parks) |
| | Art. X, F.2.c, revises subsection 2, mobile home park restrictions |
| | Art. X, F.3, deletes subsections h and i, mobile home park renewal permits) |
| | Art. X, O.2.a through O.2.d revise Home Occupation requirements |
| | Art. XI, C.2.c, provides more flexibility to the Zoning Agent to waive survey requirements for Zoning Permits |
| | Art. XI, C.4, details hours restrictions for work authorized by a Zoning Permit |
| 7/20/97 | Art. X, R, Wireless telecommunication sites, facilities and services |
| 8/1/97 | Art. VII, G.12, allows a farmer to sell agricultural products grown on land that is used without charge |
| 8/15/97 | Art. X, C.4.h.4, revises conditions relating to posting of political signs |
| 2/1/98 | Art. V, A.5.B, broadens "sand and gravel" activities |
| | Art. XI, C.3.b, " " " " " |
| | Art. VII, D.10, incorporates references to Art. X, H (Sand & Gravel) and deletes a subcategory which required site plan approval |
| | Art. VII, V.2.a, eliminates processing of soil, stone, sand and gravel, etc., as a use in IP zones |
| | Art. X, Sec. H, new regulations for soil, stone, sand and gravel, etc. activities; deletion of |
| | Appendix A, Sand and Gravel Ordinance |
| | Art. XI, C.2.b, Zoning Permit applications required to include quantity of fill and material to be removed from a site |
| 2/1/98 | Art. XI, C.2.c, Zoning Permit applications required to include existing and proposed contours |
| | Art. V, S.3.d.12, Site plan mapping consistency with underground utility setback provisions |
| | Art. V, A.3.g, Construction traffic data may be required as part of a site plan or special permit application |

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| | Art. V, A.5.i, Construction traffic and impacts of construction as considerations of special permit and site plan approval criteria |
| | Art. VI, C.2, modifies letter of credit provisions |
| | Art. VIII, B.1.e, Swimming pool setbacks |
| | Art. X, D.9, more specific guidelines for handicap parking in new or revised parking lots |
| | Art. X, F.7.b.6, eliminates special permit requirement for mobile home replacements for agricultural laborers |
| 7/15/98 | Art. X, C, extensive revisions to regulations dealing with signs |
| 11/12/99 | Art. V, A.5.g, revisions to approval criteria for special permits/site plan applications regarding lighting |
| | Art. X, C4.h.1 regarding temporary new signage for subdivisions which include the construction of new road(s) |
| 2/1/00 | Art. IX, D, regarding revisions/modifications to non-conforming uses |
| | Art. X, F.7.d, regarding temporary mobile home use for agricultural labor |
| 2/1/00 | Art. V, A.3.d, site plan/special permit applications and signature and seal of plans by a licensed landscape architect |
| | Art. VIII (Schedule of Dimensional Requirements), regarding front-line setbacks from rights-of-way left for future streets |
| | Art. X, C.3.f and C.5.f, regarding strings of lights |
| 7/15/00 | Art. X, D.5 and D.6, regarding reduction by 20% of parking spaces required for commercial uses in the PB-2 and PB-4 zones, and authorization for PZC to approve further reductions |
| 8/1/00 | Art. X, C, regarding letter size, sign size, the number of signs, and other provisions for certain free-standing signs and for certain shopping center signs, and establishment of Appendix B, Sign Design Guidelines |
| 9/1/00 | Art. IV (definitions) and Art. X, D.5, regarding parking revisions for certain uses in buildings greater than 250,000 square feet |
| 11/15/00 | Art. VIII, Schedule of Dimensional Requirements, increase maximum building coverage in a PB-1 zone from 20% to 25% |
| 12/1/00 | Art. X, C.6, to create a new subsection l (ell) authorizing PZC approval of second attached commercial identity sign under certain conditions of size |
| 6/1/01 | Art. VIII, Schedule of Dimensional Requirements, increase allowed height of buildings in the Industrial zone from 40 feet to 50 feet |
| 2/20/02 | Art. VII, Secs. E. 3, F.5 and I.5, childcare facilities for children with mental or physical disabilities |
| | Art. VIII, Sec. A, Schedule of Dimensional Requirements, add new footnote 16, potential application of frontage and setback provisions to subdivision lots and building area envelopes after 2/20/02; |
| | Art. VIII, Sec. B, subdivision building area envelope exceptions |
| | Art. X, Sec. D.10, Accessible parking spaces (handicapped) |

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| 6/30/02 | Art. VIII, Secs. B.1.c, d and e, provisions relating to necessity for Development Area Envelope for all lots approved after 2/20/02 |
| | Art. VIII, Sec. B.5, deletion of provision mandating that new subdivision lots approved after 2/20/02 must have a designated building area envelope meeting the area and dimensional provisions of Art. VIII, Sec. 6 |
| | Art. VIII, Sec. 6, provisions to help ensure that all new residential lots have adequate land, well, septic system and reserve areas must have a minimum of 30,00 sq.ft. of suitable land (20,000 sq.ft. in R-20 zones) |
| | Art. XI, C.2.c, need for plot plans to include building and design area envelopes in all subdivision lots approved after 6/30/02 |
| 12/1/02 | Art. X, Sec. C.6.m, provision for exterior signage of stores in malls, under certain conditions |
| 4/1/03 | Art. X, Secs. C.2.b, C.4.a, provisions for temporary sponsorship signs/banners in Town parks |
| 6/1/04 | Art. V, Secs. A.3.d, A.3.g, A.5.b, A.5.j, re: Architectural and design standards |
| | Art. V, Sec. B.5.d, aesthetic considerations (refers to Art. X, new Sec. S) |
| | Art. VI, Sec. B.4.q, “ “ re: landscaping/parking (refer to Art. X, D.16) |
| | Art. VII, revisions addressing adult-oriented businesses; kennel uses; minimum parking-space widths, lot line revisions |
| | Art. VIII, Schedule of Dimensional Requirements, new Note 17 (min. setbacks for Design Development Districts) |
| | Art. VIII, Sec. B.l.i, regarding dimensional requirements |
| | Art. VIII, Sec. B.2.b, incl. subsection b.1 and b.2, was deleted (re business parking/loading ) |
| | Art. X, Sec. A.2.b, regarding informal review of prospective application |
| | Art. X, Sec. A.4.a (architectural plans); A.4.c (landscaping/buffering); A.4.d (special dimensional provisions) |
| | Art. X, add new Section S, architectural and design standards |
| | Art. XI, Sec. C.1.c - Zoning Permit required for lot line revisions. |
| 5/5/05 | Art. III, Sec. A, 9-month moratorium on certain subdivisions |
| 12/15/05 | Art. II, Secs. A & B; Art. VII, Sec. J; Chart of Dim. Req’ts.; Art. VIII, Sec. C.c; |
| | Art. X, Secs. A.1, A.2, A.4, A.5, provisions for Age-Restricted Housing zones |
| 1/3/06 | Art. VIII, Sec. B.1.d, authorizing |
| 5/31/06 | Revisions to the Zoning Map: Rezone all former areas zoned Residence-40 to a new Residence 90 zone, and rezone all former Rural Agricultural Residence-40 and Rural Agricultural Residence/Multi-Family to Rural Agricultural Residence-90 |
| | Revisions to Art. II and Art. VII to incorporate approved zoning map revisions and to revise permitted use provisions to incorporate the |

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| | proposed zoning map revisions. |
| | Revisions to Article VIII.A (Schedule of Dimensional Requirements) to incorporate approved zoning map revisions and to authorize the Commission to require the minimum acreage for new lots in the R-90 and RAR-90 zones to be reduced to less than 90,000 square feet in size. |
| | Revisions to Article VIII, Section B.6 to increase the minimum lot area requirements for new lots to a contiguous area at least 40,000 square feet in size that does not include wetlands and watercourses, visible ledge, existing slopes exceeding fifteen percent, drainage easements, conservation easements or other easements that will limit or restrict on-site uses. This regulation includes existing configuration requirements |
| | Creation of a new Article VIII, Section B.6.b. to incorporate provisions that authorize the Commission to require new subdivision lots in the R-90 and RAR-90 zones to be less than 90,000 square feet in size in order to implement "cluster development" provisions of Sections 8-18 and 8-25(c) of the CT General Statutes. |
| | Revisions to Article X to establish 40,000 as the minimum lot size for new efficiency units and 90,000 square feet as the minimum lot size for conversions of certain existing single-family homes into two or three-family homes. |
| 7/13/06 | Article VII, Section L.2.b.2, and Article VII, Section L.2.n (new Section) to add to the listing of permitted uses in the Planned Business 2 zone, repair services for internal combustion engines and mixed use projects |
| | Article VIII to increase maximum building heights in Planned Business 2 zones to 60 feet. |
| 8/7/06 | Articles III, VII and X of the Zoning Regulations. The regulation revisions: A) Extend from 9/1/06 to 2/5/07, an existing moratorium on new applications to create a DMR, PR or ARH on land currently zoned PO-3 or IP located in southern Mansfield, south of Pleasant Valley Rd. B) Incorporate specific signage requirements for home occupations and delete an inappropriate definition reference for home occupations. C) Specify that grand opening events must be conducted within 6 months of a business opening. D) Delete specific wording references for accessible parking space signage. E) Expand the specific listing of animals that are not permitted as accessory in the R-20 and R-90 zones |
| 7/25/07 | Establishment of a new Storrs Center Special Design District zone and related revisions to numerous sections of the Zoning Regulations including a new Article X. Section T. |
| 7/1/08 | Article X, Sec. C.5.g new section g- Table Umbrella Signs |
| 10/15/08 | Rezoned land west of Mansfield City Rd and south of Pleasant Valley Rd, from Professional Office-3 to a new Pleasant Valley Residence/Agriculture zone and approved related revisions to Art. II, VII, VIII and X. Sec. A of Mansfield's Zoning Regulations. |
| | Incorporated new State referral provisions for reservoir watershed and aquifer areas. |

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| | Revised Art. V, Sec. A.5, Art X. Secs. A.4. through A.7., regarding underground utilities, stormwater management, pedestrian and public transit improvements, building and courtyard separations and open space/recreation improvements.<br>Revised Art. X. Section A.5 and A.6 regarding density requirements in the Age Restricted Housing and Design Multiple Residence zones<br>Revised Art. X, Sec. A.6 regarding housing unit mix and affordable housing requirements in DMR zones. |
| 5/15/09 | Deletion of Article X, Section F.3.g.7- service buildings in Mobile Home Parks |
| 8/1/09 | Revisions to Art. III and IV to address property in more than one town or zone;<br>Deletion of Art. VII, Sec. G that authorized additional dwelling units as a "conversion";<br>Addition of a new limited live music permit;<br>Revisions to Art. VII, to exempt small satellite dish antennae from setback requirements and to authorize height exceptions for wind turbines;<br>Revisions to Art. X, F., to limit mobile home park expansions to original lots and to clarify standards for temporary occupancy of travel trailers, motor homes, etc.,<br>Revisions to Art. X, M., to clarify efficiency unit requirements;<br>Revisions to Art. X, O., to add, subject to specific standards, the limited storage or parking of vehicles, equipment and/or materials as a home occupation use;<br>Revisions to Art. XI., to refine the listing of activities needing zoning permits and to authorize the Zoning Agent to accept bonds;<br>Revisions to Subd. Regs. Sec. 3 and 6.10 to define yield plan and clarify yield plan submission and approval requirements.<br>Revisions to Art. X, to recognize community wells as public water facilities; |
| 8/15/10 | Revisions to Article X, Section C.4.h.4 of the Zoning Regulations regarding political signs;<br>Revisions to Article IV, Sections B.7 and B.25 of the Zoning Regulations regarding the definitions of Boarding House and Family.<br>Article V and VI of the Zoning Regulations to clarify and strengthen existing submission and approval criteria regarding aquifer and public water supply well protection;<br>Article V, VI, and X of the Zoning Regulations to specify that invasive plant species identified by the CT Department of Environmental Protection shall not be used; |

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| 10/15/10 | Revisions to Art. II, VII, VIII, and X. Sec. A. to reference/implement the elimination of the Industrial Park Zone, creating of a new Pleasant Valley Commercial Agriculture Zone (PVCA), expansions of existing PVRA and RAR-90 Zones and associated reference and coordination changes. The new PVCA zone is a Design Development District.<br>A new Art. VII, Sec. U that lists permitted uses in the PVCA zone (including research and certain industrial and repair services uses, communication facilities, automotive garages, offices, commercial recreation, veterinary hospitals and kennels, and agricultural uses).<br>Revisions to Art. VIII, Sec. A including a twenty-five (25) acre minimum lot area for new lots in the PVCA zone.<br>Revisions to Article X, Section A.9 to refine and supplement requirements for the PVRA zone, including provisions for agricultural land preservation and open space/recreation facilities and a new Design Criteria section that has setback requirements from Pleasant Valley Road.<br>A new Article X, Section A.10 to establish special provisions for the PVCA zone, including water and sewer requirements, agricultural land preservation provisions and a Design Criteria section that has setback requirements from Pleasant Valley Road. |
| 01/15/11 | Revisions to Article 7, Section M.2.n to delete an existing provision that restricts, to a maximum of fifty (50) percent, the percentage of residential square footage that can be authorized in a mixed use project in the Planned Business-2 zone. |
| 02/01/11 | Revisions to Article 7, Section P.2. of the Zoning Regulations to include "Veterinary Hospitals provided potential noise impacts are addressed in association with the required Special Permit application" to the listing of Permitted Uses in the Planned Business-5<br>(PB-5) zone requiring Special Permit approval. |
| 7/15/11 | A new Art. X, Sec. T that reorganizes, clarifies and adds new provisions designed to encourage agricultural uses subject to standards to address potential environmental, neighborhood impact and animal welfare issues.<br>Revised farm stand provisions including new permitted by right standards for certain stands and new signage provisions.<br>New permitted by right provisions for student projects.<br>Revised animal unit provisions and new special permit standards that allow more animals than permitted by right on lots that do not qualify as a principal farm.<br>Revised permitted by right provisions for the Keeping of Farm Animals. Non-farmable wetlands are excluded from the acreage needed to qualify as a principal farm use and from acreage per animal unit calculations for Accessory/Secondary farm uses. |

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| 7/15/11 | New Design Criteria for the Planned Business-3 zone (Four Corners Area).<br>Revised application and approval criteria to protect historic resources and new zoning permit, site plan and special permit approval criteria for exterior construction in designated historic village areas.<br>Revisions to existing Architectural and Design Standards.<br>Setback provisions for outdoor recreational facilities.<br>Revised site plan and special permit standards for lighting improvements.<br>Revised provisions for sidewalk, bikeway, trail and other pedestrian and bicycle improvements.<br>Revised notification provisions.<br>Revised standards for refuse areas. |
| 7/15/11 | A new use category "Places of Assembly-Banquet Hall" to the listing of Permitted Uses in the Neighborhood Business-2 (NB-2) zone requiring Special Permit approval. |
| 6/15/12 | Revisions to Articles VII, VIII and X, of Mansfield's Zoning Regulations related to the Pleasant Valley Residence/Agriculture (PVRA) zone, Pleasant Valley Commercial/Agriculture (PVCA) zone, and Research and Development/Limited Industrial (RDLI) zone. |
| 10/1/12 | Revisions to Article VIII, Schedule of Dimensional Requirements and Article X, Section A.4.d to increase the maximum building height in the NB-1 and NB-2 zones from 30 feet to 35 feet and to allow the Commission to alter dimensional requirements related to building and site design through the site plan or special permit process. |
| 12/15/12 | Revisions to Articles IX and X related to non-conforming buildings, signs, and off-street parking requirements. |
| 10/1/13 | Revisions that create a new Article VII, Section G. subsection 14 and amend Article X to add a new Subsection U (Preservation Uses). |
| 11/1/13 | Revisions that reduce the percentage of prime agricultural acreage on a subject property to be permanently preserved for agricultural use from forty percent (40%) to thirty-five percent (35%) in the Pleasant Valley Residence/Agriculture (PVRA) and Pleasant Valley Commercial/Agriculture (PVCA) Zones. |
| 9/1/14 | Revisions to:<br>Article 6, B. 23.q.2, regarding landscaping and buffering performance standards;<br>Article 8, Schedule of Dimensional Requirements and Notes for the PB-1, PB-2, PB-3, PB-4, PB-5 and I zoning districts;<br>Article 10, Section D.6. regarding Required Off-Street Parking and Loading;<br>A new Article 10, Section D.20 regarding Deferred Construction of required parking spaces;<br>Article 10, Section H.5.e regarding excavation within 50 feet of property lines. |

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| | Section numbers that inadvertently changed due to a typographical error in publishing that will be corrected. |
| 7/15/16 | Amend Section 7, Q.2 to add a new section f: adding one and two-family dwellings to the list of permitted uses. |
| 9/1/16 | Revisions related to: Stormwater Management; Water Service Connections; Creation of a Water Pipeline Overlay Zone; Alcohol and Live/Amplified Music Uses |
| 9/12/16 | Amend Article III, adoption of a 9 month moratorium and multi-family housing development. |

# Appendix B

## Sign Design Guidelines

Guidelines for Applicants for Sign Permits

It is the purpose of the zoning regulations to provide adequate standards to control the number, height, size and location of signs and to provide criteria for the illumination and design of signs. There are, however, other considerations which, if incorporated into the design of a sign, help to optimize the communicative value of on premise signs.

The value of a sign to its owner depends on a number of factors but can be broken down to the most basic of "visibility" and "legibility". Visibility, put simply, is the ability of a sign to attract attention. Legibility, on the other hand, describes the ease with which a, sign's content can be read and then more importantly, understood within the time frame available to the passing viewer.

The Zoning Regulations limit the size and height of signs on a site. By incorporating the appropriate criteria listed below, a sign's function as a communicative tool can be maximized within the rules of the regulations. These considerations are based on the results of in depth research studies by the United States Sign Council. The full printed studies are available for review in the Planning Office.

- Use simple fonts
- "Critical elements" (words/symbols) should be limited. Symbols are superior to text from a visibility standpoint.
- A combination of both upper and lower case lettering is easier to read than all upper case. Letter height must be greater to achieve the same level of legibility if all upper case lettering is used.
- The open or negative space surrounding lines of type or graphic elements should be greater than the copy space for multiple lines of copy.
- Color contrast (copy/background) is an important element for sign visibility. Light colored copy on contrasting, darker background works best, whether illuminated or non-illuminated. A white or light colored background is more difficult to read due to the competing environmental white light sources.
- A well defined edge or border to a sign adds to its visibility.

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# INDEX

The following index is designed to provide assistance in locating particular zoning provisions. However, it should not be considered a complete reference to all of the zoning provisions contained in these Regulations. For example, no attempt has been made to index all of the permitted uses identified in Article VII or the definitions contained in Article IV. For further assistance, the Table of Contents for these Regulations should be consulted.


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