

## **2016 Zoning regulations proposed amendments**

Section 13 Signs - Repeal existing and replace with new.

7B.4 Commercial Boarding and/or Riding Stables –

7B4.2 remove “pasture or pen housing animals and no runway” amend 100 to 50 feet of any street or lot line.

7B.3 Commercial Agricultural Operations –

7B.3.2(2) remove “exercise area” amend 100 to 50 feet of any street or lot line.

7B.31 Ag-tivities/Agritourism. New regulation

7B.32 Medi-pods. New regulation

2.12.3 Microbrewery/Microwinery. Add to definitions

### **Schedule of Uses;**

4.10.3A Agtivities/Agritourism - new regulation

4.10.6 Public Utilities – amend CIPD TID to SPA

4.10.24A Indoor Commercial Recreation – remove from CIPD, VID, TID

4.10.24C Theater – remove from CIPD, TID

4.10.26 inland marinas – amend CIPD to SPA

4.10.30 Age restricted development – add SxP to VID, VC, VMU, VR.

4.10.31 Restaurants – add SxP in excess of 3,000SF to HD

4.10.32A Microbrewery/microwinery – new regulation

4.10.34 Lumber yards – remove from VID, change SxP to SPA in CIPD, TID.

4.10.35 Rental of tools – amend VID to SxP

4.10.37 Retail sale of farm & construction equipment – change SxP to SPA in CIPD, TID.

4.10.43 Light manufacturing – remove from HD, amend SxP to SPA in VID, CIPD, TID.

4.10.44 Laundering – change SPA to SxP in CIPD, TID.

4.10.52 Earth filling and removal – Remove from R-80, R-60, R-30, PRD, HD, GCD, VID, TID.

4.10.56 Museum,Public – remove from R-30

4.10.58 Community Center – remove from R-30

4.10.103 – Storage of RV – combine a & b into definition “owned by the occupant of the premises and stored in side and rear yards minimally visible from any public way”.

4.10.107 Accessory Apartments – change all existing to SPA

4.10.107A Medi-pods – new regulation

4.10.112 Assembly etc. – remove in it’s entirety.

## **Section 13. SIGNS**

**13.1 PURPOSE.** Through exercise of its zoning authority, the Town of Deep River seeks to improve the physical appearance of the town by regulating signs. Such regulation is necessary to preserve and enhance the substantial governmental interests of the Town in its natural, scenic, historic, cultural and aesthetic qualities. Furthermore, there is substantial governmental interest in enhancing all parts of the Town, including residential, commercial and industrial areas. Regulating signs will make these areas more attractive and thus enhance the economic climate of Deep River. The regulations set forth below will directly advance the public interest in aesthetics and other qualities of life by preserving and enhancing the appearance of residential, commercial and industrial buildings and areas; preserving and enhancing the appearance of public streets, parks and other public properties, and minimizing obtrusiveness of sign structures. The public interest is served by the use of signs by businesses and services to identify their premises or products and services there available, or to display non-commercial messages.

These sign regulations are intended to encourage the effective use of signs as a means of communication by discouraging excessive visual competition in signage; to ensure that signs aid orientation and adequately identify uses and activities to the public; to maintain and enhance property values and preserve the small town character of Deep River; to maintain an orderly and attractive community experience; and to reduce distractions and obstructions from signs which would adversely affect traffic and pedestrian safety or otherwise endanger public health and safety.

Furthermore, the regulations are intended to balance the rights of persons to convey their messages through signs and the right of the public to be protected against the unrestricted proliferation of signs and to ensure the fair and consistent enforcement of sign regulations while providing for effective means of communication, consistent with constitutional guarantees. These Sign Regulations do not regulate nor are intended to regulate the message displayed on any sign, building design or any display not defined as a sign. It is not nor will it be the intent of the Town and its enforcement agent(s) to interpret, restrict or regulate the messages contained on signage in the Town.

### **13.2 DEFINITIONS**

**13.2.1 Sign:** A device for visual communication that is used to bring the subject to the attention of the public. Signs include every billboard, illustration, insignia, lettering, picture, logo, lights or other graphic representations, display banner, pennant, flag, inflated figure or device, or other device, however made, which is displayed, painted, supported or attached and intended for use as advertisement, identification, publicity or notice when visible from any public way or any lot other than on which the sign is located. A sign may be either located out of doors or located indoors and clearly visible from outside the building.

The term "sign" shall also include any natural object or objects which are painted or arranged so as to represent or display any graphic representation, as well as any building feature which serves to identify the use or occupancy of any building or site through a recognized motif, logo or other

symbol, including roof or other special illumination, special colors or effects, or building or roof lines.

13.2.2 Advertising: The use of pictures, words, colors, logos and other symbols to promote a business or product.

13.2.3 Arcade Sign: A directory-type sign for pedestrians which is orientated perpendicular to and attached to a store front, overhang, or walkway to identify the occupant of a store or business from a sidewalk or arcade.

13.2.4 Banner: Any sign intended to be hung between supports either with or without frames, possessing characters, letters, illustrations, or ornamentation applied to paper, plastic or fabric of any kind.

13.2.5 Building-Mounted Sign: A sign which has as its support a building or structure, such structure having a use other than just as a sign support. Includes, but is not limited to, wall, fascia, canopy, awning, projecting, and window signs.

13.2.6 Canopy or Awning Sign: A sign that is part of or attached to an awning or canopy or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area.

13.2.7 Directional Sign: Individual signs to direct vehicular traffic and pedestrian movement indicating entrances, exits, parking areas, or direction of traffic flow. Directional signs are to serve no promotional purpose and may not contain logo or trademark colors.

13.2.8 Directory Sign: A single sign structure used for multi-tenancy complexes which identifies the complex and lists individual tenants.

13.2.9 Flag Sign: A sign constructed of cloth or fabric material that has letters relating to the operation of a commercial business but not exceeding 20SF.

13.2.10 Freestanding Sign: A self-supporting sign not attached to a building or wall and in a fixed location. This does not include portable or trailer-type signs. Includes, but is not limited to, monument, pylon, pole, lollipop, suspended, arm-mounted, a-frame, banner, and flag signs.

13.2.11 Hanging Sign: A sign which is attached to a building or wall in a manner so that its leading edge extends more than six (6) inches beyond the surface to which it is affixed or the architectural feature, pole or frame from which it is suspended.

13.2.12 Illuminated Sign: A sign that is lit in any manner by an artificial light source.

13.2.13 Internally Lit Sign: A sign that is illuminated from sources inside the sign.

13.2.14 Monument Sign: A ground sign with a low overall height.

13.2.15 Off-Site Sign: A sign located on a lot other than that of the business or activity which it is advertising or identifying.

13.2.16 Pole, Pylon & Lollipop Signs: Signs mounted atop a visible support structure or with the support structure enclosed with a pole or pylon cover.

13.2.17 Political Sign: Any sign which promotes a political position on a candidate or issue or which otherwise advises the public of an upcoming election or vote.

13.2.18 Portable Sign: Also known as a Temporary Sign. A sign not permanently attached to the ground or other permanent structure or a sign designed to be transported, whether on its own trailer, wheels or otherwise. Such signs include signs attached to or painted on vehicles or boats parked and visible, as well as banners, pennants or sandwich board (A-frame) signs.

13.2.19 Post and Arm Sign: A freestanding sign comprised of a vertical post to which a perpendicular arm is attached and from which the sign hangs.

13.2.20 Projecting Sign: A sign mounted to a building with the faces of the sign perpendicular to the building fascia.

13.2.21 Roofline: The intersection of the roof and perimeter wall of the structure.

13.2.22 Subdivision Sign: A sign which identifies an approved subdivision by name or design.

13.2.23 Suspended or Arm-Mounted Sign: A sign which hangs from above, whether directly from a structure or from a bracket. It may be building- or structure-mounted or free-standing.

13.2.24 Temporary Sign: Same as Portable Sign.

13.2.25 Wall Sign: A sign painted on or attached to and erected or mounted parallel to the face of, or erected and confined within the limits of, the outside wall of any structure and supported by such wall or building and which displays only one advertised surface.

13.2.26 Window Sign: A sign hung in a window and which is intended to be seen from outside or a sign painted on a window which is visible from outside.

### **13.3 SIGN TYPES**

#### **13.3.1 Permanent Sign Types**

- (1) Freestanding Signs, including, but not limited to monument, pylon, pole, lollipop, suspended, and arm-mounted signs.
- (2) Building-Mounted Signs, including, but not limited to, wall, projecting, awning, canopy, and window signs.
- (3) Any temporary or portable sign of any type which is displayed more than thirty (30) days a year, whether or not consecutive, will be deemed to be a "permanent" sign and will be regulated as such.

13.3.2 Portable / Temporary Sign Types and Uses. Except as specifically noted below, no temporary or portable sign shall pose a safety hazard to pedestrian or vehicular traffic. Signs shall be located as specified elsewhere in these regulations.

- (1) The following temporary sign types and uses require a permit: wire-frame signs, post-mounted signs, sandwich board signs, flag signs or similar signs, and construction signs of more than 6 SF in area.

### **13.4 SIZE AND NUMBER OF SIGNS**

13.4.1 Sign Area: The area of a sign shall be based on the measurements to the outside edge of the sign excluding any structure necessary to support the sign. The area of any sign shall be the

entire area encompassed by the perimeter of the sign, which perimeter shall be the polygon formed by connecting all the outermost edges or points of all words, pictures, symbols, logos, etc. when such words, pictures, symbols and logos are affixed to or painted directly on a structure, canopy, etc. When such words, pictures, symbols and logos are on a plaque, board or other flat material, the area of the sign shall be the square footage of that plaque, board or other flat material.

13.4.2 Any sign may be double faced, and only one (1) face shall be counted in determining sign area so long as the two faces are back-to-back with each other.

13.4.3 A permanent Subdivision Sign of no more than 8 SF in area is permitted only as approved in a subdivision application.

13.4.4 Temporary/Portable Signs shall be permitted as follows:

(1) Banner, permitted no greater than 30 SF, in a location designated by the ZEO for up to fourteen (14) days prior to and seven (7) days after the event. Permanent banners are prohibited. Approved banner signs are the only signs permitted in the town or state right-of way.

(2) Wire-frame, post-mounted, sandwich board or similar.

a. For non-residential uses and excluding shopping centers or multi-tenancy buildings, no more than one (1) two-sided sign not to exceed six square feet (6 SF) on each side may be displayed for a permitted use on a premises during business hours and for up to one half hour (1/2 hr.) each before and after business hours.

b. For residential uses and no more than 3 times a year, one (1) temporary sign advertising special events, of no more than six (6) square feet may be displayed during the hours the sale is open plus up to one half hour (1/2 hr.) before and after business hours.

(3) Window Signs. Temporary window signs greater than 2 SF each and greater than 10 SF in total per store are prohibited.

## **13.5 SIGN LOCATIONS**

13.5.1 A sign must meet required setback regulations for the district in which it is located, but in no case shall a free-standing sign structure be less than 5' (five feet) from the pavement or lot line, whichever is closer to the sign, for Downtown and Commercial zones, and no fewer than 10' (ten feet) from the pavement or lot line, whichever is closer to the sign, for all other zones.

13.5.2 Off-site signs are permitted only for directory and directional signs for a shared parking area.

13.6.1 PERMANENT SIGNS: Single Occupancy Parcels	All Residential Districts	Preservation & Recreation	Harbor	Village Mixed Use off Main St.	Gen. Commercial, Village Comm., Village Mixed Use on Main St.	All Industrial Districts	Neighborhood Comm.
a. Monument							
1. Maximum height							
2. Maximum Structure Area							
3. Maximum Sign Area	prohibited	prohibited	prohibited	prohibited	4 feet 28 SF 16 SF	4 feet 20 SF 16 SF	prohibited
b. Pole, Lollipop							
1. Maximum Height							
2. Max. area, each sign	prohibited	prohibited	8 feet 8 SF	prohibited	8 feet 8 SF	8 feet 8 SF	prohibited
c. Suspended or post-&-arm							
1. Maximum height							
2. Max. area, each sign	6 feet 2 SF	6 feet 2 SF	8 feet 8 SF	6 feet 4 SF	8 feet 12 SF	8 feet 12 SF	6 feet 8 SF
d. Wall							
1. Max. area, each sign (1)	prohibited	prohibited	8 SF	4 SF	25 SF	16 SF	8 SF
e. Canopy, Awning, Window							
1. Max. area, each sign (1)	prohibited	prohibited	8 SF	4 SF	8 SF	18 SF	8 SF
f. Projecting (2)							
1. Maximum Height							
2. Max. area, each sign	prohibited	prohibited	12 feet 4 SF	12 feet 4 SF	14 feet 4 SF	14 feet 4 SF	12 feet 4 SF
g. Maximum Total Sign Area, all types except directional (3)	2 SF	2 SF	8 SF	8 SF	32 SF	16 SF	8 SF
h. Maximum Directional Sign Area, each sign (4)	n/a	n/a	2 SF	2 SF	2 SF	2 SF	2 SF
i. Maximum number of sign structures, excluding directional signs	1	1	1	1	1	1	1

(1) Wall, Canopy, Awning, Window signs: Maximum sign area to be lesser of 1 SF of sign per each linear foot of building or size listed.

(2) Projecting Sign: Minimum Height over pedestrian way is 8 feet and over vehicular way is 10'.

(3) Maximum Sign Area for corner lots shall be 150% of the maximum sign area for "all signs" (g above).

(4) Directional signs to not count towards maximum sign areas.

PERMANENT SIGNS: 13.6.2 Multiple Tenancy Parcels	All Residential Districts	Preservation & Recreation	Harbor	Village Mixed Use off Main St.	Gen. Commercial, Village Comm., Village Mixed Use on Main St.	All Industrial Districts	Neighborhood Comm.
a. Monument 1. Maximum height 2. Maximum Structure Area 3. Maximum Sign Area	prohibited	prohibited	prohibited	prohibited	4 feet 28 SF 16 SF	4 feet 28 SF 16 SF	prohibited
b. Pole, Lollipop 1. Maximum Height 2. Max. area, each sign	prohibited	prohibited	8 feet 8 SF	prohibited	8 feet 8 SF	8 feet 8 SF	prohibited
c. Suspended or post & arm 1. Maximum height 2. Max. area, each sign	6 feet 2 SF	6 feet 2 SF	8 feet 8 SF	8 feet 2 SF	8 feet 12 SF	8 feet 8 SF	6 feet 8 SF
d. Wall 1. Max. area, each sign (1)	prohibited	prohibited	4 SF	2 SF	16 SF; 32 SF for anchor store	4 SF	4 SF
e. Canopy, Awning, Window 1. Max. area, each sign (1)	prohibited	prohibited	8 SF	2 SF	16 SF; 32 SF for anchor store	4 SF	4 SF
f. Projecting (2) 1. Maximum Height 2. Max. area, each sign	prohibited	prohibited	12 feet 4 SF	12 feet 2 SF	14 feet 4 SF	14 feet 4 SF	12 feet 4 SF
g. Maximum Total Sign Area, all types except directional (3)	2 SF	2 SF	20 SF	20 SF	See Note 5	See Note 5	8 SF
h. Maximum Directional Sign Area, each sign (4)	n/a	n/a	2 SF	2 SF	2 SF	2 SF	2 SF
i. Maximum number of sign structures, excluding directional signs	1	1	1	1	1	1	1

(1) Wall, Canopy, Awning, Window signs: Maximum sign area to be lesser of 1 SF of sign per each linear foot of building or size listed.  
(2) Projecting Sign: Minimum Height over pedestrian way is 8 feet and over vehicular way is 10'.  
(3) Maximum Sign Area for corner lots shall be 150% of the maximum sign area for "all signs" (g above).  
(4) Directional signs to not count towards maximum sign areas.  
(5) Total Sign Area is dependent upon number of tenants.

## **13.7 ILLUMINATION**

13.7.1 No sign shall use or be illuminated by lighting of flashing, intermittent or varying intensity, including, but not limited to flashing, beacon, strobe, rotating, chasing or zip lights.

13.7.2 Externally lit signs shall be illuminated with only steady, stationary, shielded light sources directed solely onto the sign without causing glare.

13.7.3 No sign shall be illuminated by exposed tubes, bulbs or similar exposed light surfaces, also known as tube lighting, or by exterior spot lighting or other illumination that would cause glare observable to a residential district or property or hazards to vehicular traffic. Any exterior spot lighting or flood lights are to be appropriately shielded.

13.7.4 The only internally lit signs permitted are building-mounted wall signs in the Village Commercial and Village Mixed Use Districts.

13.7.5 No awning or canopy sign shall be back (interior) lit.

13.7.6 No temporary sign may have illumination.

**13.8 PERMITTING PROCESS:** No sign shall be established, constructed, reconstructed, enlarged, extended, moved or structurally altered, illuminated or otherwise altered until a sign permit has been approved.

### **13.8.1 Contents of Permit Application**

- (1) An accurate schematic plan showing the proposed location of the sign on the subject property in relation to property lines, existing signs and all structures and other site improvements, if any.
- (2) A photograph of the lot showing where the sign will be located. For wall mounted and canopy signs, the photograph shall show the entire façade.
- (3) An accurate to scale elevation drawing of the proposed sign and the supporting structure or building façade intended to receive the sign, showing the sign dimensions, area, and height above finished grade, and proposed location of the sign relative to the building façade and roof line. For projected signs, the clearance distance from pedestrian and/or vehicular areas shall be provided.
- (4) Electrical details for any sign with internal or external illumination, including but not limited to type of lighting, wattage, light spread, and hours of illumination.
- (5) The type of construction, sign supports and any mechanical details.
- (6) An inventory list with photographs of all existing signs on the lot, itemizing square footage, location and purpose of each and every sign.
- (7) The property address, the name and address of the property owner, and, if the applicant is not the property owner, the written consent of the property owner or his authorized agent to the placement and maintenance of the proposed sign.
- (8) The name and address of the applicant, including the business which is to be identified by the sign, and the phone number of the applicant.

(9) The name, address, phone number and license number of the sign contractor, if any.

(10) For temporary signs, the length of time the sign is proposed to be displayed and the name, address and phone number of the person responsible for removal of the sign.

13.8.2 Referral to Commission: Proposed signs in all zones except Residential and Preservation shall be referred to and require Planning & Zoning Commission approval when the area of an individual sign or the area of all signs on the parcel exceeds 75% of the maximum sign area permitted. All other sign applications are subject to approval by the Zoning Enforcement Officer.

### **13.9 GENERAL PROVISIONS**

13.9.1 Conformance. All signs shall conform to the provisions specified in these regulations and to any additional conditions or limitations that may be imposed by the Planning & Zoning Commission in connection with the approval of a Site Plan and/or Special Permit.

13.9.2 Maintenance of Signs: All signs shall be maintained in a secure and safe condition. The Zoning Enforcement Officer or his/her authorized agent shall inspect and shall have the authority to order by Certified Letter the painting, repair or alteration of a sign which she/he considers a hazard to health, safety or public welfare by reason of inadequate maintenance, dilapidation or obsolescence. If the defect in the sign is not corrected within ninety (90) days of Certified Notice of the defect, the Planning & Zoning Commission may revoke the sign permit and order the immediate removal of said sign at the owner's expense. When a sign permit is revoked, a new application for the sign must be submitted to the Commission for review and consideration within thirty (30) days.

13.9.3 Forfeited Signs: Any unauthorized sign installed or placed on municipal property without a permit shall be forfeited and will be subject to removal and disposal by the Zoning Enforcement Officer or his/her authorized agent. In addition to other remedies herein, the Town shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.

13.9.4 Existing Signs: Nothing in this Section shall prohibit or modify the right of property owners to continue to use, maintain and exhibit signs which have been legally established and are existing on the effective date of this Section.

13.9.6 Replacement of Existing Signs: No permit is required to replace an existing sign with one of the same or lesser dimensions, same shape, same construction and same location, however the Zoning Enforcement Officer must be advised of the replacement.

**13.10 EXEMPTIONS**: The following signs are not regulated by this section.

13.10.1 Legal Obligations: Any sign required by a valid and applicable federal, state or local law, regulation, ordinance or judicial order.

13.10.2 Holiday decorations: Holiday lights and decorations.

13.10.3 Historical Signs: Memorial plaques or monuments, building markers, or historical plaques of no more than 4 SF.

13.10.4 Business hour signs of 2 SF or less in area.

**13.11 OTHER PROHIBITIONS:** All signs and all sign sizes, types, and locations not specifically permitted are prohibited. Prohibitions include, but are not limited to:

13.11.1 Roof Signs. No sign shall be located on any roof, whether flat, hip, mansard, gambrel, or gabled, or extend above the roofline of any structure.

13.11.2 Moving Parts. No sign shall include any visible moving parts. No revolving, waving or moveable parts are permitted on any sign in any district.

13.11.3 Simulated Emergency Lights. No sign shall simulate emergency lights on emergency vehicles or traffic control signals or devices.

13.11.4 Obstruction and Visibility. No sign shall obstruct road, highway, or driveway visibility, interfere with the safe and orderly movement of traffic and pedestrians, or otherwise pose a hazard to traffic. No sign shall hide from view any traffic control device, signal or sign.

13.11.5 Off-Site Signs are prohibited except as may be specifically noted above.

13.11.6 Inflated Air or Ground Object(s), flying, hung or standing outside of the use advertised are prohibited.

13.11.7 Scrolling electronic messaging, reader board and marquee type signs are prohibited.

7B.4 **COMMERCIAL BOARDING AND/OR RIDING STABLES**, where permitted, shall be consistent with the following additional standards:

7B.4.1 The gross lot area on which such activity occurs is at least ten (10) acres in size;

7B.4.2 No structure, stable or manure containment area shall be located within 50<sup>1</sup> feet of any street or within 50<sup>1</sup> feet of any lot line;

7B.4.3 The maximum numbers of animals kept shall be limited as determined by the Commission with due regard for impact on adjoining property owners, the general character of the neighborhood, and other appropriate considerations, provided that the operator of such an establishment can show evidence that all applicable provisions of the State and Town Building, Health and Sanitation Codes and Ordinances have been met to the satisfaction of the officials charged with the responsibility of administering such codes and ordinances.

<sup>1</sup>Effective \_\_\_\_\_, "100' was replaced with "50".

7B.3 **COMMERCIAL AGRICULTURAL OPERATIONS** and accessory uses thereto, where permitted, shall be consistent with<sup>1</sup> additional standards. The following activities may be considered as a commercial agricultural operation.<sup>2</sup>

7B.3.1 The raising of field and garden crops, vineyard and orchard farming and the maintenance of nurseries.

7B.3.2 The keeping, breeding and raising of fish, cattle, sheep, goats, pigs, fowl, horses and similar livestock provided:

(1) The "gross lot area" on which such activity occurs is at least five (5) acres<sup>3</sup>, and

(2) No newly constructed pond, or stable, or the storage of manure or other odor or dust producing substances is located within<sup>4</sup> 50<sup>6</sup> feet of any street or lot line.

7B.3.3 Barns, silos and related structures, provided such buildings conform to the minimum lot<sup>5</sup> requirements for principal buildings.

7B.3.4 One-story buildings for the display and retail sale of agricultural products raised primarily on the lot, provided such building does not exceed 500 square feet in floor area and is set back at least 25 feet from any street or lot line.

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<sup>1</sup> Effective October 15, 2007, "the following" was deleted.

<sup>2</sup> Effective October 15, 2007, "The following activities may be considered as a commercial agricultural operation" was added to the Regulations.

<sup>3</sup> Effective October 15, 2007, "in size" was deleted.

<sup>4</sup> Effective October 15, 2007, "with" was replaced with "within".

<sup>5</sup> Effective October 15, 2007, "yard" was replaced with "lot".

<sup>6</sup> Effective \_\_\_\_\_, "100" was replaced with "50"

***DRAFT May 2016***

**4.10.107A Medi-pods (Granny Pod)** - Temporary health care structures for persons 55 and over or special needs adults in accordance with Section 7B

**7B.32 Medi-pods.**

7B.32.1 Units are temporary, self-contained, pre-fabricated health care pods no larger than 400 SF.

7B.32.2 Units must be able to connect to the primary residences existing water and sewer supply.

7B.32.3 Occupancy is restricted to persons related to the property owner who are 55 years of age or older and/or adults with special needs.

7B.32.4 Commission approved Site Plans are valid for 5 years and can be extended up to another 5 years by the Commission. Further extensions require Commission approval.

*Draft May 2016*

4.10.32A Microbrewery/Microwinery.

Definition:

2.12.3 **Microbrewery, Microwinery.** An establishment, distinct from restaurants and brew pubs, that manufactures no more than 5,000 barrels (1 barrel equals 31 gallons) of beer, wine or spirits per year with approval from the State of Connecticut Liquor Control Commission and may include such activities as both wholesale and retail sales of sealed products brewed on site, tasting rooms, tours, events and educational classes provided said activities are specifically authorized by Special Permit.

4.10.3A Agtivities/Agritourism, in accordance with 7B

7B.31 AG-TIVITIES/AGRITOURISM. The following activities are considered to be accessory to an established agriculture operation permitted under 4.10.3 and carried on under private ownership. These uses should be incidental and subordinate to the use of the property for farming. These regulations are intended to ensure that these activities are compatible with the permitted uses in the surrounding area.

7B.31.1 Definitions. As used in this Subsection, the following terms shall have the meanings indicated:

(1) Agricultural Tourism. Refers to the act of visiting a working farm or any agricultural, horticultural or agribusiness operation for the purpose of enjoyment, agricultural educational instruction, demonstration of production of farm products, or active involvement in the activities of the farm or operation.

(2) Ag-tivities. Appropriately scaled events of limited duration on a farm that are incidental to agricultural uses, including, but not limited to, hayrides, corn mazes, festivals and other similar activities; on-farm sales, such as farm stands and pick-your-own operations retailing farm and farm-related products; and on-farm processing operations, provided they comply with all applicable state and municipal health codes.

(3) Non-agricultural-related uses. Activities that are part of an agricultural operation's overall offerings but are not incidental to agriculture or tied to agricultural buildings, structures, equipment, and/or fields. Such uses may include, but are not limited to, weddings, receptions, fee-based outdoor recreation such as bird watching, hiking, snowshoeing, horseback riding, and other such passive recreational activities.

7B.31.2 General Requirements. In addition to the provisions and standards of Sections 9 and 10, the following conditions shall apply to these uses:

(1) Parcel size. The minimum parcel size shall be five contiguous net buildable acres.

(2) Frontage. The parcel shall have owned frontage of at least 25 feet on a Town road or state highway and shall be accessed over such frontage on a Town road or state highway.

(3) Neighboring premises. The proposed use and improvements shall not adversely affect the enjoyment, usefulness and value of premises in the general neighborhood thereof. The location of outdoor events and activities associated with agritourism and/or ag-tivities on the farm shall take into consideration the current use of surrounding properties. The Commission may require specific separating distances and/or appropriate buffer strips with plantings, fences, or walls that screen any such activity from the adjacent properties.

(4) **Traffic.** The proposed use and improvements shall not adversely affect the pattern, flow, intensity or character of traffic in the public streets or produce unsafe or inconvenient traffic congestion.

(5) **Parking.** Adequate off-street parking for agriculturally related and non-agricultural-related uses above shall be provided. Parking shall, to the maximum extent possible, be located in areas on the site where they will be the least visible from access roads and adjoining properties.

(6) **Noise.** Noise shall be controlled so as not to exceed Department of Environmental Protection standards for recreation areas and shall comply with the requirements of Section 5.3.2.

(7) **Lighting.** Exterior lighting shall be of a style and character which is in harmony with the character of the district. Lighting standards shall not exceed 12 feet in height. Lighting or luminaires shall have shielded light sources to prevent glare, and no exterior lighting shall shine on adjacent properties or towards any roadways.

(8) **Retail sales.** Any retail sales shall be related specifically to the use granted and available solely for patrons of the farm.

(9) **Number of events.** The number of events to be held shall be specified. Non-agricultural-related uses shall be limited to six within a given calendar year. Upon renewal of an Approved Special Permit the applicant may apply to increase that number if they demonstrate to the Commission that there will be no adverse impact on neighboring properties.

(10) **Number of persons attending.** The number of persons attending activities/agritourism activities or events under this section shall not exceed 100. Groups such as garden clubs, book clubs, chamber of commerce meetings or similar activities of less than 20 persons shall not count towards the six yearly events.

(11) **Hours of operation.** The hours of operation of activities/agritourism activities shall not begin before 9:00 a.m. nor finish after 6:00 p.m., Sunday through Thursday, and not before 9:00 a.m. or after 10:00 p.m., Friday and Saturday.

(12) **Temporary structures.** Temporary accessory structures such as tents shall not exceed 1,200 square feet of floor area. Temporary structures must be put up no more than two days in advance of the event and removed from the property, unless it is to be stored in a permanent structure located on the site, no more than two days after the event for which they are first set up.

(12) **Buildings.** New accessory buildings and structures for activities/agritourism activities under this section shall not exceed 600 square feet of floor area. Buildings may not be used for overnight use except as specified under Section 4.10.17A.

(13) **Architectural design.** The architectural design of buildings and signs, including the building materials and exterior elevations, shall be of such character as to reflect or accent existing farm structures and to harmonize with the neighborhood.

(15) **Uses.** Uses not specified or expressly permitted by the Zoning Regulations are prohibited.

(16) **Duration.** The duration of a permit for any of the uses in this Section shall be for a period of at least one year but not more than five years. Permits are renewable. The Commission shall take into consideration the past performance of the applicant in considering the renewal of any permit.

(17) **Expansion.** Any expansion of an existing facility shall require either a Site Plan review or a Special Permit as determined by the Commission in accordance with Sections 9 and 10 of these regulations.

(18) **Permits.** All other applicable local, state, and federal permits shall be obtained.

(19) **Abandonment.** Should the principal farm use be abandoned and/or discontinued, the accessory uses as provided in this section shall be terminated and shall not become the principal use.

<b>4.10 SCHEDULE OF USES</b> (see footnotes on bottom of table)	<b>R-80</b>	<b>R-60</b>	<b>R-30</b>	<b>PRD</b>	<b>HD</b>	<b>GCD</b>	<b>VID</b>	<b>CIPD</b>	<b>TID</b>	<b>NCD</b>	<b>VC</b>	<b>VMU</b>	<b>VR</b>
<b>4.10.1 Single Family Dwelling</b> , not to exceed one such building per lot a) over 4000 sq feet & in Gateway Conservation Zone b) all others	SxP AZP	SxP AZP	SxP AZP	SxP AZP	SxP AZP		SxP AZP				n/a X	n/a AZP	SxP AZP
<b>4.10.2 Multi-Family Residence</b> (Note 1)											X	SxP	X
<b>4.10.3 Commercial Agricultural Operations</b> , in accordance with Section 7B	AZP	AZP		AZP									
<b>4.10.3A Activities/Agritourism</b> , in accordance with Section 7B	SxP	SxP		SxP									
<b>4.10.4 Forestry and forest reserves, fish and wildlife refuges, and similar conservation uses</b>	AZP	AZP	AZP	AZP	AZP								
<b>4.10.5 Federal, State and Town buildings and uses, if not otherwise exempt</b> (Note 2)	SxP	SxP	SxP		SxP	SxP	SxP			SxP	SxP	SxP on Main	SxP
<b>4.10.6 Public Utility Equipment Facilities</b> , if not otherwise exempt (Note 3) a) with open (not enclosed) service or storage areas b) with completely enclosed service or storage areas	SxP	SxP	SxP		SxP SxP	SxP SxP	SxP SxP	SPA SPA	SPA SPA	SxP SxP	X X	SxP SxP	X X
<b>4.10.7 Railroad Passenger Stations</b> with customary accessory services thereto, but excluding freight and storage yards.					SxP				SxP		X	X	X
<b>4.10.8A Public and private schools, colleges, universities and other educational institutions</b> , in accordance with Section 7B	SxP	SxP	SxP		SxP	SxP				SxP	X	SxP off Main	SxP

<b>4.10 SCHEDULE OF USES</b> <b>(see footnotes on bottom of table)</b>	<b>R-80</b>	<b>R-60</b>	<b>R-30</b>	<b>PRD</b>	<b>HD</b>	<b>GCD</b>	<b>VID</b>	<b>CIPD</b>	<b>TID</b>	<b>NCD</b>	<b>VC</b>	<b>VMU</b>	<b>VR</b>
<b>4.10.8B</b> <u>Non-Academic School</u> , including but not limited to art, music, sports (Note 4)						SxP					SPA	SxP	X
<b>4.10.9</b> <u>Day Care Facilities</u> , in accordance with Section 7B a) Adult b) Child		SxP SxP	SxP SxP			SxP SxP				SxP SxP	X X	Both SxP off Main	X
<b>4.10.10</b> <u>Camps</u> , defined in Section 2, and in accordance with Section 7B				SxP							X	X	X
<b>4.10.11</b> <u>Churches, parish houses and other religious institutions</u> , used as houses of worship, in accordance with Section 7B	SxP	SxP	SxP		SxP						X	SxP	SxP
<b>4.10.12</b> <u>Membership clubs and associations</u> , such clubs being primarily social in nature, in accordance with Section 7B a) of 3,000 sq. ft. or less in total floor area b) in excess of 3,000 sq. ft. total floor area						SxP				SxP X	X X	SxP SxP on Main	X X
<b>4.10.13A</b> <u>Public or private hospitals</u> , in accordance with Section 7B (Note 5)	SxP	SxP	SxP				SxP				X	X	X
<b>4.10.13B</b> <u>Sanitaria, convalescent homes, rest homes</u> , in accordance with Section 7B (Note 5)	SxP	SxP	SxP				SxP				X	SxP	X

AZP Administrative Zoning Permit SPA Site Plan SxP Special Permit " " "X" or Blank Prohibited

Notes:

1. Effective November 1, 2011, "Multi-Family Residence" was added to the Regulations.
2. Effective August 1, 2009, "if not otherwise exempt" was italicized to clarify that most such buildings and uses are exempt by law from zoning.
3. Effective August 1, 2009, "and governmental" was deleted from the phrase, "Public Utility and governmental buildings" since government buildings are covered by 4.10.4. Effective March 1, 2011, "Buildings and Facilities" was replaced with "Equipment Facilities" in the title of the use.
4. Effective August 1, 2009, this use was added to the Zoning Regulations. Effective March 1, 2011, this use was allowed by SxP in the GCD.
5. Effective August 1, 2009, 4.10.12 Public or private hospitals, sanitaria, convalescent homes, nursing homes, rest homes and other medical institutions was split into two uses because the scale of these types of facilities can vary greatly. Effective March 1, 2011, "convalescent/nursing/rest homes" was replaced with "convalescent homes, rest homes".
6. Effective November 1, 2011, the Village Commercial, Village Mixed Use and Village Residential Districts were added to the Regulations and all the existing uses were either permitted or prohibited in them.

4.10 SCHEDULE OF USES (continued) (see footnotes at bottom of table)	R-80	R-60	R-30	PRD	HD	GCD	VID	CIPD	TID	NCD	VC	VMU	VR
4.10.14 <u>Assisted Living Facilities</u> , in accordance with Section 7B		SxP	SxP								X	SxP	SxP
4.10.15 <u>Cemeteries</u>	SxP	SxP	SxP								X	X	X
4.10.16 <u>Mortuary and funeral homes</u>						SxP					X	SxP on Main	X
4.10.17A <u>Bed &amp; Breakfast Facilities</u> in accordance with Section 7B	SxP	SxP	SxP		SxP	SxP				SxP	X	SxP	SxP
4.10.17B <u>Inns</u> (Note 1)						SxP					SxP	SxP	X
4.10.18 <u>Combined Use Buildings</u> (Note 2)											SxP	SxP on Main	X
4.10.19 <u>Planned Conservation Developments</u> , in accordance with Section 7B	SxP	SxP		SxP							X	X	X
4.10.20 <u>Golf Courses</u> , in accordance with Section 7B	SxP	SxP	SxP								X	X	X
4.10.21 <u>Public or Private Passive Recreational Facilities</u> for fishing, hiking, boating and horseback riding, in accordance with Section 7B	SxP			SxP							X	X	X
4.10.22 <u>Commercial Boarding of Horses and/or Riding Stables</u> , in accordance with Section 7B (Note 4)	SxP	SxP		SxP							X	X	X

<u>4.10 SCHEDULE OF USES (continued)</u> <u>(see footnotes at bottom of table)</u>	<u>R-80</u>	<u>R-60</u>	<u>R-30</u>	<u>PRD</u>	<u>HD</u>	<u>GCD</u>	<u>VID</u>	<u>CIPD</u>	<u>TID</u>	<u>NCD</u>	<u>VC</u>	<u>VMU</u>	<u>VR</u>
<u>4.10.23 Outdoor Private &amp;/or commercial recreation facilities for tennis, racquetball, gymnasium, gymnastic studios, swimming and health clubs, whether municipal, if not otherwise exempt, or private</u>								SxP	SxP		X	X	X
<u>4.10.24A Indoor Commercial Recreation Facilities, such as billiard rooms, arcades/gaming rooms, and other similar facilities, whether municipal, if not otherwise exempt, or private (Note 5)</u>						SxP					SxP	X	X
<u>4.10.24B Indoor Commercial Recreation Facilities, such as bowling alleys, skating rinks, swimming pools, and other similar large scale facilities, whether municipal, if not otherwise exempt, or private (Note 5)</u>						SxP	SxP	SxP	SxP		X	X	X
<u>4.10.24C Theater (stage or cinema) (Note 5)</u>						SxP	SxP				SxP	SxP on Main	X
<u>4.10.25 Private and/or commercial boat clubs, yards, docks, marinas and similar boating facilities with customary accessory services thereto</u>					SxP						X	X	X
<u>4.10.26 Private and/or commercial inland marinas, for the storage and sale of boats and related items, together with customary accessory services thereto</u>								SPA			X	X	X
<u>4.10.27 Veterinary Hospitals for cats and dogs without outdoor runs in accordance with Section 7B (Note 6)</u>			SxP			SxP	SxP	SxP	SxP	SxP	X	X	X

**AZP** Administrative Zoning Permit      **SPA** Site Plan      **SxP** Special Permit      **“-”**, **“X”** or **Blank** Prohibited

Notes:

- Effective August 1, 2009, Inns were added as a use to enable the re-use of existing larger structures in a manner compatible with the community. Effective March 1, 2011, this use was allowed by SxP in the GCD.
- Effective November 1, 2011, Combined Use Buildings were added to the Regulations.

3. Effective March 1, 2011, Hotels and Motels were deleted as permitted uses in any zone.
4. Effective August 1, 2009, the phrase, "of horses," was added to this use to clarify that use does not include other animal boarding, such as kennels.
5. Effective August 1, 2009, 4.10.23 Indoor Commercial Recreation and Entertainment Facilities were split into 4.10.23A, 4.10.23B and 4.10.29. Effective March 1, 2011, 4.10.23A changed from Indoor Commercial Recreation Facilities to Indoor Commercial Recreation and Entertainment Facilities and 4.10.23B changed from Indoor Commercial Recreation Facilities to Theater (stage or cinema). Effective November 1, 2011, Indoor Commercial Recreation and Entertainment Facilities was split into two uses.
6. Effective November 19, 2009, this use was permitted by Special Permit in the Commercial Industrial Park and Turnpike Industrial Districts.

<u>4.10 SCHEDULE OF USES (continued)</u> <u>(see footnotes at bottom of table)</u>	<u>R-80</u>	<u>R-60</u>	<u>R-30</u>	<u>PRD</u>	<u>HD</u>	<u>GCD</u>	<u>VID</u>	<u>CIPD</u>	<u>TID</u>	<u>NCD</u>	<u>VC</u>	<u>VMU</u>	<u>VR</u>
<b>4.10.28</b> <u>Retail businesses</u> , traditional in nature and including those which provide personal services and repair services, but excluding establishments with drive-thru facilities and any business otherwise listed in this schedule, in accordance with Section 7B a) of 700 SF or less in sales floor area (Note 1) b) of 3,000 sq. ft. or less in total floor area c) in excess of 3,000 sq. ft. total floor area					SxP SxP	SPA SPA				SxP X	SPA SPA	SPA off Main SPA on Main X	SxP X X
<b>4.10.29</b> <u>Retail Businesses</u> , traditional in nature but which require disproportional display area, such as furniture and major appliance stores						SxP	SxP				X	X	X
<b>4.10.30</b> <u>Age Restricted Development</u> , in accordance with Section 7B (Note 2)	SxP	SxP	SxP	SxP			SxP				SxP	SxP	SxP
<b>4.10.31</b> <u>Restaurants with or without service of alcohol</u> , in accordance with Section 7B. (Note 3) a) of 3,000 sq. ft. or less in total floor area b) in excess of 3,000 sq. ft. total floor area					SxP SxP	SxP SxP				SxP X	SxP SxP	SxP on Main X	X X
<b>4.10.32</b> <u>Drinking establishments</u> , in accordance with Section 7B (Note 3)					SxP	SxP					SxP	SxP on Main	X
<b>4.10.32A</b> <u>Microbrewery/Microwinery</u>					SxP	SxP	SxP	SxP			SxP		
<b>4.10.33A</b> <u>Preparation of or food processing for retail, on-site sale</u> (Notes 3 and 4)					SxP	SxP				SxP	SxP	SxP on Main	X

<b>4.10 SCHEDULE OF USES (continued)</b> <b>(see footnotes at bottom of table)</b>	<b>R-80</b>	<b>R-60</b>	<b>R-30</b>	<b>PRD</b>	<b>HD</b>	<b>GCD</b>	<b>VID</b>	<b>CIPD</b>	<b>TID</b>	<b>NCD</b>	<b>VC</b>	<b>VMU</b>	<b>VR</b>
<b>4.10.33B</b> <u>Preparation of or food processing for wholesale distribution</u> (Notes 3 and 4)							SPA	SPA	SPA		X	X	X
<b>4.10.34</b> <u>Lumber and home construction supply yards</u> , for the wholesale distribution of lumber, concrete products, stone, plumbing supplies, roofing, and other associated parts and accessories, with retail sales of no more than one-third of on-site customer visits. (Note 5) a) With outdoor display or storage b) Without outdoor display or storage								SPA SPA	SPA SPA		X	X	X
<b>4.10.35</b> <u>Landscape businesses</u> including storage of landscape related materials such as mulch, stone, brick and topsoil. Indoor storage of large construction type vehicles, parts, tools and maintenance equipment, in accordance with Section 7B.								SPA	SPA		X	X	X
<b>4.10.36</b> <u>Rental of tools, light machinery, and equipment for home and/or business use</u> , and associated parts and accessories						SPA	SxP	SPA	SPA		X	X	X

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**Notes:**

- Effective November 1, 2011, the phrase, "of 700 SF or less in sales floor area" was added to this use.
- Effective August 1, 2009, this use was split off from the uses listed in 4.10.23. Effective March 1, 2011, this use was permitted by SxP in the GCD, VID, CIP and TID and was renumbered to 4.10.23B. Effective July 19, 2012, Age Restricted Development was added as a use to Schedule 4.10.
- Effective April 15, 2009, 4.10.30-32 were added as uses by SxP in the HDD.

4. Effective August 1, 2009, 4.10.32 was split into 4.10.32A and 4.10.32B. Effective March 1, 2011, the title of 4.10.32A changed from, "Food Preparation/processing for retail, on-site sale, including but not limited to a bakery or purveyor of specialty foods" to "Preparation of or food processing for retail, on-site sale" and it was permitted by SxP in GCD. Effective March 1, 2011, the title of 4.10.32B changed from "Food Preparation/processing for wholesale distribution or off-site retail sale, including, but not limited to a bakery, caterer, or purveyor of specialty foods" to "Preparation of or food processing for wholesale distribution" and it was permitted by SPA in VID, CIP and TID.
5. Effective August 1, 2009, "sale" was replaced with "wholesale distribution" and "with retail sales of no more than one-third of on-site customer visits" was added to the description of this use.

<b>4.10 SCHEDULE OF USES (continued)</b> <b>(see footnotes at bottom of table)</b>	<b><u>R-80</u></b>	<b><u>R-60</u></b>	<b><u>R-30</u></b>	<b><u>PRD</u></b>	<b><u>HD</u></b>	<b><u>GCD</u></b>	<b><u>VID</u></b>	<b><u>CIPD</u></b>	<b><u>TID</u></b>
<b>4.10.28 <u>Retail businesses</u></b> , traditional in nature and including those which provide personal services and repair services, but excluding establishments with drive-thru facilities and any business otherwise listed in this schedule, in accordance with Section 7B a) of 700 SF or less in sales floor area (Note 1)  b) of 3,000 sq. ft. or less in total floor area c) in excess of 3,000 sq. ft. total floor area					SxP SxP	SPA SPA			
<b>4.10.29 <u>Retail Businesses</u></b> , traditional in nature but which require disproportional display area, such as furniture and major appliance stores						SxP	SxP		
<b>4.10.30 <u>Age Restricted Development</u></b> , in accordance with Section 7B (Note 2)	SxP	SxP	SxP	SxP			SxP		
<b>4.10.31 <u>Restaurants with or without service of alcohol</u></b> , in accordance with Section 7B. (Note 3) a) of 3,000 sq. ft. or less in total floor area b) in excess of 3,000 sq. ft. total floor area					SxP SxP	SxP SxP			
<b>4.10.32 <u>Drinking establishments</u></b> , in accordance with Section 7B (Note 3)					SxP	SxP			
<b>4.10.32A <u>Microbrewery/Microwinery</u></b>					SxP	SxP	SxP	SxP	SxP
<b>4.10.33A <u>Preparation of or food processing for retail, on-site sale</u></b> (Notes 3 and 4)					SxP	SxP			

<b>4.10 SCHEDULE OF USES (continued)</b> <b>(see footnotes at bottom of table)</b>	<b>R-80</b>	<b>R-60</b>	<b>R-30</b>	<b>PRD</b>	<b>HD</b>	<b>GCD</b>	<b>VID</b>	<b>CIPD</b>	<b>TID</b>	<b>NCD</b>	<b>VC</b>	<b>VMU</b>	<b>VR</b>
<b>4.10.33B</b> <u>Preparation of or food processing for wholesale distribution</u> (Notes 3 and 4)							SPA	SPA	SPA		X	X	X
<b>4.10.34</b> <u>Lumber and home construction supply yards</u> , for the wholesale distribution of lumber, concrete products, stone, plumbing supplies, roofing, and other associated parts and accessories, with retail sales of no more than one-third of on-site customer visits. (Note 5) a) With outdoor display or storage b) Without outdoor display or storage											X	X	X
<b>4.10.35</b> <u>Landscape businesses</u> including storage of landscape related materials such as mulch, stone, brick and topsoil. Indoor storage of large construction type vehicles, parts, tools and maintenance equipment, in accordance with Section 7B.								SPA	SPA		X	X	X
<b>4.10.36</b> <u>Rental of tools, light machinery, and equipment for home and/or business use</u> , and associated parts and accessories						SPA	SxP	SPA	SPA		X	X	X

**AZP** Administrative Zoning Permit    **SPA** Site Plan    **SxP** Special Permit    **"-"**, **"X"** or **Blank** Prohibited

**Notes:**

1. Effective November 1, 2011, the phrase, "of 700 SF or less in sales floor area" was added to this use.
2. Effective August 1, 2009, this use was split off from the uses listed in 4.10.23. Effective March 1, 2011, this use was permitted by SxP in the GCD, VID, CIP and TID and was renumbered to 4.10.23B. Effective July 19, 2012, Age Restricted Development was added as a use to Schedule 4.10.
3. Effective April 15, 2009, 4.10.30-32 were added as uses by SxP in the HDD.

4. Effective August 1, 2009, 4.10.32 was split into 4.10.32A and 4.10.32B. Effective March 1, 2011, the title of 4.10.32A changed from, "Food Preparation/processing for retail, on-site sale, including but not limited to a bakery or purveyor of specialty foods" to "Preparation of or food processing for retail, on-site sale" and it was permitted by SxP in GCD. Effective March 1, 2011, the title of 4.10.32B changed from "Food Preparation/processing for wholesale distribution or off-site retail sale, including, but not limited to a bakery, caterer, or purveyor of specialty foods" to "Preparation of or food processing for wholesale distribution" and it was permitted by SPA in VID, CIP and TID.
5. Effective August 1, 2009, "sale" was replaced with "wholesale distribution" and "with retail sales of no more than one-third of on-site customer visits" was added to the description of this use.

<u>4.10 SCHEDULE OF USES (continued)</u> <u>(see footnotes at bottom of table)</u>	<u>R-80</u>	<u>R-60</u>	<u>R-30</u>	<u>PRD</u>	<u>HD</u>	<u>GCD</u>	<u>VID</u>	<u>CIPD</u>	<u>TID</u>	<u>NCD</u>	<u>VC</u>	<u>VMU</u>	<u>VR</u>
<b>4.10.37</b> <u>Retail and wholesale sale or rental of farm, construction or industrial equipment</u> , including but not limited to tractors, farm wagons, forklifts, wood recovery and sawing equipment, backhoes, bulldozers, including the parts and accessories pertaining to the same.								SPA	SPA		X	X	X
<b>4.10.38</b> <u>Offices for business, financial, computer services, and other similar professional services</u> , not otherwise listed in this schedule					SxP	SPA	SPA	SPA	SPA	SxP	SPA	SPA	SxP
<b>4.10.39</b> (Intentionally blank) (Note 1)													
<b>4.10.40</b> <u>Medical Offices</u>						SxP				SxP	SPA	SxP	SxP
<b>4.10.41</b> <u>Real Estate Offices</u>						SxP				SxP	X	SPA	SxP
<b>4.10.42</b> <u>Mixed Use Buildings</u> , in accordance with Section 7B (Note 2)											SPA	SPA	X
<b>4.10.43</b> <u>Light manufacturing, fabrication, processing, food processing, compounding, treatment, assembly, maintenance, repair or packing of goods or products</u> , in accordance with Section 7B					SxP		SPA	SPA	SPA		X	X	X
<b>4.10.44</b> <u>Non-Retail Laundering and Dry Cleaning Processing, Tool and Die, Printing and Publishing Establishments</u>							SxP	SxP	SxP		X	X	X

<b>4.10 SCHEDULE OF USES (continued)</b> <b>(see footnotes at bottom of table)</b>	<b>R-80</b>	<b>R-60</b>	<b>R-30</b>	<b>PRD</b>	<b>HD</b>	<b>GCD</b>	<b>VID</b>	<b>CIPD</b>	<b>ID</b>	<b>NCD</b>	<b>VC</b>	<b>VMU</b>	<b>VR</b>
<b>4.10.45 Scientific, research and clinical laboratories,</b> devoted to research, design and/or experimentation, including computer centers							SxP	SxP	SxP		X	X	X
<b>4.10.46 Gasoline Stations, motor vehicle dealerships, and motor vehicle repair services,</b> as defined by State Statutes, and in accordance with Section 7B						SxP			SxP		X	X	X
<b>4.10.47 Adult Entertainment Business,</b> in accordance with Section 7B						SxP					X	X	X

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**Notes:**

1. Effective November 1, 2011, Offices for business, financial, computer services, and other similar professional services, not otherwise listed in this schedule, with accessory drive-through facilities were deleted as a use and Mixed Uses were added as a use.
2. Effective August 1, 2009, Mixed-use buildings were deleted as a use since each particular use should be considered independently, with standards for that use. Effective November 1, 2011, Mixed Uses was added as a use to the Regulations. Effective July 19, 2012, Mixed Uses was replaced with Mixed Use Buildings as a use in the Regulations.

<u>4.10 SCHEDULE OF USES (continued)</u> <u>(see footnotes at bottom of table)</u>	<u>R-80</u>	<u>R-60</u>	<u>R-30</u>	<u>PRD</u>	<u>HD</u>	<u>GCD</u>	<u>VID</u>	<u>CIPD</u>	<u>TID</u>	<u>NCD</u>	<u>VC</u>	<u>VMU</u>	<u>VR</u>
<b>4.10.37</b> <u>Retail and wholesale sale or rental of farm, construction or industrial equipment</u> , including but not limited to tractors, farm wagons, forklifts, wood recovery and sawing equipment, backhoes, bulldozers, including the parts and accessories pertaining to the same.								SPA	SPA		X	X	X
<b>4.10.38</b> <u>Offices for business, financial, computer services, and other similar professional services</u> , not otherwise listed in this schedule					SxP	SPA	SPA	SPA	SPA	SxP	SPA	SPA	SxP
<b>4.10.39</b> (Intentionally blank) (Note 1)													
<b>4.10.40</b> <u>Medical Offices</u>						SxP				SxP	SPA	SxP	SxP
<b>4.10.41</b> <u>Real Estate Offices</u>						SxP				SxP	X	SPA	SxP
<b>4.10.42</b> <u>Mixed Use Buildings</u> , in accordance with Section 7B (Note 2)											SPA	SPA	X
<b>4.10.43</b> <u>Light manufacturing, fabrication, processing, food processing, compounding, treatment, assembly, maintenance, repair or packing of goods or products</u> , in accordance with Section 7B					SxP		SPA	SPA	SPA		X	X	X
<b>4.10.44</b> <u>Non-Retail Laundering and Dry Cleaning Processing, Tool and Die, Printing and Publishing</u>							SxP	SxP	SxP		X	X	X

<b>4.10 SCHEDULE OF USES (continued)</b> <b>(see footnotes at bottom of table)</b>	<b>R-80</b>	<b>R-60</b>	<b>R-30</b>	<b>PRD</b>	<b>HD</b>	<b>GCD</b>	<b>VID</b>	<b>CIPD</b>	<b>TID</b>	<b>NCD</b>	<b>VC</b>	<b>VMU</b>	<b>VR</b>
<u>Establishments</u>													
<b>4.10.45 Scientific, research and clinical laboratories</b> , devoted to research, design and/or experimentation, including computer centers							SxP	SxP	SxP		X	X	X
<b>4.10.46 Gasoline Stations, motor vehicle dealerships, and motor vehicle repair services</b> , as defined by State Statutes, and in accordance with Section 7B						SxP			SxP		X	X	X
<b>4.10.47 Adult Entertainment Business</b> , in accordance with Section 7B						SxP					X	X	X

**AZP** Administrative Zoning Permit    **SPA** Site Plan    **SXP** Special Permit    **“-”**, **“X”** or **Blank** Prohibited

**Notes:**

- Effective November 1, 2011, Offices for business, financial, computer services, and other similar professional services, not otherwise listed in this schedule, with accessory drive-through facilities were deleted as a use and Mixed Uses were added as a use.
- Effective August 1, 2009, Mixed-use buildings were deleted as a use since each particular use should be considered independently, with standards for that use. Effective November 1, 2011, Mixed Uses was added as a use to the Regulations. Effective July 19, 2012, Mixed Uses was replaced with Mixed Use Buildings as a use in the Regulations.

SCHEDULE 4.10 (continued) (see footnotes at bottom of table)	<u>R-80</u>	<u>R-60</u>	<u>R-30</u>	<u>PRD</u>	<u>HD</u>	<u>GCD</u>	<u>VID</u>	<u>CIPD</u>	<u>TID</u>	<u>NCD</u>	<u>VC</u>	<u>VMU</u>	<u>VR</u>
4.10.48 (Intentionally Blank) (Note 1)													
4.10.49 <u>Rear Lots</u> , in accordance with Section 6 (Note 2)	SPA	SPA									X	X	X
4.10.50 <u>Communication Towers</u> , in accordance with Section 7B (Note 3)	SxP	SxP	SxP	X	X	SxP	SxP	SxP	SxP		X	X	X
4.10.51 (Intentionally Blank) (Note 4)													
4.10.52 <u>Earth Filling and Removal</u> , in accordance with Section 14								SxP			X	X	X
4.10.53 <u>Public Parking Lot, private or municipal</u> Existing parking regulations apply, except for minimum-maximum space requirement (Note 5)						SPA					SPA	SPA	X
4.10.54 <u>Group Home/Halfway House</u> (Note 6)			SPA								X	SxP	SxP
4.10.55 <u>Animal Day Care Facilities</u> for domestic animals (dogs and cats) in accordance with Section 7B. (Note 7)								SxP	SxP				
4.10.56 <u>Museum (public)</u> (Note 8)											X	SxP	X
4.10.57 <u>Historic Home Museum</u> (Note 9)			SxP			SxP					X	SxP	SxP
4.10.58 <u>Community Center</u> (Note 10)						SxP					X	SxP	X

<b>SCHEDULE 4.10 (continued)</b> <b>(see footnotes at bottom of table)</b>	<b>R-80</b>	<b>R-60</b>	<b>R-30</b>	<b>PRD</b>	<b>HD</b>	<b>GCD</b>	<b>VID</b>	<b>CIPD</b>	<b>TID</b>	<b>NCD</b>	<b>VC</b>	<b>VMU</b>	<b>VR</b>
4.10.59 <u>Library</u> (Note 11)						SxP					SxP	SxP	X
4.10.80 <u>Lot Line Revision</u> (Note 12)	AZP	AZP	AZP	AZP	AZP	AZP	AZP	AZP	AZP	AZP	AZP	AZP	AZP
4.10.81 <u>Change of Business Name</u> <u>or Business Ownership</u> (Note 12)	AZP	AZP	AZP	AZP	AZP	AZP	AZP	AZP	AZP	AZP	AZP	AZP	AZP
4.10.82-4.10.99 for future use, Schedule continues with 4.10.100													

**AZP Administrative Zoning Permit SPA Site Plan SxP Special Permit “-”, “X” or Blank Prohibited**

**Notes:**

1. Effective August 1, 2009, Conversion of existing structures to residential or commercial condominium use was removed from the Regulations since form of ownership is not relevant to Zoning Regulations.
2. Effective June 15, 2013, the permitting of this use in the R-80 and R-60 zoning districts was changed from SxP to SPA.
3. Effective June 15, 2013, the permitting of this use in the HD and PRD zoning districts was changed from SxP to X.
4. Effective June 15, 2013, “Multi Family or non-residential development in Gateway Conservation Zone, if such development is otherwise permitted in the zoning district” was replaced with “Intentionally Blank”.
5. Effective August 1, 2009, Public Parking Lot, private or municipal, was added as a use in the Zoning Regulations. Effective March 1, 2011, this use was permitted by SPA in the GCD.
6. Effective March 1, 2011, Group Home/Halfway House was added as a use and permitted by SPA in R-20.
7. Effective April 15, 2009, Section 4.10.54 (Animal Day Care Facilities) was added to the Regulations.
8. Effective March 1, 2011, Museum (public) was permitted by SxP in R-20.
9. Effective August 1, 2009, Museum, Historic Home was added as a use in the Zoning Regulations. Effective March 1, 2011, the name of the use was changed to Historic Home Museum and it was permitted by SxP in R-20 and GCD.
10. Effective August 1, 2009, Community Center was added as a use in the Zoning Regulations. Effective March 1, 2011, this use was permitted by Special Permit in GCD and R-20.
11. Effective August 1, 2009, Private Library was added as a use in the Zoning Regulations. Effective March 1, 2011, the name of this use was changed to Library and it was permitted by SxP in the GCD.

12. Effective March 1, 2011, Lot Line Revision and Change of Business Name or Business Ownership were renumbered from 4.10.52 and 4.10.53 to 4.10.80 and 4.10.81.

<u>R-80</u>	<u>R-60</u>	<u>R-30</u>	<u>PRD</u>	<u>HD</u>	<u>GCD</u>	<u>VID</u>	<u>CIPD</u>	<u>TID</u>	<u>NCD</u>	<u>VC</u>	<u>VMU</u>	<u>VR</u>
<b>SCHEDULE 4.10 (continued) - ACCESSORY USES customary with and incidental to the primary use, including but not limited to</b>												
<b>4.10.100 Private garages, garden houses, tool houses, play houses, boat docks and other similar buildings and structures</b>	AZP	AZP	AZP	AZP	AZP					AZP	AZP for residential uses only	AZP
<b>4.10.101 Private swimming pools,</b> in accordance with Section 7B	AZP	AZP	AZP	AZP	AZP					X	AZP for residential uses only	AZP
<b>4.10.102 Customary Home Occupations,</b> in accordance with Section 7B	AZP	AZP	AZP	AZP	AZP					AZP	AZP for residential uses only	AZP
<b>4.10.103 The incidental storage of registered RVs, trailer campers, boats &amp; vehicles</b> owned by the occupant of the premises stored in the side or rear yards and minimally visible from any public way. (Note 1)	AZP	AZP	AZP	AZP	AZP					X	AZP for residential uses only	AZP
<b>4.10.104 Other accessory buildings and uses</b> which are clearly subordinate and customary with and incidental to and located on the same lot with the principal use, and that will not be hazardous to	AZP	AZP	AZP	AZP	AZP					AZP	AZP	AZP

SCHEDULE 4.10 (continued) - ACCESSORY USES <u>customary with and incidental to the primary use</u> , including but not limited to	R-80	R-60	R-30	PRD	HD	GCD	VID	CIPD	TID	NCD	VC	VMU	VR
the public health, safety and welfare (Note 2)													
<b>4.10.105</b> <u>Accessory buildings and uses for multiple-family dwellings</u> , when provided as an integral part of the overall development, including, but not necessarily limited to, tennis courts, swimming pools, other recreation facilities and buildings, maintenance, storage and utility buildings and parking areas. (Note 3)	AZP	AZP	AZP								X	AZP	AZP
<b>4.10.106</b> <u>Accessory Retail Use to a manufacturing/assembly establishment</u> , with such retail being clearly incidental to the manufacturing operation, in accordance with Section 7B					SxP		SxP	SxP	SxP		X	X	X

AZP Administrative Zoning Permit

SPA Site Plan

SxP Special Permit

“-”, “X” or Blank Prohibited

SCHEDULE 4.10 (continued) - ACCESSORY USES customary with and incidental to the primary use, including but not limited to	R-80	R-60	R-30	PRD	HD	GCD	VID	CIPD	TID	NCD	VC	VMU	VR
<b>4.10.107 Accessory Apartments,</b> in accordance with Section 7B	SPA	SPA	SPA		SPA						SPA	SPA	SPA
<b>4.10.107A Medi-pods,</b> In accordance with Section 7B	SPA	SPA	SPA										SPA
<b>4.10.108 Cafeteria style service</b> provided within a building for employees of a principal use				AZP			AZP	AZP	AZP		AZP	X	X
<b>4.10.109 Child Day Care facilities</b> for children of employees				AZP			AZP	AZP	AZP		AZP	AZP	AZP
<b>4.10.110 Dwelling accommodations</b> for a caretaker, custodian or watchman in conjunction with a principal use on the same premises/property				AZP		AZP	AZP	AZP	AZP	AZP	AZP	AZP	AZP

<u>R-80</u>	<u>R-60</u>	<u>R-30</u>	<u>PRD</u>	<u>HD</u>	<u>GCD</u>	<u>VID</u>	<u>CIPD</u>	<u>TID</u>	<u>NCD</u>	<u>VC</u>	<u>VMU</u>	<u>VR</u>
<p><b>SCHEDULE 4.10 (continued) - ACCESSORY USES customary with and incidental to the primary use, including but not limited to</b></p>												
<p><b>4.10.111</b> <u>Outside storage of equipment, merchandise, non-toxic materials and supplies</u> which is clearly subordinate and customary with and incidental to a principal use and where goods so stored are sold from or used on the premises, provided that any outdoor storage shall be screened on all sides by appropriate structures, fencing, walls or landscaping of suitable type, density and height, as determined by the Commission</p>												
				AZP	AZP	AZP	AZP	AZP		AZP	AZP on Main only	X
<p><b>4.10.112</b> <u>(Intentionally Blank)</u></p>												

SCHEDULE 4.10 (continued) - ACCESSORY USES customary with and incidental to the primary use, including but not limited to	R-80	R-60	R-30	PRD	HD	GCD	VID	CIPD	TID	NCD	VC	VMU	VR
4.10.113 (Intentionally Blank) (Note 4)													
4.10.114 Signs in accordance with Section 13	AZP	AZP	AZP	AZP	AZP	AZP	AZP	AZP	AZP	AZP	AZP	AZP	AZP
4.10.115 Outdoor/Outside Seating in accordance with Section 7B a) Sidewalk seating b) Patio or other non-sidewalk seating location											AZP SP	AZP on Main SP	X X
4.10.116 Drive-Thru Facilities, secondary to the primary business, including retail businesses, banks and other similar businesses but excluding food service establishments. (Note 5)						SxP				X	SxP	SxP on Main only	X
4.10.117 Free-Standing Drive-Up ATM with no financial service business on the property (such use prohibited in all other districts)										SxP	X	X	X
4.10.118 Livestock and Poultry, in accordance with Section 7B	AZP	AZP	AZP	AZP									

Notes:

1. Effective August 1, 2009, "RVs, trailer campers," and "a. stored in side and rear yards only, and b. Minimally visible from any public way: were added to this use.
2. Effective August 1, 2009, "Other accessory uses CLEARLY subordinate and customarily incidental to and located on the same lot with any of the foregoing principal uses that will not be hazardous to the public health, safety and welfare" was replaced with the text from 4.10.113.
3. Effective June 15, 2013, this use was allowed by AZP in the R-80 and R-60 zoning districts.
4. Effective August 1, 2009, the use in 4.10.113 was moved to 4.10.104 and the words, "(Intentionally Blank)" were added.
5. Effective June 15, 2013, this use was renumbered from 116a to 116 and the phrase, "but not limited to retail businesses, banks, and other similar establishments, a) excluding food service establishments; b) including food service establishments, whether or not the drive-thru is incidental to a take-out or table service business, excluding any drive-thru otherwise specifically permitted in this schedule." was replaced with, "including retail businesses, banks and other similar businesses but excluding food service establishments."