

**Town of Trumbull**  
**CONNECTICUT**



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**PLANNING & ZONING COMMISSION**

To: Members of the Trumbull Planning & Zoning Commission

From: Rob Librandi, Town Land Use Planner  
James A. Cordone, Town Attorney

Re: Text Amendment to Revise  
Article 1: General, Section 3: Definitions

Date: March 1, 2023

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**1. Summary of Revisions:**

Article 1, Section 3, is the definitions section of the Town's zoning regulations.

- Deleted and removed sixteen (16) definitions that are not used within the regulations. Renumbered the definitions.
- Made technical revisions to "deck" and "health officer" definitions.
- Added new definitions: "grading", "grade, existing" and "grade, finished".

**2. Purpose of Revisions:**

- To remove unnecessary language and streamline regulations where possible.
- To remove unnecessary square foot restriction for a covered "deck". To correct term from "health officer" to "health official".
- Per the recommendation of the Town Engineer, to add definitions regarding grading, existing grade and finished grade, to clarify and help facilitate the use of those terms in zoning applications.

## ARTICLE I

### SECTION 3: DEFINITIONS

#### **3.0 Intent and General Rules of Construction.**

In the interests of clarity and brevity, the following terms shall, unless otherwise stated, have the meaning herein indicated for all purposes of these Regulations. Words used in the present tense shall include the future tense. When the context so requires, words in the masculine, feminine or neuter gender shall include any gender, and words in the singular or plural shall include both singular and plural numbers. The underlined captions set forth in these Regulations are for convenience and reference only and shall not be deemed to define or limit the provisions hereof or to affect in any way their construction or application.

1. **Abutting.** Separated by no intervening private property; properties separated by a public or private street shall be deemed to be abutting but in no event separated by a distance of three hundred (300) feet.
2. **Accessory Building or Structure.** A building or structure, in addition to the principal building, which is clearly subordinate to, and customarily incidental to, and located upon the same lot as, the principal building. Any accessory building physically attached to a principal building shall be deemed to be a part of such principal building in applying the Bulk Regulations to such building. Buildings Accessory to a residential use may include Sheds and Private Garages. See "Shed" and "Garage".
3. **Accessory Use.** A use, in addition to the principal use, which is clearly subordinate to, and customarily incidental to, and located upon the same lot as, the principal use or on a contiguous lot under the same ownership.
4. **Acre.** An acre shall be defined for these Regulations as an area of 43,560 continuous square feet of land.
5. **Alter, Alteration.** As applied to a building or structure, means a change or rearrangement in the structural parts thereof, the movement of all or any part thereof, or the substantial reconstruction thereof, so as to produce a substantial change in appearance, character, or construction; also means an enlargement, whether by increasing in height, coverage, volume or floor area. As applied to a use, means a change or enlargement in the character, area occupied by, intensity, or scope of the use, including, but not limited to, the extension of hours of operation, the addition of other activities, equipment, functions, or processes, or the extension into additional land or building area.
6. **Aquifers.** A geologic formation or deposit that contains a considerable amount of obtainable groundwater; in particular, stratified drift areas having a saturated

thickness greater than ten (10') feet which are located near large surface water bodies capable of supplying water to the aquifer by induced filtration.

7. Aquifer Protection/Groundwater Recharge Area. An area designated on the map entitled, Groundwater Recharge Area, on file in the Office of the Trumbull Town Clerk, which area is in the direct recharge area for a favorable known aquifer yielding volumes of water suitable for existing or potential public water supplies. A direct recharge area consists of: 1) those areas immediately overlying an aquifer and adjacent areas of stratified drift that may not have significant saturated thickness to be part of the aquifer but from which groundwater flows directly into the aquifer, and 2) those areas of adjacent till and bedrock from which groundwater flows directly into the stratified drift deposit.
8. Awning. A roof like cover that is temporary and collapsible in nature and that project from the wall of a building for the purpose of shielding a doorway or window from the elements. Awnings shall not project more than three (3') from the wall of the Building.
9. Basement. That portion of a building having its floor level partly or wholly below the adjacent finished grade, and which has, at any point, more than half its interior height measured from floor to rough ceiling above the finished grade of the ground adjoining the building. Compare to "Cellar". See special definition in Article XI, Flood Damage Prevention.

10. Bed and Breakfast. See "Tourist Home".

11.10. Billboard. See "Sign, Advertising".

12.11. Bona Fide Non-Profit Organization. See "Non-Profit Organization, Bona Fide."

13.12. Board. Wherever the term "Board" shall appear in these Regulations, it shall refer to the Trumbull Zoning Board of Appeals.

14. Boarding House. A building where lodging and/or meals for no more than two (2) persons are provided to long-term (i.e., non-transient) residents only, for compensation, utilizing one central kitchen facility. A boarding house shall be occupied by the owner of the building, and all elements of the boarding house use shall be confined to the principal building on the lot.

15.13. Building. Any structure having a roof and intended for shelter, housing or enclosure of persons, animals, or materials. The connection of two (2) or more buildings by means of a porch, breezeway, passageway, carport, or other such roofed structure shall be deemed to make them one building. See special definitions in Article X, Soil Erosion and Sediment Control Regulations, and Article XI, Flood Damage Prevention.

16.14. Building, Accessory. See "Accessory Building".

17.15. Building Area/Building Coverage. The area of the ground beneath a building (i.e., dripline), including the area of all covered porches, eaves, and similar roofed portions of the building, but excluding Awnings projecting no more than three (3') feet.

18.16. Building Coverage, Maximum: The ratio between the Building Area and the gross area of the Lot. See Article III, Lot and House Sizes.

19.17. Building Height. The greatest vertical distance between the level of the first floor sill and the highest point of the building, including rooftop service structures housing mechanical equipment. (from former definition "Height").

20.18. Building Line. That straight line being parallel to the Lot Frontage Line a distance no less than the minimum Front Yard depth required by these Regulations.

21.19. Building, Nonconforming. See "Nonconforming Building".

22.20. Building Official. The Building Official, also known as the Building Inspector, of the Town of Trumbull.

23.21. Building Permit. A permit for construction issued by the Building Official pursuant to the Trumbull Building Code and these Regulations.

24.22. Building, Principal. See "Principal Building".

25.23. Bulk (Building Standards). The size and shape of buildings, structures and use areas and the physical relationships of their exterior walls or spatial limits with lot lines and other buildings, structures and uses, or with the other walls of the same building or other portions of the same structure or use. Bulk also includes the relationship of buildings, structures and uses with all yards and open spaces required by these Regulations and also includes provisions of these Regulations dealing with floor area ratio, building height, lot area per dwelling unit, lot frontage, lot width, required yards, courts, usable open space, spacing between buildings on a single lot, length of building in a row, and all other similar provisions of these Regulations dealing with the relationship between land and the improvements or uses located, or to be located, thereon.

26. ~~Camp Ground. A plot of ground used for recreational purposes which can accommodate two (2) or more tents, travel trailers, or camper coaches with travel width not exceeding eight (8') feet, and accessory buildings.~~

27.24. Cannabis Establishment - is defined as a producer, dispensary facility (including a Medical Marijuana Dispensary), cultivator, micro-cultivator, retailer, hybrid retailer (i.e., licensed to sell both recreational cannabis and medical marijuana), cannabis

food and beverage manufacturer, cannabis product manufacturer, and/or cannabis product packager.

28.25. Certificate of Zoning Compliance. See Article V, Administration and Enforcement.

29.26. Cellar. That portion of a building having its floor level partly or wholly below the adjacent finished grade and which has, at no point, more than half its interior height measured from floor to rough ceiling above the finished grade of the ground adjoining the building. Compare to "Basement".

30.27. Cemetery. Land used for the burial of the dead, and dedicated for cemetery purposes, excluding columbarium, crematories, mausoleums and mortuaries, established and operated by a house of worship, an ecclesiastical society or cemetery association.

31.28. Chicken Coop. A facility to enclose and house chickens in the rear yards of residences.

32. ~~Child Day Care Center/Services. See "Day Care Center", "Group Day Care Home", and "Family Day Care Home".~~

33.29. Club. Land, buildings and facilities owned or operated by a non-profit entity for a recreational, social, patriotic, political, benevolent or athletic purpose, but not for pecuniary gain, nor to render a service which is customarily carried on as a business. A "club" shall cater only to its members or guests accompanying them. A "member of a club" shall be a person who, whether as a charter member or admitted in accordance with the by-laws of the club, has become a bona fide member thereof, who maintains his membership by the payment of his dues in accordance with such by laws and whose name and address are entered on the list of membership of the club.

34.30. Commission. The Planning and Zoning Commission of the Town of Trumbull.

35. ~~Community Residence for Mentally Ill Adults. See the definition set forth in Connecticut General Statutes Section 19a-507a, as the same may be amended from time to time.~~

36. ~~Community Residence for Mentally Retarded Adults. See the definition set forth in Connecticut General Statutes Section 19a-464c(e), as the same may be amended from time to time.~~

37.31. Convalescent Home. A medical institution providing shelter, clothing and food to resident patients and meeting the definition of a Skilled Nursing Facility as that term is defined in applicable State and Federal law. "Convalescent Home" does not include "Rest Home".

38.32. County Soil and Water Conservation District. The Fairfield County Soil and Water Conservation District established pursuant to Connecticut General Statutes Section 22a 315, et. seq., as amended.

39.33. Cul-de-sac. The circular portion of the road at the end of a Dead End Street having a radius as required by the Town's road specifications. See "Dead End Street."

40.34. Day Care Center. A use of land or buildings which offers or provides a program of supplementary care for compensation to more than twelve (12) related or unrelated children, or any number of adults, outside their own homes on a regular basis for a part of the twenty-four (24) hours in one or more days in the week. "Day Care Center" does not include services which are (1) administered by a public or private school system which is in compliance with Connecticut General Statutes Section 10 188, (2) recreation operations such as, but not limited to, boys' and girls' clubs, church related activities, scouting, camping or community youth programs, (3) informal arrangements among neighbors or relatives in their own homes, (4) drop-in supplementary child care operations where parents are on the premises for educational or recreational purposes and the child receives such care infrequently. "Day Care Center" includes "Child Day Care Center" as defined in Section 19a 77 of the Connecticut General Statutes, but does not include a "Family Day Care Home" or "Group Day Care Home" as defined in said Section.

41.35. Dead End Street. A proposed street, or any extension of an existing street, or any combination or pattern of streets or extensions thereof, having only one outlet to a through State or Town road.

42.36. Deck. An Accessory Structure consisting of one or more horizontal surfaces attached to and extending from the Dwelling and used for Accessory residential uses. ~~A deck covered by a roof shall not exceed 200 square feet.~~ For purposes of required Yards, a Deck shall be considered as a Building. See Subsection B in each zone under Article II (Permitted Accessory Uses, Buildings, and Structures). Compare to "Terrace".

43.37. Development. Any man made change to real estate, including but not limited to, the construction of buildings or structures, mining, dredging, filling, grading, paving, excavation or drilling operations but excluding the tilling of soil as part of a bona fide farming or gardening operation. See special definitions in Article X, Soil Erosion and Sediment Control Regulations, and Article XI, Flood Damage Preventions.

44.38. District. See "Zone".

45.39. Drive-in. A Principal Use, or an establishment designed or operated for such use, where a patron is served while seated in an automobile located in an off-street or on street parking area, driveway, or similar area. Compare to "Drive-Through".

46.40. Drive-Through. An Accessory Use to a permitted Principal Use where patrons may, as an option to entering a Building to transact business, receive similar services or obtain similar goods while remaining in their motor vehicles. Compare to "Drive-In".

47.41. Driveway. Any access from a public highway used, designed, or intended to be used for vehicular ingress and egress to any building, structure, use or lot.

48.42. Driveway, Common. A driveway serving more than one (1) residential lot.

49. ~~Driveway, Loop. A driveway intersecting the street at two (2) or more points and serving more than one (1) residential lot.~~

50.43. Dustless Surface. For permanent uses: Adequately covered with concrete, asphalt, or bituminous products. For temporary uses: Screenings, stone, or gravel adequately treated with water, calcium chloride, or similar dust inhibiting substances and maintained in good condition at all times.

51.44. Dwelling. Any building designed and/or used for human habitation erected on a closed solid foundation, using permanent weather proof exterior materials, constructed with ceilings and walls finished on the interior with lath and plaster or some comparable material; with facilities which are used or intended to be used for living, sleeping, cooking and eating.

52.45. Dwelling, one family. A single detached dwelling on one (1) lot designed and/or used for residential purposes for one (1) Family only. One or more rooms in a one family dwelling which are arranged or used for separate occupancy by a person or persons related by blood or marriage to the occupant(s) of the dwelling shall be considered as an accessory use and shall not constitute a separate dwelling; provided, however, that such room(s) contain no provisions for cooking, eating, or dishwashing, and provided further that no compensation is paid for such occupancy.

53.46. Dwelling, two-family. A single detached dwelling on one (1) lot used for residential purposes designed and/or used for occupancy by two (2) families living independently of each other; having separate entrances or a foyer with separate entrances, and separate services and facilities. (Amended effective February 16, 2010)

54.47. Dwelling, multiple family. A single detached dwelling on one (1) lot used for residential purposes designed and/or used for occupancy by three (3) or more families living independently of each other, having separate or joint entrances, services and facilities.

55.48. Dwelling Unit. Any room or group of rooms located within a residential building and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating by one (1) Family.

56.49. Easement. A right, established in Deed or other legal means, of one party to use a designated portion of a second party's land for a specific limited purpose.

57.50. Enlargement, or to Enlarge. Any addition to the floor area of an existing building, an increase in the size of any other structure, or an increase in that portion of a tract of land occupied by an existing use. "To enlarge" is to make an enlargement.

58.51. Extend, or to Make an Extension. An increase or amplification, as distinguished from establishment or inception. "Extension" shall be deemed to include the expansion in the seasons or periods of use of a nonconforming seasonal use, or of a seasonal dwelling on a nonconforming lot; and any increase in the normal days or hours of operation, or any increase in the scope of services offered, of any nonconforming, non-residential use of land, buildings, or structures.

59.52. Family. (a) One or more individuals related by blood, marriage, civil union, adoption, foster child status, living together as a single housekeeping unit, plus up to two (2) persons, not so related.

60.53. Family Day Care Home. A dwelling in which care is provided for compensation to not more than six (6) children, including the provider's own children not in school full time, where the children are cared for not less than three (3) nor more than twelve (12) hours during a twenty four (24) hour period, and where care is given on a regularly recurring basis. "Family Day Care Home" does not include services which are (1) administered by a public or private school system which is in compliance with Connecticut General Statutes Section 10-188, (2) recreation operations such as, but not limited to, boys' and girls' clubs, church related activities, scouting, camping or community youth programs, (3) informal arrangements among neighbors or relatives in their own homes, (4) drop in supplementary child care operations where parents are on the premises for educational or recreational purposes and the child receives such care infrequently. "Family Day Care Home" includes "Family Day Care Home" as defined in Section 19a-77 of the Connecticut General Statutes, but does not include "Group Day Care Home" or "Child Day Care Center" as defined in said Section. See, the definition of "Home Occupation".

61.54. Farm. Any tract of land no less than five (5) acres in area (if no livestock is kept), or ten (10) acres in area (where livestock is raised or kept), for which the principal use is dairying or the raising of agricultural products, forest products, Livestock, or Poultry, and any uses accessory thereto, but excluding: Commercial dog kennels; commercial propagation and growing of flowers, plants, nursery stock, and berries, when combined with on-site sales to the general public; commercial greenhouses; commercial livery and boarding stables; commercial veterinary hospitals; cattle

feed lots; rendering plants, slaughter and/ or packing houses and other similar commercial and/or industrial operations which do not directly relate to the production of raw, unprocessed agricultural products. See Art. I, Sec. 5.5, Keeping of Livestock.

62.55. Fence. A structure for enclosure or screening, including a wall.

63.56. Fire Lane. The aisle immediately adjacent to any Building or Structure reserved for access by emergency public safety vehicles and in which no parking or standing is permitted.

64.57. Fire Marshal. The legally designated Fire Marshal of the Town of Trumbull or his authorized representative(s).

65.58. Flea Market. The use of land or buildings, or any combination thereof, for the commercial sale of new or used products by one or more vendors on a continuous, regular, or intermittent basis. A flea market shall be deemed to be a commercial activity and shall comply with all provisions of these Regulations applicable to such uses. The isolated sale by the occupants of one or more dwellings, or by clubs, nonprofit religious, educational, charitable, and other similar organizations, of used household articles, baked goods, household crafts, and similar items, shall not be considered a "Flea Market" provided such activity complies with the definition of "Accessory Use" contained in these Regulations.

66.59. Flood (or Flooding). See, Article XI, Flood Damage Prevention Regulations.

67.60. Flood Plain. Those areas subject to flooding at base flood as designated Zones A, A7, A8, A10 and A12 on the Trumbull Federal Insurance Rate Maps (FIRM) dated [check date] and the accompanying Trumbull Flood Insurance Study, as the same may be amended from time to time, and on file in the Office of the Town Clerk.

68.61. Floor Area, Gross. The sum of the gross area (horizontal) of every floor of a building, as measured by the exterior faces of the walls or from the centerline of party or common walls separating two buildings, dwellings, or distinct and separate non-residential uses having no common exterior access. "Floor Area, Gross" shall include: (a) Half-Story, whether or not a floor has been laid, over which there is structural headroom of 7 feet or more; (b) floor space used for mechanical equipment with structural headroom of 7 feet or more; (c) roofed porches, breezeways, interior balconies and mezzanines; (d) any roofed over space not located in a basement such as a garage or carport for off-street parking accessory to a dwelling. "Floor Area, Gross" shall not include: (a) Basement or Cellar space; except that any such space used for a non-residential use shall be included for the purpose of calculating the required off street parking spaces for such use; (b) elevator shafts and stairwells, accessory water tanks and cooling towers; and (c) patios, terraces, decks, unroofed open porches/decks, and outside uncovered

steps, even if covered by an Awning not projecting more than three (3') feet from the building. Any floor area having a height of more than twelve (12') feet shall be deemed to be two floors for the calculation of Gross Floor Area.

69.62. **Floor Area, Livable.** That portion of the Gross Floor Area on a Dwelling which is adequately provided with heat, light and ventilation so as to be suitable for residential use and occupancy. "Floor Area, Livable" shall include: Finished basement or attic spaces and enclosed porches but shall exclude: Garage space; cellar space; terraces/patios, unroofed open porches, steps, and similar unenclosed or unfinished spaces; and stairways and halls serving more than one (1) dwelling unit. See, Article III, Lot and House Sizes.

70.63. **Floor Area Ratio.** The Gross Floor Area in square feet of all buildings on a Lot divided by the area of such Lot in square feet.

71.64. **Frontage:** See "Lot Frontage".

72.65. **Garage, Private.** An Accessory Building, Accessory to a Dwelling, which is used for the storage of motor vehicles. Compare to "Shed."

73.66. **Garage, Public.** An Accessory Building, Accessory to a commercial or industrial use, which is used for the temporary parking of motor vehicles for patrons or employees of the principal use, with or without a fee for such parking.

67. **Governmental Services.** Any activity or use, carried out by a public agency or its duly authorized agents, such as police stations, refuse disposal areas, schools, pollution control plants, highway garages, town halls, town office buildings, fire departments, non-commercial ambulance and other emergency services, and other similar uses.

74.

68. **Grade, Finished** – The elevation of a particular point above or below a given reference datum (current accepted datum) measured after completion of construction, grading, landscaping, and similar improvements.

69. **Grade, Existing** – The elevation of a particular point above or below a given reference datum (current accepted datum) measured prior to construction, grading, landscaping, or similar improvements intended to manipulate the overall contour of the land.

70. **Grading** – the reshaping or altering of land surface through the removal (excavation) and/or placement (filling) of materials.

75.71. Gross Floor Area. See "Floor Area, Gross".

76.72. Group Day Care Home. A use of land or buildings which offers or provides a program of supplementary care for compensation to not less than seven (7) nor more than twelve (12) related or unrelated children outside their own homes on a regular basis for a part of the twenty-four (24) hours in one or more days in the week. "Group Day Care Home" does not include services which are: (1) administered by a public or private school system which is in compliance with Connecticut General Statutes Section 10-188; (2) recreation operations such as, but not limited to, boys' and girls' clubs, church related activities, scouting, camping or community youth programs; (3) informal arrangements among neighbors or relatives in their own homes; (4) drop-in supplementary child care operations where parents are on the premises for educational or recreational purposes and the child receives such care infrequently. "Group Day Care Home" includes "Group Day Care Home" as defined in Section 19a 77 of the Connecticut General Statutes but does not include "Family Day Care Home" or "Child Day Care Center" as defined in said Section.

77.73. ~~Guest House. A separate building on a residential lot which would meet the definition of a "Dwelling"; provided, however, that such building shall contain no provisions for cooking, eating, or dishwashing; provided further that no compensation is paid for such occupancy; and, provided further that such building shall comply with all provisions of these Regulations for Accessory Buildings and Uses.~~

78.74. Health/Fitness Club: Shall mean privately owned facilities where the primary focus is individual fitness or training. Typically these clubs provide one or more of the following: exercise classes, weightlifting, gymnastics equipment, spas, locker rooms and/or a snack bar.

79.75. Health-Official Officer. The legally designated health authority of the Town of Trumbull or his/her authorized representative(s).

80.76. Helistop. A landing and take-off pad for the pickup and discharge of passengers by helicopter for the exclusive use of the owner of the lot upon which the helistop is located, excluding passenger service to the general public. A Helistop shall be accessory to the principal use of the lot or building upon which it is located.

81. ~~Home for the Aged. See "Rest Home".~~

82.77. Home Occupation. Accessory uses conducted for compensation by the occupant(s) of a residential building or lot which complies with the provisions of Article II, Section 7.5, Special Provisions for Certain Zones, of these Regulations.

83.78. Hotel. A building, designed and used primarily for temporary accommodations for six (6) or more transients, exclusive of employees residing on the premises, and which may include, as accessory uses, public rooms and meeting rooms,

restaurant and banquet facilities, lounges serving liquor, recreational facilities, and accessory uses incidental to the foregoing.

84.79. Hotel, Extended Stay. A Building or group of Buildings designed and Used as a temporary abode for travelers, who may stay multiple nights and who have a permanent residence elsewhere. The guest rooms within an Extended Stay Hotel may have cooking facilities.

85. ~~Illegal Use of Land, Building or Structure. Any Use, whether of a Building or other Structure or of a tract of land; or the erection of any Building or Structure, in/on which a violation of any provision of these Regulations has been committed or shall exist or which use is not specifically listed as permitted in these Regulations. Such violation shall be determined as of the date of establishment of such use, as nearly as the same may be determined.~~

86.80. Inland Wetland. Those areas designated and defined as inland wetlands by the Trumbull Inland Wetlands and Watercourses Agency, pursuant to its Regulations, as the same may be amended from time to time.

87.81. Junk Yard. An area of land, with or without buildings, used, either as a principal or accessory use, or occupied by the outdoor storage of used or discarded materials such as waste paper, rags, scrap metal, building materials, house furnishings, machinery, vehicles, or parts thereof, with or without dismantling, processing salvage, sale or other use or disposition of the same. A deposit, or the outdoor storage on a lot, of two (2) or more wrecked or unregistered vehicles, or vehicles otherwise not in a condition for legal use on public highways, or parts of two (2) or more such vehicles, shall be deemed a junk yard. See Article VIII, Uses Prohibited in All Zones.

88.82. Kennel, Dog. A Principal Use, open or enclosed, in which a total of more than three (3) or more pets, limited to dogs, are kept for breeding, boarding, grooming, or medical attention. "Kennel" does not include the keeping of pets Accessory to a Dwelling.

89.83. Livestock. Includes such domestic animals as horses, cows, goats and sheep, or the like, but excluding mink. See "Farm". See, also, Art. I, Sec. 5.5, Keeping of Livestock. (Amended effective February 16, 2010)

90.84. Lot. One (1) or more contiguous parcels of land under unified ownership and separately described in a Deed of record, which is occupied or capable of being occupied by one (1) Principal Building and the Accessory Buildings or Uses customarily incidental to it, including such open spaces as are required by these Regulations, and, which, in addition, meets the minimum area, width, and other applicable requirements of these Regulations for the zone in which such parcel is located, or is a legal nonconforming parcel, as defined in these Regulations. In the case of multiple or two family dwellings, a group of buildings under the same

ownership shall be considered as occupying the same Lot. The term "lot" includes the terms "plot" and "parcel", but those terms do not include the term "lot".

91.85. Lot Area. The area of a horizontal plane bounded by all lot lines. See, Article III, Buildable Area, and, also, Section 8, Area, Yard, and Height Requirements.

92.86. Lot, Corner. A lot of which two (2) adjacent sides face a street or streets so that the interior angle of the intersection is less than one hundred thirty five (135 $\square$ ) degrees, provided that the corner of any such intersection is not rounded by a curve having an inside radius greater than fifty (50') feet.

93.87. Lot Coverage, Maximum. The total Lot Coverage consists of the aggregate ground coverage of all Buildings and Structures; outside storage areas; mechanical equipment on permanent foundations; all areas of off-street parking and loading spaces and access aisles and circulation driveways and similar Paved Areas; and Terraces consisting of asphalt, concrete, or other Impervious materials; but, excluding pedestrian sidewalks; Decks; ornamental plazas and Terraces consisting of paver blocks or other pervious materials; signs and landscaped islands within parking areas; and, for residential uses, excluding off-street parking or driveway areas.

94.88. Lot Frontage, Lot Frontage Line. The distance between the side lines of a lot measured along the street line. On curvilinear streets, the arc between the side lot lines shall be considered the lot frontage or, in the case of a corner lot, measured between the side lines on one side and the street line on the other. See, Art. III, Bulk, Interior Lots.

95.89. Lot Line. Any line designating the limits of a Lot.

96.90. Lot Line, Front. That Lot Line being along the Street Line which that Lot abuts. In the case of an Interior Lot, that Lot Line being closest to the Street from which the Lot derives its principal access.

97.91. Lot Line, Rear. The longest single straight Lot Line between Side Lot Lines which is roughly opposite of, and farthest from, the Front Lot Line; or, if such straight line does not exist due to irregular terrain, watercourse or other natural feature, the longest irregular boundary which is roughly opposite of, and farthest from, the Front Lot Line, which line is contained within the Lot. (Amended effective February 16, 2010)

98.92. Lot Line, Side. Any Lot Line not a Front Lot Line or a Rear Lot Line extending directly or indirectly from the Front Lot Line.

99.93. Lot, Nonconforming. See "Nonconforming Lot".

100.94. Lot, Interior. A Lot not having the minimum Lot Frontage required by these Regulations. See, Art. III, Sec. 9, Interior Lots.

101.95. Lot of Record. A lot for which a Deed and has been recorded in the Office of the Town Clerk of the Town of Trumbull, which lot meets the requirements of these Regulations and of the Trumbull Subdivision Regulations, as the same were in force at the time of such recording. See, Article I, Section 4, Nonconforming Lots.

102. ~~Lot, Through. A Lot, other than a Corner Lot, having frontage on two (2) or more Streets.~~

103.96. Manufacturing. Any process whereby articles are created or where the nature, size, or shape of articles is changed, or where articles are assembled or packaged in quantity.

104.97. Medical Marijuana Dispensary. A place of business where marijuana is dispensed or sold at retail to qualifying patients and primary caregivers, and for which the Connecticut Department of Consumer Protection has issued a dispensary facility permit or license to an applicant in accordance with Public Act 12-55, §21a-408, as amended, of the Regulation of Connecticut State Agencies.

105.98. Mobile Home. See "Trailer".

106. ~~Motel. A Building or group of Buildings containing individual sleeping quarters and individual entrances and designed, altered, intended, or used primarily for rental to transients on a nightly basis.~~

107. ~~Non-Building Use. A Principal Use of land to which the Buildings on the Lot, if any, are Accessory; such as, a Trailer, Junkyard, Public Parking Lot, a Flea Market, or open storage yard for materials.~~

108.99. Nonconforming Building or Structure. A Building or Structure legally existing on the effective date of these Regulations (March, 1927), which met all requirements of the Zoning Regulations then in force, if any there were, on said effective date, but does not meet the current requirements of these Regulations; or a building or structure legally existing on the effective date of any amendment hereto which caused such building or structure to cease to meet the requirements of these Regulations. See, Art. I, Sec. 4 (Nonconforming Buildings and Structures).

109.100. Nonconforming Lot. A Lot of Record previously lawful that now violates any provision of these Regulations; subject to the requirements of Article I, Section 4, of these Regulations.

110.101. Nonconforming Use. The actual Use of a Parcel of land, Buildings, or Structures which is not a Use permitted on the effective date of these Regulations (March, 1927) for the zone in which such use is occurring, but which was legally existing

and conformed to all requirements of the Regulations then in force, if any, on the effective date of these Regulations or on the effective date of any amendment hereto which caused the use to cease to meet the requirements of these Regulations. See, Art. I, Sec. 4, Nonconforming Uses.

111.102. Non-Profit Organization, Bona Fide: A non-profit, non-stock entity which qualifies for tax-deductible donations under applicable provisions of the Internal Revenue Code, as amended.

| 112. ~~Nursery Schools. See "Day Care Center".~~

113.103. Nursing Home. See "Rest Home".

114.104. Occupy. To take possession or enter upon for the purpose of Using. When applied to a trailer, to use for sleeping and dwelling purposes.

115.105. Open Space (as applied to Bulk and Yard Requirements). An unoccupied space open to the sky on the same lot as the subject building or structure. See Art. III.

116.106. Open Space (as applied to Use of land for public benefit). Any Parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for non-commercial public use or enjoyment or for the non-commercial use and enjoyment of owners, occupants, and their guests of land adjoining or neighboring such open space. "Open Space" may also include land improved for non-commercial active recreational activities open to the general public or for the use and enjoyment of owners, occupants, and their guests of land adjoining or neighboring such open space. "Open Space" shall not include land Used for active recreational activities carried on for profit or functionally equivalent to such activities customarily carried on for profit, such as golf courses, tennis clubs, riding stables, and the like.

117.107. Parcel. Any contiguous piece of land, including one or more contiguous Lots of Record, unified under the same ownership, whether or not every said piece of land was acquired at the same time, including any parcel which is a "Lot", as that term is defined in these Regulations.

118.108. Park. An area set apart for recreation of the public to promote its health and enjoyment and owned and operated by a public or non-profit agency.

119.109. Parking, Handicapped. Parking spaces or bays designed for the exclusive use of handicapped persons or drivers as defined in section 14-253a of the Connecticut General Statutes and other applicable requirements of the State of Connecticut Basic Building Code, both as may be amended from time to time.

120.110. Parking, Deferred. The practice exercised at the discretion of the Commission or the Board, as the case may be, where a portion of the parking otherwise required

by these Regulations need not initially be constructed but may be required to be constructed if it is determined by the Commission or the Board, as the case may be, that circumstances require such construction. See Art. IV, Garages, Parking Spaces, and Loading Areas.

421.111. **Parking, Off-Street.** Parking space(s) as required by these Regulations which is/are located outside a public Street right of way and on the same Lot as the Use which it serves. See Art. IV, Garages, Parking Spaces, and Loading Areas.

422.112. **Parking, On-Street.** Parking space(s) which is/are located within a public Street right of way adjacent to or in proximity to the Use which it serves. See Art. IV, Garages, Parking Spaces, and Loading Areas.

423.113. **Parking, Peak Period.** The period of maximum parking activity, which can be the hour, portion of a day, day of the week, or season of the year. See Art. IV, Garages, Parking Spaces, and Loading Areas.

424.114. **Parking, Shared.** The sharing of parking spaces by two or more Uses, each of which has a different Peak Parking Period. See Art. IV (Garages, Parking Spaces, and Loading Areas.).

425.115. **Parking Space.** See Art. IV (Garages, Parking Spaces, and Loading Areas).

426.116. **Paved Area.** An area covered with an impervious material such as concrete, asphalt, or bituminous concrete to be used for the storage, passage, or conveyance of motor vehicles or pedestrians, including, but not limited to, streets, parking lots, driveways, loading areas, sidewalks, or impervious surface drainage swales. See "Lot Coverage, Maximum".

427.117. **Person.** An individual, firm, partnership, joint venture, association, club, corporation, limited liability company, estate, trust, receiver, syndicate, or other entity or combination thereof.

428.118. **Pharmacy, Retail.** A place of business where medical supplies and pharmaceutical drugs are dispensed or sold at retail, not for the purpose of resale, to qualifying patients and primary caregivers.

429.119. **Plan of Conservation and Development:** That document or documents adopted by the Planning and Zoning Commission under the authority of Conn. Gen. Stats. §8-23, as the same may be amended from time to time.

130. Playscape: Swings, slides, "jungle gyms," sandboxes, and other similar Structures designed for active recreation by children.

131.120. Pleasure Horse. A horse or pony maintained solely for the recreational use of the owner's Family. See Art. I, Section 5.5, Livestock.

132.121. Poultry. Chickens, turkeys, pheasants, ducks, and other birds customarily raised for their meat or eggs.

133.122. Premises. A Lot or Parcel and all Buildings, Uses and Structures located thereon.

134.123. Premises, Permit. That portion of any Building that has been granted a liquor permit by the State Liquor Control Commission. See Art. VII, Sale of Beer, Ale, Wine, and Alcoholic Liquor.

135.124. Principal Building. That single building, or inter related group of buildings, in which is conducted the principal use of the lot on which the building is situated.

136.125. Principal Use. The primary purpose or function for which a premises is used, designed, or intended to be used.

137.126. Private Occupational School: See "School, Private Occupational".

138.127. Public. Used or controlled exclusively by any department or branch of a governmental unit; excluding clubs, associations, and other private entities which may serve a public purpose.

139.128. Public Garage. See, "Garage, Public".

140.129. Queue Space. A space for a vehicle waiting in a line for some form of service, the length of which shall be equal to a Parking Space. See Art. IV, Garages, Parking Spaces, and Loading Areas.

141.130. Public Parking Lot. A Lot used for the storage of registered motor vehicles with Parking Space(s) available to the general public.

142. ~~Rated Capacity. The maximum safe occupancy of the Premises or place of public assembly as defined by applicable State codes and regulations.~~

143.131. Restaurant, "Fast Food": The retail sale of food to the general public for consumption on the Premises or where a significant portion of the consumption takes place or is designed to take place outside the confines of the Building occupied by such Use; and, which is characterized by high volume of patronage, the promise of rapid service of meals, and a resulting short duration of stay and rapid turnover; and, including Drive-In or curb service as an Accessory Use. See, Art. II, Special Provisions.

144.132. Restaurant, Full Service. The retail sale of food to the general public for consumption on the Premises, with food service primarily to customers seated at

tables or at counters in an enclosed Building. See, Art. 6, Special Provisions for Certain Zones.

145.133. Restaurant, Take-out. The retail sale of food to the general public where all or a significant portion of the consumption takes place or is designed to take place outside the confines of the Building occupied by such Use. See, Art. II, Special Provisions for certain Zones.

146.134. Rest Home. An establishment which is licensed by the Department of Health Services pursuant to Chapter 368v of the Connecticut General Statutes and which furnishes food and shelter to two or more persons unrelated to the proprietor and, in addition, provides services which meet a need beyond the basic provisions of food, shelter and laundry; such services including, but not limited to, assistance in personal hygiene, nutrition, exercise, recreation, and health maintenance. "Rest Home" includes "Home for the Aged" and "Nursing Home" but does not include "Convalescent Home" or "Skilled Nursing Facility".

147.135. Right of Way. A servitude imposed by law or by convention and by which one has a right to pass through the real property of another. For the right-of-way of a public highway, see "Street".

148.136. Seminary: An education institution, which prepares students to be priests, ministers, or rabbis. The seminary may include housing for full-time seminary students.

149.137. School, Private Occupational: As defined in Conn. Gen. Stats. §10a-22a, as amended. At this writing, the definition is: "a person, board, association, partnership, corporation, limited liability company or other entity offering instruction in any form or manner in any trade, industrial, commercial, service, professional or other occupation for any remuneration, consideration, reward or promise of whatever nature, except "private occupational school" shall not include (A) instruction offered under public supervision and control; (B) instruction conducted by a firm or organization solely for the training of its own employees or members; or (C) instruction offered by a school authorized by the General Assembly to confer degrees."

150.138. Shed. An Accessory Building, Accessory to a Dwelling, which is Used primarily for storage purposes, such as yard and garden equipment, pool equipment, and children's' toys, but excluding motor vehicles. Compare to "Garage, Private."

151.139. Shopping Center. A parcel or combined parcels of land containing not less than four acres of Commercial Business B-C land where the land, buildings, and required parking are under single ownership or management. Said shopping center shall have not less than 35,000 square feet of rental retail and/or

commercial floor area as defined in this Article I, Section 3, and shall contain not less than six retail business and/or retail service uses.

**152.140.** Sign. Any structure, or part thereof, or any device attached to a building or structure or painted or represented thereon which displays or includes letters, words, symbols, trademarks or any other graphic representation which is in the nature of an announcement, direction, advertisement or other device used to attract the attention of the public for commercial purposes or otherwise; similarly, any natural object, such as a tree, stone, or the earth itself, which is painted or arranged so as to represent or display any of the aforesaid graphic representations; any building feature, including roof or other special illumination, special colors or effects, or building or roof lines which serve to identify the use or occupancy of any building or site through a recognized motif or symbol. The term "sign" shall include sculptures and similar works of art designed or intended to attract the attention of the general public to commercial or industrial premises. See, Art. XIII, Signs.

**153.141.** Sign, Advertising. A sign, including that type of sign commonly known as a "billboard", which directs the attention of the viewer to a business, commodity, service, entertainment, or other Use which is conducted, sold, offered, or occurring, either presently or in the future, at a location different from the Lot upon which such sign is displayed, or only incidentally occurring upon such lot. See Art. XIII, Signs, and Art. VIII, Uses Prohibited in All Zones.

**154.142.** Sign Area or Face. The plane defined by one continuous perimeter of that rectangle, triangle, or circle having the smallest area which encompasses all the lettering, wording, design, or symbols together with any background different from the balance of the surface on which it is located, if such background is designed as an integral part of and related to the sign. Such perimeter, however, shall not include any structural elements lying outside the limits of such sign and not forming an integral part of the display. For the purposes of these Regulations, two sided signs where the sides are back to back, Sign Area of each side of such sign shall be included in the Sign Area of the Sign. See Art. XIII, Signs.

**155.143.** Sign, Blade. A pedestrian-oriented sign attached to a wall with both of the exposed faces of the sign in a plane perpendicular to the plane of the building wall which may be internally illuminated. For the purpose of calculating the square footage of such signs, only one sign face shall be included

**156.144.** Sign, Business. A Sign which directs attention to a business, commodity, service, entertainment, or other Use which is currently conducted, sold, or offered upon the same Lot where such sign is displayed. A "For Sale" or "To Let/For Rent" sign related to the Lot upon which it is displayed shall be deemed to be a business sign. See Art. XIII, Signs.

157.145. Sign, Directional. A Sign on a Premises indicating location of the use or purpose of a Building, Lot, or portion thereof located elsewhere in such Building or on such Lot but containing no other information. See Art. XIII, Signs.

158.146. Sign, Directly Illuminated. Any Sign designed to give forth any artificial light directly or indirectly through any transparent, reflective, translucent or similar material, from a source of light contained within, upon, or otherwise structurally integrated into such Sign but not including a "channel" letter Sign in which the light source is concealed within the rear side of a hollow, opaque letter mounted on a wall, with the letter silhouetted against the halo of the reflected light. See Art. XIII, Signs.

159.147. Sign, Ground. Any Sign supported by upright structural components, placed or located upon the ground and not attached to any part of any Building. See Art. XIII, Signs.

160.148. Sign, Identification. A Sign on a Premises bearing the name or similar identification of the Use or occupant of a Building, Lot or portion thereof, or a Sign indicating danger or whether a facility is open for business but containing no other information. See Art. XIII, Signs.

161.149. Sign, Indirectly Illuminated. A Sign illuminated by a light source which is remote from the sign structure and so shielded that no direct rays there from are visible elsewhere than on the Sign Face, or the area immediately around it, but in no event visible off the Lot where said Sign is located; and, including channel letter signs (See "Signs, Directly Illuminated"). If such shielding is defective or fails to conform to the criteria of this definition, such Sign shall be deemed to be a Directly Illuminated Sign. See Art. XIII, Signs.

162.150. Sign, Flashing. Any Sign in which or upon which artificial light is not maintained stationary and constant in intensity and color at all times, and, specifically, including signs that scroll, alternate, or otherwise move or change a message using lighting, screens, projections, or moving parts of any kind [; excluding time or temperature signs approved in accordance with Section 19 of these Regulations?]. See Art. XIII, Signs.

163.151. Sign, Moving. Any Sign, or any portion of any Sign, which is not fixed or stationary, or which is capable of any movement whatsoever; excluding barber poles and clocks. See Art. XIII, Signs, and Art. VIII, Uses Prohibited in All Zones.

164.152. Sign, Outdoor Advertising and/or Off Premises. See "Sign, Advertising".

165.153. Sign, Overhanging. Any Sign extending at an angle from a Building which is its sole or principal support. See Art. XIII, Signs.

166.154. Sign, Pole. See "Sign, Ground".

167.155. Sign, Roof. Any Sign erected, constructed, or maintained upon the roof of a Building. See Art. XIII, Signs.

168.156. Sign, Sky. Any Sign suspended in the air by means of a balloon or other lighter-than-air device. See Art. XIII, Signs.

169.157. Sign, Temporary. Any sign which is intended to advertise community or civil projects or other special events of a temporary nature, real estate for sale or lease, or opening of a new business, and erected on a temporary basis. See Art. XIII Signs

170.158. Sign, Trespass. Any Sign on a Premises restricting the right to enter such Premises and indicating the private nature of such Premises. See Art. XIII, Signs.

171.159. Sign, Wall. Any Sign painted, posted, or otherwise affixed to any portion of a vertical surface or plane that forms the wall of a Building. See Art. XIII, Signs.

172.160. Standing (as to Parking Areas). The practice of briefly stopping a vehicle, or waiting, generally for the pick-up/delivery or purchase of a product or service, in an area not designated or permitted for Parking. See Art. IV, Garages, Parking Spaces, and Loading Areas.

173.161. Story. That portion of a Building entirely above the ground level and included between the upper surface of any floor and the upper surface of the floor next above it; or, if there is no above it, then the space between such floor and the ceiling or roof next above it.

174.162. Story, Half. That Story having its floor joists at the level of the roof eave, and for which the Floor Area has a ceiling height of six (6') feet or greater over an area greater than 50% of the Floor Area of the Story directly below it. See "Floor Area, Gross."

175.163. Street. An improved right of way or fee simple parcel of land dedicated and accepted by the Town or the State of Connecticut for the purpose of public travel by lawful procedure and suitable for vehicular travel, or a proposed street shown on a subdivision plan approved by the Commission in accordance with the applicable provisions of the Trumbull Subdivision Regulations.

176.164. 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.

177.165. Street Line. The line separating a Street from the abutting Parcel.

178.166. Structure. Anything which is constructed or erected and the use of which requires more or less permanent location on ground or water areas or attachment to

something having permanent location on ground or water areas, not, however, including wheels; an edifice or a building of any kind; any production or piece of work, artificially built up or composed of parts and joined together in some definite manner, including signs, vending machines, fences or walls, a wharf or dock, an above ground tank or a detached solar panel or satellite dish. A structure shall not include a flagpole or an ornamental well. See Special Definition in Article XI, Flood Damage Prevention.

179.167. Structure, Height. The greatest vertical distance between the grade elevation existing on the effective date of these Regulations and at any point of consideration and the highest point of the structure.

180.168. Subdivision. The definition of the term "Subdivision" as used in these Regulations shall be the same as that term is defined in the Trumbull Subdivision Regulations.

181.169. Tag Sale. The temporary use of land or the buildings thereon for the purpose of the public sale of personal household goods by the owner or resident thereof in conjunction with the cleaning out or vacating of residential premises. In no way does the term "tag sale" encompass the sale of any goods brought to the premises for the purpose of public sale, except where more than one (1) family may cooperatively enter into such a sale at one (1) location. The term "tag sale" shall include garage sale, yard sale, barn sale, attic sale and any similar term or activity.

182.170. Terrace. A surfaced area adjacent to a Building which serves as an outdoor extension of the Use of that Building, which is open both vertically and horizontally, and which does not exceed a height of 12 inches above the adjacent grade of the land. Compare to "Deck".

183.171. Town. The Town of Trumbull, a municipal corporation having its territorial limits within the Town of Trumbull, County of Fairfield, and State of Connecticut.

184.172. Tract. See "Parcel".

185.173. Trailer. A trailer coach or mobile home, either on or off wheels but not permanently affixed to a foundation, or otherwise capable of relocation or transport. A mobile building shall be included within this definition regardless of whether it contains cooking, bathing, and/or toilet facilities, as long as it is capable of being connected to a water supply and to a sewerage disposal system and is designed for human occupancy on a temporary or permanent basis. Also includes a utility trailer over twenty (20') feet long, regardless of potential for human occupancy.

186.174. Truck. A motor vehicle have a gross tonnage in excess of one and one-half (1 ½) tons.

187.175. Use. Any purpose for which a building, structure, or premises may be designed, arranged, intended, maintained, or occupied, or, any activity, occupation,

business, or operation actually carried on in a building or other structure or on a lot or parcel.

188.176. Use, Nonconforming. See "Nonconforming Use".

189.177. Veterinary Hospital. Any Building, Structure, or portion thereof where animals or pets are given medical or surgical treatment and/or wellness care and can be boarded or cared for overnight only as a result of such treatment and/or care. The hospital area shall be located within a completely enclosed building, soundproofed and mechanically ventilated so as to prevent the emission of objectionable noise and odor with no outside accessory structures for animals or pets.

190.178. Veterinary Outpatient Clinic. A use where small animals or pets are given medical or surgical treatment. Such clinic shall be located within a completely enclosed building, soundproofed and mechanically ventilated so as to prevent the emission of objectionable noise and with no outside facilities or accessory structures for animals. Such clinic shall provide no boarding of animals except as required for medical treatment. Such boarding shall be accessory to the principal Veterinary Outpatient Clinic use, shall occupy no more than twenty (20%) percent of the total use floor area, and shall provide space for no more than ten (10) animals, and shall house no more than four (4) animals per overnight period. Such clinic shall have a maximum of two (2) licensed veterinarians seeing appointments on the premises at one time. No structure or use of land shall be considered a 'Veterinary Outpatient Clinic' if it has obtained a commercial kennel license from the Connecticut Commissioner of Agriculture in accordance with Chapter 435 of the Connecticut General Statutes..

191.179. Watercourse. Those areas designated and defined as watercourses by the Trumbull Inland Wetlands and Watercourses Agency, pursuant to its Regulations, as the same may be amended from time to time.

192.180. Wetland. See "Inland Wetland".

193.181. Workshop. An area or room(s) in a dwelling unit or in a garage or other accessory structure on a residential lot used for manual work utilizing light industrial tools.

194.182. Yard, Required. An Open Space on the same lot with a Building having those minimum dimensions prescribed by these Regulations.

195.183. Yard, Minimum Required Front. A Yard between any Principal Building and the Lot Frontage Line, extending the full width of the Lot between the Lot Side Lines, measured by the minimum horizontal distance between any such Building and the Lot Frontage Line; or, in the case of a Corner Lot, a similar Yard extending along all streets. See Art. III, Bulk.

196.184. Yard, Minimum Required Rear. A Yard between any Principal Building and Rear Lot Line, extending the full width of the Lot between the Lot Side Lines, measured

by the minimum horizontal distance between any such Building and the Rear Lot Line; or, in the case of a Corner Lot, a similar Yard extending across the side of the Lot opposite the Street on which the principal building has its street address, or is otherwise the designated front of the Lot. In the case of a triangular lot having Frontage on only one Street, the Rear Yard shall be measured from the rear-most portion of the Principal Building to that line located half way between that Principal Building and the point of intersection of the Side Lot Lines. See Art. III, Bulk.

197.185. **Yard, Minimum Required Side.** A Yard between the Side Lot Line and any Principal Building, extending on both sides of the Lot from the Front Lot Line to the Rear Lot Line; or, in the case of a Corner Lot, a similar Yard extending across the side of the Lot opposite the Street on which such building does not have its street address, or is otherwise not the designated front of the lot. {Any Yard not a Rear Yard or a Front Yard shall be deemed to be a Side Yard.}. See Art. III, Bulk.

198.186. **Zone.** An area within which certain uses of land and buildings are permitted, certain others are prohibited and certain others are designated as uses requiring a Special Exception or Special Permit from the Commission or the Board; yards and other open spaces are required; lot areas, building height limits, and other requirements are established; all of the foregoing being identical for all property located within the zone to which they apply.

199.187. **Zoning Enforcement Officer.** That person or persons designated by resolution of the Commission to administer and enforce these Regulations. See Article V of these Regulations.

