

PROPOSED TEXT AMENDMENTS TO ZONING REGULATIONS
PUBLIC HEARING SCHEDULED FOR
TUESDAY, AUGUST 13, 2019 AT 7:30PM
DOWNSTAIRS CONFERENCE ROOM – TOWN HALL – 50 CEMETERY ROAD

AMENDMENT 1:

Amend Section 5 Use Tables So That Principal Uses are in Separate Chart from Accessory Uses, Delete Text Shown with Strike Through; Add Text Shown in Italics.

5.0 USES

All land, buildings and structures shall be used in accordance with the uses shown in Table 1 *and Table 2*. Uses not shown in ~~Table 1~~ are prohibited. The symbols in Table 1 *and Table 2* mean the following:

- P – Permitted use by zoning permit
- E – Use permitted by special exception permit
- N – Use permitted as of right; no zoning permit required
- Blank – Use not permitted in the specified zone

TABLE 1 – PRINCIPAL USES

USE	NORTH ZONE	SOUTH ZONE	CENTER ZONE	REFER TO
Agriculture	N	N	N	
Single Family Residence Residence Dwelling Unit	P	P	P	
Affordable Housing Project	E	E	E	§ 20
Automobile Repair	E		P	
Automobile Service Station			P	
Retail Business			P	
Professional Offices	E		P	§24
Service Business <i>Personal Service Business</i>	E	E	P	
Restaurant	E	E	P	
Hotel			E	
Inn	E	E	P	
Places of Worship	E	E	E	
Private Schools	E	E	E	
Buildings and Uses of the Town of Warren	E	E	E	
Libraries and Museums	E	E	E	
Golf Course	E	E	E	
Kennels	E	E		
Cemetery	E	E	E	
Warehouses	E			§ 24
Manufacturing	E			§ 24
Nursing Homes	E	E	E	
Excavation	E			§ 22
Day Care Center	E	E	E	
Assisted Living Facility	E	E	E	
Campgrounds	E	E		
Farm Building Conversion	E	E	E	§ 21

TABLE 2 – ACCESSORY USES

USE	NORTH ZONE	SOUTH ZONE	CENTER ZONE	REFER TO
Agriculture	N	N	N	
Accessory Apartment Dwelling Unit <i>(900 square feet or less)</i>	P	P	P	§8
<i>(1250 square feet or less, Subject To additional conditions)</i>	SE	SE	SE	
Bed and Breakfast	E	E	P	
Home Occupation Office	N	N	N	§7.3
Home Business	E	E	E	§23
Kennels	E	E		
Excavation	E			§ 22
Farm Building Conversion	E	E	E	§ 21
Wind Turbines	E	E		§ 25

AMENDMENT 2:

MOVE Content from “Section 12 - Home Occupations” to Section 7.3 and Re-Number Regulations Accordingly; Change all References to “Home Occupation” to “Home Office”; Delete Text Shown with Strike Through; Add Text Shown in Italics.

7.0 REQUIREMENTS FOR PERMITTED ACCESSORY BUILDINGS, STRUCTURES, AND USES

7.3 Home Office:

The following regulations apply to Home Occupations: A Home Office is a permitted use as of right without requiring Zoning Approval when the office use involves conducting business primarily by the telephone, internet or mail, maintaining records, and similar functions. Such a home office shall comply with the following:

- 7.3.1 Only full-time residents of the Dwelling Unit are permitted to work in the Home Office.
- 7.3.2 A Home Office shall be clearly incidental to the use of the Dwelling Unit for residential purposes. ~~No more than five hundred square feet of floor area or 25% of the dwelling unit's floor area, whichever is less, shall be used for the home occupation.~~
- 7.3.3 *Business is conducted entirely within the dwelling unit.* No outside storage or display of materials, *supplies, equipment, or products* is allowed.
- 7.3.4 No toxic, explosive, flammable, combustible, corrosive, or otherwise hazardous materials shall be allowed when *stored, used, or disposed of* in amounts and types not associated with normal household use.
- 7.3.5 No equipment or processes shall be used in a Home Office that create noise, vibration, glare, *electrical interference*, fumes or odors detectable to the normal senses from off the property.
- 7.3.6 *There is no additional traffic generated and no parking spaces required over that which is typical for a single family dwelling unit.*
- 7.3.7 The residential appearance of the dwelling unit shall be maintained. No evidence of the Home Office shall be visible from the exterior of the Dwelling Unit.
- 7.3.8 No sign announcing the Home Office is permitted.
- 7.3.9 No customers or clients are permitted to visit the Home Office.

AMENDMENT 3:

Delete Existing Content in Section 23 – Home Business and Replace with Content Below.

23.0 Home Business:

23.1 Intent:

Home businesses are an important contributor to the residents and economy of the Town. However, because such businesses are more intense than Home Offices as described in Section 7.3, there is also the potential for impact on their adjoining properties and neighborhood at large. It is the intent of this regulation to permit home businesses by special exception approval in accordance with both the following criteria and the criteria contained in Section 31 – Special Exceptions.

23.2 Application Requirements:

23.2.1 Any person seeking to conduct a Home Business shall first file an application for such use with the Planning & Zoning Commission on a form prescribed by it. All property owners listed on the property deed shall either sign the application form or provide written authorization for the application.

23.2.2 The application shall provide all information necessary to determine compliance with these Regulations. This may include, but is not limited to:

- A. A-2 Survey of the Property as per Section 30;*
- B. Floor Plans;*
- C. Torrington Area Health District Approval;*
- D. Property Deed as filed on the Town of Warren land records to demonstrate property ownership;*
- E. State filings demonstrating ownership, in whole or in part, of the proposed home business;*
- F. Statement of business plan detailing the scope of proposed operation on the premises. This statement should demonstrate compliance with the requirements listed in Section 23.3 and Section 31.6 – Conditions of Special Exception Approval.*
- G. Evidence of any State licenses, certifications or registrations, and industry-specific requirements which may be necessary to operate the proposed use.*

23.3 Criteria for Approval:

23.3.1 Property Residency and Business Ownership

The Home Business shall be owned, in whole or in part, and operated by the owner and full-time resident of the property where the Home Business is proposed to be located.

23.3.2 Residential Appearance of the Property

- A. Home businesses shall only be permitted on properties containing a single family dwelling unit, and shall not be permitted on properties with two-family or multi-family dwelling units. While home businesses by their nature will typically be more intense than Home Offices as described in Section 7.3, it is nonetheless expected that the home business use shall be clearly subordinate to the principal use of the premises as a single-family residence.*
- B. There shall be no external evidence of such Home Business visible from the street or adjoining properties, other than a sign as permitted by Section 18 of these Regulations.*
- C. Only one (1) Home Business shall be permitted on a residential property.*
- D. The home business may be conducted either in the single family dwelling unit or in a separate structure.*

23.3.2 Minimum Lot Size

The property for which the home business special exception permit is sought shall be a minimum of 2 acres in size.

23.3.3 Employees

In addition to the full-time residents of the onsite dwelling unit, a maximum of two (2) non-resident employees may work onsite or park their private vehicles on onsite.

23.3.5 Parking

- A. *No on-street parking shall be permitted. The applicant shall provide sufficient parking areas onsite to accommodate residents of the single-family dwelling unit and the permitted employees and clients of the Home Business, but in no case more than 3 additional parking spaces above that which is required for the single family dwelling unit.*
- B. *Parking for the Home Business shall be located no less than 25 feet from all property lines and preferably located in the rear portion of the lot. Parking areas shall be screened from adjoining residential properties; such screening may consist of existing natural features, landscaping, fencing, or other means.*
- C. *Other than the two permitted non-resident employees, the use of the home business premises as a gathering point for additional nonresident employees working offsite is not permitted.*

23.3.6 Traffic

- A. *Because of safety concerns, noise concerns, and the right of adjoining property owners to the peaceful enjoyment of their properties, traffic associated with a home business (including but not limited to: deliveries, pick up of materials, or visits by clients) shall not place an unreasonable burden on the town, the roads, or the neighborhood of the home business.*
- B. *Home businesses shall not cause significantly larger traffic volumes than would normally be expected in a residential neighborhood.*
- C. *Sight lines where the driveway meets the public street shall be adequate for the additional traffic generated by the home business, pursuant to Section 9.3 of these Regulations.*
- D. *Issues related to the traffic generated by the proposed home business will be reviewed by the Commission as part of the permitting process. The professional opinion of a traffic engineer or other professionals may be required as a part of this review.*

23.3.7 Performance Standards

- A. *The use shall not create noise, vibration, glare, electrical interference, fumes or offensive odors detectable to the normal senses from off the property, or unsightly conditions.*
- B. *The use shall not constitute a threat to the quality of surface or groundwater resources.*
- C. *Nothing herein shall be construed to permit the creation or maintenance of a nuisance.*
- D. *All lighting shall conform to the requirements of Section 10.2 of these Regulations.*

23.3.8 Hours of Operation

Applicants for home business special exception permits shall provide information to the Commission regarding their proposed hours of operation. If the special permit application is approved, approved hours of operation shall be detailed in the special exception permit filed on the land records for the Town of Warren.

23.3.9 Stockpiling and Outdoor Storage of Materials, Equipment, or Vehicles

If the home business for which the special exception is sought proposes stockpiling of materials or outdoor storage on the property for business use, the following additional requirements shall apply:

- A. *Stockpiling and outdoor storage locations shall be a minimum of 25 feet from all property lines.*
- B. *Stockpiling and storage locations shall not be visible from adjoining properties or from the public street. Stockpiling and outdoor storage areas shall be screened from adjoining residential properties; such screening may consist of existing natural features, landscaping, fencing, or other means.*
- C. *No more than five (5) commercial vehicles shall be stored on the property outside of a building.*
- D. *A site plan in accordance with Section 30 of the Regulations shall be required. Locations of all proposed stockpiles and outdoor storage area and screening of same shall be identified on this plan.*

23.3.10 Renewals

Home Business special exception permits may be subject to a two (2) year renewal as a condition of approval.