

ARTICLE II-USE REGULATIONS

SECTION 1: SINGLE FAMILY RESIDENCE ZONES

1.1 Residence AAA (1 acre), Residence AA (1 acre) and Residence A (1/2 Acre)

1.1.1 Permitted Uses

Within the Residence AAA, AA or A Zone no Building or Structure shall be erected, altered, occupied or used, arranged or designed to be used for other than one or more of the following specified purposes:

1. One-Family Dwelling;
2. Playgrounds, parks, reservations, and recreation facilities operated by or under the control and direction of the town;
3. Farms, and horticultural and/or wild life reservations;
4. Family Day Care Home;

1.1.2 Permitted Accessory Uses

1. Garage. A Private Garage limited to one story and a height of 15 feet with a capacity of no more than three cars and covering an area no larger than 864 square feet for use in connection with a Dwelling. A garage shall conform to the same setback requirements as a primary dwelling.
2. Workshop. A workshop for private (not commercial) use limited to a maximum of 300 square feet and height of 15 feet in a freestanding accessory structure. The largest doorway for ingress/egress shall not exceed six feet in width. A workshop shall conform to the same setback requirements as a primary residence.
3. Shed (Accessory Storage Buildings)
 - a. The Use of a Shed for storage Accessory to a Dwelling may be authorized by Certificate of Zoning Compliance, provided that the Zoning Enforcement Officer finds that Shed complies with the following terms, conditions and standards:
 - (1) The Shed shall not contain more than 150 square feet of floor space for lots ½ acre or smaller or

192 square feet of floor space for lots larger than ½ acre, and shall not be of a height greater than 10 feet;

(2) The Shed shall not be closer to the Front Lot Line than the rear line of the Dwelling upon said lot, and if not attached to the rear of said Dwelling, shall not be less than 5 feet from both the Rear and Side Lot Lines of said lot for lots ½ acre in size or smaller or 10 feet from both the Rear and Side Lot Lines of said lot for lots larger than ½ acre.

(3) The color and exterior design shall be such as to be in general harmony with the dwelling on said premises;

b. Temporary Storage Structures. Temporary storage structures, such as fabric-covered frames, modular storage pods, or the like, in addition to those in the preceding paragraph may be authorized by Certificate of Zoning Compliance, provided that they shall be used for no more than three (3) months. The Certificate of Zoning Compliance may be renewed for up to an additional three (3) months.

4. Recreational Structures. A swimming pool; gazebo; greenhouse; swimming pool cabana; tennis court or other similar unroofed recreational surface as an Accessory Use to a Dwelling, located on the same lot with said house, and for the private use of the owners or occupants of such house. Recreational Structures, except swimming pools and tennis courts, shall comply with the minimum setbacks from property lines required for Sheds and be limited to no more than 300 square feet. (swimming pools and tennis courts, see Art. III, Sec. 7.)

5. Temporary Parking of Recreational Vehicles. The temporary parking of recreational vehicles, such as camper-trailers, mobile homes, or pop-up trailers up to 28 feet in length and not exceeding 8.5 feet in width, or the dry storage of boats up to 28 feet in length.

a. Said recreational vehicles or boats shall be located in a rear yard no closer than 25 feet from the sideline or 25 feet from the rear property line, or in a front yard no closer than 150 feet from the street line. On the street side of a corner lot, the side yard shall be 40 feet to a point 100 feet back from the front property line of said lot. From that point to the rear line of the lot, the minimum depth of the side yard shall be the same as the minimum depth of the front yard required on the lot immediately adjoining the rear property line of said corner lot;

- b. All vehicles and boats must have a valid Connecticut registration and be owned by the occupant of the premises;
- c. The vehicles or boats shall be shielded from the neighbors' view by four-foot high densely growing evergreens (excluding white pine), and shall not be visible from the street;
- d. The use of a recreational vehicle or boat for human occupancy shall not be permitted; and
- e. No more than one such recreational vehicle or boat shall be permitted on one residential lot.

6. Home Occupations. Businesses/commercial offices or ventures are not permitted in residential zones as indicated by signage, marking of vehicles, commercial trailers, customers, patients, employees, outdoor and street parking of commercial vehicles, delivery of goods, outside storage of goods, and/or other factors that indicate a business is in progress on the Premises.

Notwithstanding the foregoing, (i) "cottage food operations", as defined in the Connecticut General Statutes, and (ii) businesses customary with the use of a home office, such as a computer-based business, are permitted in residential zones, provided there are no on-site storage of goods and products, no signs, no customers or clients visiting the Premises, and no employees meeting, working, parking or otherwise being dispatched from the Premises.

7. Temporary In-Law and Accessory Apartments
A. Statement of Purpose:

To provide additional affordable housing by giving owner-occupied homeowners the opportunity of maintaining a temporary apartment, and to protect stability, property values, and the single-family residential and visual character of a neighborhood by ensuring that temporary apartments conform fully to the standards and intent of the ordinance.

B. Definitions: For the purposes of this Subsection only, the following terms shall be defined as follows:

- (a) Accessory Apartment: a separate living unit that (A) is attached to the main living unit of a house, which house has the external appearance of a single-family residence, (B) has a full kitchen, (C) has a bathroom with a tub/shower, sink, and toilet, (D) has

a square footage that is not more than thirty per cent of the total square footage of the house, (E) has an internal doorway connecting to the main living unit of the house, (F) is not billed separately from such main living unit for utilities, and (G) complies with the building code and health and safety regulations.

(b) **Basement Accessory Apartment:** An accessory apartment any part of which is below the elevation of the finished grade of the ground adjacent to any part of the dwelling at the highest point of elevation;

C. **Conditions:**

(a) An accessory apartment must have at least three hundred (300) square feet of Livable Floor Area. Maximum size shall not exceed thirty (30%) per cent of the Livable Floor Area of the Principal Dwelling;

(b) At least one (1) Dwelling Unit in the converted single-family home shall be owner-occupied;

(c) In all cases, the accessory apartment conversion shall have the exterior appearance of a single-family home, and in no case shall additional front entrances be allowed. An accessory apartment shall not be located in a detached or accessory building;

(d) The design and size of the apartment must conform to all applicable standards in the health, building, and other codes;

(e) At least four (4) off-street parking spaces must be available;

(f) Prior to Planning and Zoning Commission approval, the local health authority must give approval that the dwelling, including the apartment, has sewage disposal capability, septic reserve area, and potable water availability in conformance with its current standards;

(g) Every accessory apartment approved under this section of the Zoning Regulations shall be deemed an "affordable housing unit" and shall be subject to the requirements of Section 8-30g(k) of the

Connecticut General Statutes, as may be amended from time to time; e.g.

i. The rental charge for the apartment shall meet the requirements as provided for in said state statute or related regulations so that the "affordable housing unit" is credited the maximum allowable amount by the state toward the Town's affordable housing count;

ii. A binding deed restriction containing covenants and restrictions in conformance with the Connecticut General Statutes Section 8-30g shall be recorded in the Trumbull Land Records; said restrictions shall be for a minimum period of forty (40) years from the date of original occupancy of the apartment;

(h) Each apartment shall have a full kitchen, be connected to the main living area of the house, and utilities shall not be billed separately from the main living unit of the house.

D. Application Procedure

If a proposed accessory apartment is (i) entirely within the existing footprint of the house and (ii) there are no exterior changes to the house, except for those required for ingress and egress such as a door and/or steps, then an application may be made to, and approved by, the Zoning Enforcement Officer. The Zoning Enforcement Officer retains the discretion to refer an application to the Planning and Zoning Commission for the Commission's approval. All other applications for accessory apartments shall be a Special Permit application made to the Planning and Zoning Commission in accordance with Article XV of these Regulations. All applications shall include, but not be limited to, the following:

(a) A notarized letter of application from the owner(s) stating that he/they will occupy one of the dwelling units on the premises, except for bona fide temporary absences;

(b) A floor plan of one-fourth (¼) inch to the foot showing proposed changes to the building;

(c) The application shall include an accurate description of the proposed facility, drawings of any

proposed addition, four (4) copies of a certified plot plan for the facility, and certification by the Town Sanitarian. These plans shall show the location of all buildings, uses, parking areas, traffic access and circulation drives, open spaces, landscaping, exterior lighting and special features relating to the property.

E. Renewal Requirements

(a) The effective period of the Permit or Special Permit shall be five (5) years. At the end of every five (5) years, renewal shall be granted upon receipt of certification, by the owner or his agent, to the Planning and Zoning Commission that the property remains the principal residence of the owner, and that all other conditions met at the time of the original application remain unchanged. The Zoning Enforcement Officer has the authority to approve a renewal. Planning and Zoning Commission may require a new application and a demonstration of compliance with all conditions necessary for a special use permit;

(b) Purchasers of homes that had Permits or Special Permits for temporary apartments who want to continue renting those apartments must reapply for a permit, and must demonstrate that all conditions prerequisite to obtaining the relevant permit, in particular their residence in the home, have been met. The Zoning Enforcement Officer has the authority to review and approve all applications by a purchaser;

(c) Permits or Special Permits for existing apartments shall only be renewed in accordance with this section.

8. Accessory Sale of Holiday Decorations. The Zoning Enforcement Officer may issue a Certificate of Zoning Compliance for the seasonal sale of Christmas trees, wreaths, or garlands; Easter flowers; Halloween pumpkins; or other seasonal holiday items, provided that:

(a) Parking is provided at the rate of one (1) space per 250 square feet of display area;

(b) No flood lights;

(c) All Christmas trees, fencing, and other materials incidental to the sale are removed, and the site restored to its previous condition, no later than fifteen (15) days after the subject holiday.

9. Tag Sales: more than two (2) tag sales per year shall require a Certificate of Zoning Compliance.

10. Chicken Coop: A coop, to accommodate not more than six (6) chickens, shall be permitted in rear yards and shall not exceed a maximum size of eight (8) feet by six (6) feet and a maximum height of six (6) feet. A coop must be set back a minimum of 35 feet from all property lines and shall not be visible from the street. Roosters and free-range fowl shall not be permitted. A metal sealable food container is required. Waste materials must be disposed of in a manner that will not cause odor, flies or attract vermin that could impact neighboring properties. A building permit shall be required for the coop. Applicants for a chicken coop building permit shall be required to sign a statement indicating that they have read and agree to adhere to the zoning regulations pertaining to the keeping of chickens. Failure to abide by these regulations shall constitute grounds for the Town to require removal of chickens on a non-compliant property.

1.1.3 Special Exception Uses

The following uses may be permitted as special exceptions by the Zoning Board of Appeals in accordance with Articles VI and Article XV of these Regulations:

None.

1.1.4 Special Permit Uses

Permission to use property in a Residence AAA, AA and A Zones shall be obtained by means of Special Permits granted by the Planning and Zoning Commission in accordance with Article XV of these Regulations:

1. Group Day Care Homes
2. Non-Profit Senior Citizen Housing Facilities

Alternate styles of Senior Citizen Housing facilities in conjunction with a hospital or convalescent home, subject to the following conditions and standards set forth herein:

- a. The hospital or convalescent home shall be a fully accredited non-profit institution, and possess all necessary Federal, State and Local permits and certificates, proof of which shall be submitted to the Town of Trumbull;
- b. Said institution shall have a minimum capacity of 250 beds;
- c. The minimum Lot Area shall be twenty (20) acres;
- d. The minimum Lot Frontage shall be 300 feet;

- e. No building or structure shall be located less than 100 feet from a Street Line, or less than 50 feet from any other property line;
 - f. No housing facility shall exceed one story nor shall 25 feet in height, and said units be of a design and style that is compatible and complimentary to the residences of the neighborhood;
 - g. Access roads shall be provided from parking areas and buildings to public streets so that no traffic congestion or hazard is created;
 - h. No operation connected with the use shall produce radio or television interference noticeable to any degree beyond the parcel limits;
 - i. Exterior lighting shall be in such a manner as not to cause illumination or glare outside the parcel;
 - j. Buffer areas shall be provided to assure maximum privacy to patients, the elderly residents, and to occupants of adjoining properties. Landscaping shall be provided for the entire parcel;
 - k. The uses shall be serviced by municipal sanitary sewers only, and in accordance with the regulations of the Town Sewer Commission;
 - l. No use shall be located within 1,500 feet of the nearest property line of any other such use;
3. Cemeteries, provided that no land shall be used for the burial or interment of remains above or below ground within 100 feet of any street or property line; that no cemetery be established or enlarged in excess of 20 acres in total area of land permitted for burial or interment of remains above or below ground (provided that additional acreage for access, administration, and other purposes to an extent not exceeding 50% of the acreage allotted for burial purposes may be included within the overall cemetery area); and further provided that no cemetery shall be established within 4,000 feet of any other cemetery; provided, however, that in computing the distance between cemeteries the following inactive historical cemeteries shall not be counted: Daniel's Farm Burial Place, Riverside Cemetery, Unity Burial Place, Old Burial Place at Nichols Farms, Tashua Burying Place, and Burying Place at Gregory's 4 Corners;
4. Churches and other places of worship, including parish houses and Sunday School buildings; non-profit primary and secondary schools; and building housing personnel affiliated with said churches and schools.

In addition, building in existence on the effective date of this amendment and used as housing for such affiliated personnel, may be converted to housing for students attending such schools and located on the same property as the school buildings. No building used for student housing shall be located closer than one hundred (100) feet from any property line, except that seminary buildings may be built on property that is adjacent to a cemetery that is affiliated with the seminary or associated house of worship. The Commission may require a landscaped buffer up to twenty (20) feet from any side yard or rear yard for student housing and/or seminaries if the Commission deems it necessary to minimize impact on abutting properties. No building used for student housing and/or a seminary may be within one hundred (100) feet from any residential property line containing a residence on an abutting property. Permanent and temporary light poles for lighted fields on non-profit secondary school property shall be permitted **for school related purposes only**, provided:

- a) The poles, lights and structures supporting such poles do not exceed a combined height of eighty (80) feet.
- b) No such light structure shall be within two hundred (200) feet of an abutting residential property line.
- c) Applicant shall submit a photometric plan at time of application.
- d) Lights must be shut off no later than 11:00 p.m. and applicant shall install an automated control system to ensure compliance.
- e) All requirements of Article XV Special Permit/Special Exception shall be satisfied.
5. Libraries, museums, firehouses;
6. Housing projects for the elderly as provided for under Part VI of Chapter 128 of the General Statutes of the State of Connecticut, now in effect, or as the same may be from time to time hereafter amended;

7. Hospitals, sanitariums, and convalescent homes, subject to the following:

In addition to the provisions, conditions and standards set forth in the introductory paragraph under Article XV, Special Permits/Exceptions, the following provisions, conditions and standards are added to said introductory paragraph, and shall be complied with prior to any approval or granting of a special exception for the purposes set forth in this subsection :

- a. The minimum lot area shall be three (3) acres;

- b. The minimum lot frontage shall be 150 feet;
- c. No building or structure shall be located less than 75 feet from a street line, or less than 100 feet from any other property line;
- d. All buildings shall meet one of the following criteria:
 - (1) For buildings that do not exceed a height of two (2) stories and/or twenty-four (24) feet, including all rooftop structures, building coverage shall not exceed 12% of parcel area;
 - (2) For buildings that do not exceed a height of three (3) stories and/or forty (40) feet, including all rooftop structures, building coverage shall not exceed 8% of parcel area.
- e. Off-street parking shall be provided, and shall consist of at least one space for every two beds. Each space shall be equal to 200 square feet. Parking shall not be permitted closer than 35 feet from a property line;
- f. Access roads shall be provided from parking areas and buildings to create public streets so that no traffic congestion or hazard is created;
- g. No operation connected with the use shall produce radio or television interference noticeable to any degree beyond the parcel limits;
- h. Outside storage of trash, rubbish, or other material or equipment including vehicles is prohibited
- i. Buffer areas shall be provided to assure maximum privacy to patients and to occupants of adjoining properties; which buffer areas shall have a minimum depth of thirty-five feet along all boundaries of adjoining properties. Landscaping shall be provided for the entire parcel;
- j. In order to eliminate external noise, air conditioning equipment shall be wholly contained within the buildings, except for grills and vents. Window air conditioners are prohibited;
- k. The uses shall be serviced by municipal sanitary sewers only, and in accordance with town sewer ordinances;

- l. Existing buildings may be used for uses permitted in this section only if all provisions, conditions and standards of this section are complied with;
- m. The uses shall be accredited by the State of Connecticut and all applicable Federal, State and Local permits shall be obtained, and all regulations shall be complied with, and certificates therefore shall be submitted to the Town of Trumbull;
- n. Except for convalescent homes, the uses shall be permitted in districts zoned as Residence Zone A, only;
- o. No such use shall be located within 1,500 feet of the nearest property line of any other such use;
- p. Bonds will be required to be filed with the Town of Trumbull to assure compliance with these regulations and conditions;
- q. The approval of any application for a special exception for a hospital, sanitarium, or convalescent home shall be conditioned upon completion of the proposed improvements in accordance with the approved plans within a period of two years from the date on which approval of the special exception becomes final. One extension for an additional period not to exceed one year may be granted by the Board after a hearing for good cause shown.

1.1.5 Bulk (Building Standards)

See Article III, Bulk.

1.1.6 Provisions for Vehicles

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- 1. **Maximum Outdoor Parking for a Dwelling.** No more than four (4) motor vehicles shall be parked on any Lot, other than motor vehicles parked within a Private Garage.
 - 2. **Parking for Non-Residential Uses.**
 - A. **House of Worship, Community Center, Etc.** For every place of public assembly, such as houses of worship, communities centers, clubs, and similar uses, one space for every three seats for seating capacity under the Fire Code.
 - B. **Parking for Other Uses.** The Commission or the Board, as the case may be, shall require parking for uses not specified in

this Section by reference to the parking generation standards published by the Institute of Traffic Engineers.

1.1.7 Signs

Signs in Residence AAA, AA and A Zones shall be in accordance with Article XIII of these Regulations. The allowable size for signs permitted in the Zone shall be:

1. Traffic control and other signs as shall be erected by the Town, State, or Federal governments may be of the size specified by such agencies;
2. All other signs permitted in Residence AAA, AA and A Zones shall be no more than six (6) square feet, and there shall be no more than one (1) such sign per Lot.
3. All identification signs shall include the street number of the location.

1.1.8 Special Regulations

Municipal Housing Development (MHD) in Residence Zone AA

Purpose

The purpose of the MHD is to assist the Town of Trumbull to provide affordable housing by allowing the Trumbull Housing Authority and/or the Town of Trumbull to develop single-family, two family and multi-family and/or congregate housing on land, on one or more adjacent lots, owned by the Trumbull Housing Authority and/or the Town of Trumbull. This section of these regulations will help to promote the public health, safety and general welfare of the community by providing safe and sanitary affordable housing units for those sixty-two (62) years of age and older or individuals over the age of eighteen (18) with disabilities.

Permitted Uses

The following uses are permitted subject to Special Permit approval in accordance with §XV, herein. Affordable Housing for the purpose of this section means "affordable housing" as defined by the rules and regulations of the Trumbull Housing Authority. Affordable Housing will remain in perpetuity.

- i. One-family dwelling, two-family dwelling, multi-family dwelling, and/or congregate housing in principal buildings subject to the conditions herein.
- ii. Community Center.
- iii. Offices for management of the MHD.

- iv. Garages.

a. Accessory Building, Structures and Uses

- i. Outdoor recreation uses, such as, but not limited to, pools, bocce courts and tennis courts.
- ii. Other buildings structures and uses not listed above, which are customarily accessory to a permitted principle use, provided that:
 - (a) Each such accessory building or structure shall not exceed three hundred (300) sq. ft. of gross floor area.
 - (b) No such accessory building or structure shall exceed allowable height.
 - (c) No such accessory building or structure shall be occupied or use as a rooming unit or a dwelling unit.

b. Lot Size, Location and Frontage

An MHD shall consist of fifteen (15) acres of land on one or more adjacent lots inclusive of all land area owned by the Trumbull Housing Authority and/or the Town of Trumbull and public and private rights of way that serve land in the MHD, and shall have a minimum of fifty (50) feet on a public street or right of way.

c. Density

- i. Elderly or Disabled Housing Requirement

Residents must be at least sixty-two (62) years of age and/or be at least eighteen (18) years of age with a disability as defined by the Trumbull Housing Authority.

- ii. Affordable Housing Requirement

One Hundred percent (100%) of housing units on the lot shall be Affordable Housing as defined by the Trumbull Housing Authority.

- iii. Density, Units per Acre.

The number of housing units shall not exceed fifteen (15) dwelling units per acre within the MHD. The number of bedrooms in each dwelling unit shall not exceed three (3).

- iv. Unit Types

The units in an MHD may be efficiency, one, two or three bedroom units.

d. Height

Building height shall not exceed the greater of three (3) stories or a height of thirty-five (35) feet.

e. Coverage

The building coverage shall not exceed forty percent (40%) and the total coverage shall not exceed sixty percent (60%) of any lot within the MHD.

f. Building Setbacks

Setbacks for new buildings and other new structures shall be determined by the onsite and adjacent offsite physical site characteristics, including topography, vegetation, and location of surrounding homes, structures, and uses and shall include a minimum twenty (20) foot setback from any residential zone property line or any public street except the setback shall be ten (10) feet from a property line abutting land owned by the Town of Trumbull. Existing nonconforming structures may be redeveloped with new units provided they do not encroach closer to the adjacent residential lot line.

g. Architectural Design

The architectural design, scale and mass of buildings and other structures, including exterior building material, color, roof-line and building elevations shall be residential in character.

i. The architectural design, scale and mass of buildings and other structures requiring a special permit, including the exterior building material, color, roof-line and building elevation shall be residential in character so as to protect property values in the neighborhood and to preserve and improve the appearance and beauty of the community.

ii. Pitched roofed buildings shall be required.

iii. Roof-top mechanical equipment shall be prohibited, unless screened from plain view, except for energy conservation systems such as solar panels.

h. Signs

Signs shall be permitted, but no sign shall exceed twenty-four (24) sq., ft., and may only be externally lighted.

i. Parking and Circulation

The number, location, size and orientation of parking spaces, right of ways, service drives, aisle width, roadway alignment and grades, signage and other design characteristics shall be subject to review and approval by the Planning and Zoning Commission. The Commission shall require one

parking space for every non-congregate care unit plus visitor parking spaces equaling ten (10) percent of the number of units in the MHD. In the event a building of congregate care is proposed, the Commission reserves the right to reduce the required parking spaces to one/half space per unit for such congregate care units.

j. Landscape, Screening, Sidewalks and Buffer Areas

Screening of multi-family buildings from adjacent residential districts may be required if the Planning and Zoning Commission deems the structures to be offensive to adjoin property owners. Sidewalks will be provided as deemed necessary by the Planning and Zoning Commission. Exterior lighting shall be provided and maintained by the property owner for the safety of vehicular and pedestrian traffic and shall be full cutoff dark sky compliant. All new exterior lighting shall be low-level not to exceed sixteen (16) feet in height, except for required street and driveway lights. The glare from light sources shall be shielded from road and abutting properties. A photometric plan is required as part of a special permit application. Refuse collection area shall be provided and conveniently located for all buildings. The collection area shall be screened and supplied with covered receptacles. Mailboxes shall be provided and conveniently located for all units. The mailboxes shall be covered from the elements. A landscape plan will be required for submittal to the Trumbull Zoning Department. At least one (1) bus shelter pad is required within the MHD.

k. Utilities

Public water and sewer must be available for the property and all units must be connected to the sewer and water lines.

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