

**PLANNING & ZONING**  
**REGULATIONS**  
for the  
**TOWN OF OXFORD, CONNECTICUT**

These Regulations supersede all previous Regulations. The public is advised to obtain a copy of the latest amendment to these Regulations from the Planning & Zoning Department before undertaking any construction or land use.

(This document includes amendments thru 3/25/2014)

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## **PREAMBLE: AUTHORITY AND PURPOSE**

In accordance with the provisions of Chapter 124 of the General Statutes of the State of Connecticut, as amended by the Planning & Zoning Commission of the Town of Oxford, Connecticut, these Zoning Regulations, as amended, apply to all land within the Town of Oxford. These Regulations have been adopted as the Zoning Regulations for the Town of Oxford, Connecticut as provided for by approval by Town Meeting, May 4, 1959.

The purpose of these regulations is (as derived from Connecticut General Statutes, Chapter 124, & Section 8-2):

1. To implement a comprehensive plan.
2. To lessen congestion in the streets.
3. To secure safety from fire, panic flood and other dangers.
4. To promote health and the general welfare.
5. To provide adequate light and air.
6. To prevent overcrowding of the land.
7. To avoid undue concentration of population.
8. To facilitate the adequate provisions for transportation, water, sewage, schools, parks and other public requirements.
9. To conserve the value of property.
10. And to encourage the most appropriate use of the land throughout the municipality.

## SCHEDULE A – PERMITTED USES

**NOTE:** This schedule was created to summarize uses for each district. If a discrepancy is found, the written text shall prevail.

<b>Residential Uses</b>	<b>Residential A</b>	<b>RGCD</b>	<b>Commercial</b>	<b>Planned Comm.</b>	<b>Route 67 Corridor</b>	<b>Oxford Center</b>	<b>Industrial</b>	<b>Corporate Bus. Park</b>
<b>1 Family Residence</b>	P	P	N	N	P	P	N	N
<b>Accessory Apartments</b>	P	N	N	N	P	P	N	N
<b>Age Restricted Housing</b>	SE	SE	N	N	SE	N	N	N
<b>Bed &amp; Breakfast</b>	N	N	N	N	SE	SE	N	N
<b>Multi-Family Housing</b>	SE	N	N	N	SE	N	N	N

<b>Public &amp; Semi-Public</b> (continued)	<b>Residential A</b>	<b>RGCD</b>	<b>Commercial</b>	<b>Planned Commercial</b>	<b>Route 67 Corridor</b>	<b>Oxford Center</b>	<b>Industrial</b>	<b>Corporate Bus. Park</b>
<b>Adult Day Care Home</b>	N	N	P	N	SE	SE	N	N
<b>Child Day Care Home</b>	N	N	P	N	SE	N	SE	SE
<b>Churches &amp; Places of Worship</b>	SE	N	SE	N	SE	SE	N	N
<b>Club House</b>	SE/A	P	N	N	SE/A	N	N	N
<b>Community Building For Older Persons</b>	SE	N	N	N	SE	N	N	N
<b>Family Day Care Home</b>	SE/A	N	N	N	SE/A	SE/A	N	N
<b>Golf Courses</b>	SE	P	N	N	SE	N	N	N
<b>Government Buildings</b>	P	N	SE	N	P	P	N	N
<b>Group Day Care Home</b>	SE	N	P	N	SE	Se	N	N
<b>Membership Club &amp; Fraternal Organizations</b>	N	N	SE	N	N	N	N	N
<b>Non-Profit Organizations</b>	SE	N	SE	N	SE	SE	N	N
<b>Public Utility Stations</b>	SE	N	N	N	SE	N	P	N
<b>Reservoirs</b>	SE	N	N	N	SE	N	N	N
<b>Schools-Colleges &amp; Universities</b>	SE	N	N	N	SE	N	N	SE
<b>Tennis Courts, Swimming Pools, Recreation Facilities</b>	SE	P	N	N	SE	N	N	N
<b>Artists &amp; Dance Studios</b>	N	N	P	N	N	SE	N	N

Commercial Uses	Residential A	RGCD	Commercial	Planned Commercial	Route 67 Corridor	Oxford Center	Industrial	Corporate Bus. Park
Auto, Farm Equip & Boat Sales	N	N	SE	N	N	N	SE	N
Banks & Financial Institutions	N	N	P	SE	N	N	P	N
Public Utility Stations	SE	N	N	N	SE	N	P	N
Barber Shops & Beauty Parlors	N	N	P	SE	SE	N	N	N
Bed & Breakfast	N	N	N	N	SE	SE	N	N
Boarding of Horses	SE	N	N	N	SE	N	N	N
Carwashes	N	N	SE	N	N	N	SE	N
Cemeteries	SE	N	N	N	SE	SE	N	N
Commercial Complexes	N	N	P	SE	N	N	N	N
Commercial Recreation	SE	SE	N	N	N	N	N	N
Corporate & Business Offices	N	N	P	SE	SE	N	P	P
Drive Thru Facilities	N	N	SE	SE	N	N	N	N
Farms, Garden Supply, Nurseries	P	N	SE	N	P	N	SE	N
Garages & Filling Stations	N	N	SE	N	N	N	SE	N
Heavy Equipment Sales	N	N	SE	N	N	N	SE	N
Health & Fitness	N	N	N	N	N	N	SE	SE
Hotels	N	N	N	N	N	N	N	SE
Indoor Theaters	N	N	P	SE	N	N	N	N
Medical Offices	N	N	P	SE	SE	N	SE	N
Outdoor Sales	N	N	A	N	N	N	N	N
Printing & Blue Printing	N	N	P	N	N	N	P	P
Professional Offices	A	N	P	SE	SE	SE	P	P
Retail Stores & Shops	N	N	P	SE	SE	N	N	N
Restaurants w/o Drive-ins	N	SE	P	SE	N	N	SE	SE
Sale of Alcoholic Beverages	N	SE	SE	N	N	N	SE	N
Veterinary Offices & Hospitals	N	N	SE	N	N	N	N	N
Undertaking Establishments	N	N	P	N	N	SE	SE	N

<b>Industrial Uses</b>	<b>Residential A</b>	<b>RGCD</b>	<b>Commercial</b>	<b>Planned Commercial</b>	<b>Route 67 Corridor</b>	<b>Oxford Center</b>	<b>Industrial</b>	<b>Corporate Bus. Park</b>
<b>Aviation Facilities</b>	N	N	N	N	N	N	P	N
<b>Broadcast &amp; Media Production</b>	N	N	N	N	N	N	P	P
<b>Contractor's Yards</b>	N	N	N	N	N	N	SE	N
<b>Data Processing Facility</b>	N	N	N	N	N	N	P	P
<b>Gas Powered Generating Facilities</b>	N	N	N	N	N	N	SE	N
<b>Lumber &amp; Building Material Storage &amp; Sales</b>	N	N	SE	N	N	N	SE	N
<b>Manufacturer Show Rooms &amp; Sales</b>	N	N	N	N	N	N	P	N
<b>Manufacturer &amp; Assembly Indoor</b>	N	N	N	N	N	N	P	P
<b>Manufacturer &amp; Assembly Outdoor</b>	N	N	N	N	N	N	P	N
<b>Monument &amp; Stone Cutting</b>	N	N	N	N	N	N	SE	N
<b>Other Uses as determined appropriate by the Commission</b>	SE	SE	SE	SE	SE	SE	SE	SE
<b>Public Parking</b>	N	N	N	N	N	N	SE	N
<b>Research &amp; Development</b>	N	N	N	N	N	N	P	P
<b>Temporary Lodging</b>	N	N	N	N	N	N	A(3)	N
<b>Warehousing &amp; Storage</b>	N	N	N	N	N	N	A(3)	SE-A(3)
<b>Wholesale Distribution</b>	N	N	N	N	N	N	P	N

### Footnotes

- (1) All development of 25,000 square feet in size and larger requires **Special Exception**.
- (2) All development of 50,000 square feet in size and larger requires **Special Exception**.
- (3) Provided that the use is a component of manufacturing or corporate business use.
- (4) Subject to the requirements of **Article 10, Section 5**.
- (5) Sale of food and beverages permitted as part of a banquet hall.

### Notes:

1. All uses subject to all applicable requirements within the Oxford Zoning Regulations.
2. For uses not listed, the Planning & Zoning Commission shall determine the appropriateness of the use, consistent with the intent of these regulations.
3. **P** is Permitted use; **A** is Accessory use; **SE** is use by a Special Exception and **N** is Not Permitted.



# SCHEDULE B

## SCHEDULE B

Area & Yard Required	Residential A	Oxford Center District	Commercial District	Planned Commercial	Route 67 Corridor	Industrial District	Corporate Business Park
Minimum Lot Area (Road Front)	2.0 Acres (1.5 contiguous dry)	1.5 Acres	1.5 Acres (1.5 contiguous dry)	(3)	1.5 Acres (1.5 contiguous dry)	2.5 Acres (2.5 contiguous dry)	2.5 Acres (1) (2.5 contiguous dry)
Minimum Square Foot Block	175'	160'	160'		160'	200'	
Frontage	200'	175'	175'	50'	175' (on Route 67)	225'	50'
Minimum Lot Area (Interior Lot)	2.75 Acres (1.5 contiguous dry)	2.25 Acres (1.5 contiguous dry)	2.0 Acres	N/A		3.75 Acres (2.5 contiguous dry)	N/A
Minimum Square Foot Block	175'	160'				200'	
Frontage	30'	25'				45'	
Setbacks							
ROW/Taking Line	30'	30'	10'(7) 50' Residential	50' Building 50' Parking	30' 25' Other	40' Building 10' Parking 25' Other	1' for every 1' of building height minimum 50' 50' Parking
Property Lines (Sides & Rear)	25'	25'	25' Other (7)	50'	100' Residential	40' Residential	75' Building
(Rear Lots)							
Minimum Accessways (1 lot)	25'	25'	50'	50'	25'	50'	50'
Minimum Accessways (2 lots)	50'	50'	50'	50'	50'	50'	50'

**SCHEDULE B**

Area & Yard Required	Residential A	Oxford Center District	Commercial District	Planned Commercial	Route 67 Corridor	Industrial District	Corporate Business Park
Multi-Family	2.0 Acres (1.5 contiguous dry)	2.0 Acres (1.5 contiguous dry)	N/A	N/A	2.0 Acres (1.5 contiguous dry)	N/A	N/A
Minimum Lot Area Per unit	2.75 Acres (1.5 contiguous dry)	2.75 Acres (1.5 contiguous dry)	N/A	N/A	2.75 Acres (2.5 contiguous dry)	N/A	N/A
Lot Area	200' for 1st unit plus 25' each add'l unit	200' for 1st unit plus 25' each add'l unit	N/A	N/A	200' for 1st unit plus 25' each add'l unit	N/A	N/A
Frontage	200' for 1st unit plus 25' each add'l unit	200' for 1st unit plus 25' each add'l unit	N/A	N/A	200' for 1st unit plus 25' each add'l unit	N/A	N/A
Bulk Requirements							
Coverage	Building - 20%	Building - 20%	Building - 40%	Building - 30%	Total Impervious Coverage - 30%	65% Maximum	Building - 30%
Height	2.5 Stories/35' (8)	2.5 Stories/35' (8)	2.5 Stories/35' (9)	3 Stories/40' (the lesser)	2.5 Stories/35' (the lesser) (8)	2.5 Stories/35' (10)	4 stories/55' (the lesser) 5 stories/75' w/ SE
Minimum Floor Area	1 story = 1,000 sf 1.5 story = 1,200 sf 2 story = 1,400 sf	1 story = 800 sf 1.5 story = 960 sf 2 story = 1,120 sf	2,500 sf			50,000 sf over 50,000 sf w/ SE	
Accessory Apartments	400 sf	400 sf	N/A	N/A	400 sf	N/A	N/A
Minimum Square Footage	400 sf	400 sf	N/A	N/A	400 sf	N/A	N/A
Maximum Square Footage	800 sf	800 sf	N/A	N/A	800 sf	N/A	N/A
Maximum # of Bedrooms	1	1	N/A	N/A	1	N/A	N/A

**Add the following footnotes:**

- (1) Minimum lot size may be smaller with permission of the Commission if subdivided in accordance with a Unified Development Plan.
- (2) Minimum setbacks shall only apply to the perimeter of the site.
- (3) In accordance with the Unified Development Plan.
- (4) Existing lots and buildings may be used if in existence at the time of enactment of these regulations.
- (5) The Commission may reduce the front yard setback to 10 feet if it finds that (1) additional landscaping and enhanced architectural features would enhance the streetscape; (2) the reduced front yard setback would result in a more efficient utilization of the property; (3) the existing right-of-way of public roads is adequate to accommodate any widening or expansion of the road that would be feasible, or that the reduced setback would allow for the additional right-of-way dedication; and (4) the reduced setback would not result in any threat to public safety, including fire protection.
- (6) The Commission may reduce the side and rear yard setback to 10 feet if it finds that (1) the reduced setback would result in a more efficient utilization of the property; and (2) the reduced setback would not result in any threat to public safety, including fire protection. The Commission may waive the side and rear yard setback for property lines adjacent to commercial property developed in conjunction with the subject property, providing that internal circulation is adequate and proper easements for access and parking are established.
- (7) The Commission may waive the setback required, if (1) the proposed site plan is a component of a comprehensive site plan that provides adequate access and buffering to adjacent properties; or (2) the areas of setback are adjacent to area zoned Commercial, and the Commission finds that the reduced setbacks are appropriate to facilitate the appropriate development of the area.
- (8) The Commission may permit a building or structure height of up to 55' with a Special Exception, in accordance with the requirements to **Article 5 Section 7**.
- (9) The Commission may permit a building or structure height of up to 55' with a Special Exception, in accordance with the requirements of **Article 7 Section 6**.
- (10) The Commission may permit a building or structure height of up to 55' with a Special Exception, in accordance with the requirements of **Article 9 Section 6**.

## **SCHEDULE C – PROHIBITED USES**

No land, building or other structure shall be used for any of the following purposes:

1. Any use which emits offensive dust, dirt, fly ash, smoke, odors, gasses, or fumes into the air in violation of applicable standards of the State of Connecticut, Federal Government, or any other applicable jurisdiction, except that stone crushing and processing machinery may be permitted on a temporary basis in accordance with the requirements of Article 14, Section 6 of these regulations.
2. Sand and gravel processing plants and stone crushing operations.
3. Deleted.
4. All uses for which light is transmitted off the site due to glare, brightness, color, intermittence or other feature including direction such as shining off the property or impairing the vision of motorists or aircraft, beyond what is necessary for the security of the premises on which the lighting exists.
5. Penal institutions.
6. Deleted.
7. Commercial junk yards.
8. Any place of outside storage or deposit of discarded material such as old iron, metal, glass, paper, wood or other waste which presents and unsightly appearance, unless shown on an approved site plan.
9. The outside storage of more than (1) unregistered vehicle on any lot in such a manner to be visible from any street or any other lot.
10. The outside storage of motor vehicles which are no longer intended or in condition for legal use on the public highways.
11. Sale of ammunition or guns in Residence District A and the R/POD District.
12. Signs, billboards, and other advertising devices, except in accordance with Article 16, Signs.
13. Notwithstanding anything to the contrary specified herein, no residential uses shall be allowed in the Industrial or High Technology Industrial Districts.

## **ARTICLE 1 – DISTRICTS**

### ***Section 1***

- 1.1** Residence District
- 1.1.2** Residential Golf Community District
- 1.1.3** Commercial District
- 1.1.4** Planned Commercial District
- 1.1.5** Residential/Professional Office District (R/POD)
- 1.1.6** Oxford Center District
- 1.1.7** Industrial District
- 1.1.8** Corporate Business Park District
- 1.1.9** Flood Plain District
- 1.1.10** High Technology District

### ***Section 2***

- 1.2.1** Except for the Flood Plain district, the boundaries of the districts listed in Section 1 are shown on a map entitled “Zoning Map, Town of Oxford” (Comprehensive Plan) as amended from time to time, which map is made part of these regulations, latest revision dated October 1977.

The Flood Plain Districts are described in Article 15 hereof.

## ARTICLE 2 – DEFINITIONS

### Section 2.1 - Section 2.55

- 2.1 Access/Access way/Driveway Access** – Ingress and egress to an approved building lot.
- 2.2 Accessory Apartment** – A specified, separate room or group of rooms which contains food preparation facilities separate from those of the property owner or tenant. Accessory Apartment may be permitted by Special Exception only and in accordance with the standards of Article 5, Section 2.
- 2.3 Accessory Building** – A building which is incidental to that of the principal use or building and located on the same lot.
- 2.4 Accessory Use** – A use which is incidental and subordinate to that of the main building or use of land and which is located on the same lot and under the same ownership in all respects.
- 2.5 Alcoholic Liquor Use** – The selling or selling and on-site consumption of alcoholic liquor at a State permitted business or organizational function.
- 2.6 Antenna(s)** – A device used in communications, which transmits or receives telecommunications or radio signals. Examples include panel, whip and dish antennas.
- 2.7 Antenna Dish** – A dish-like antenna uses to link communication sites together by wireless transmission of voice or data. Also called microwave antenna or microwave dish antenna.
- 2.8 Antenna Panel** – An antenna or array of antennas designed to concentrate a radio signal in a particular area. Panel antennas are typically flat, rectangular devices approximately 6 square feet in size. Can also be called directional antennas.
- 2.8a Age Restricted Housing** – A residential community intended to provide housing for residents aged 55 and over. Age restricted housing may include provisions and facilities for care of the residents.
- 2.8b Assisted Living Facility** – A building or buildings containing apartments or other living units, primarily for persons who require assisted living services, including, but not limited to, nursing, personal care, assistance with activities of daily living, medication administration, supervision of self-administered medications and health and wellness programs.
- 2.9 Bed and Breakfast Accommodations** – An establishment offering transient lodging accommodations to the general public operated by a resident manager with the serving of meals limited to breakfast for guests.
- 2.10 Buffer** – A buffer area or strip shall be of such width, height, and character so as to present an opaque visual barrier to parking, storage, buildings or business activities. The barrier may be

topographic or be evergreen plantings or structural; but, if structural, shall present a natural evergreen appearance to adjoining properties. Land adjoining a proposed use's property line being of a topography and type that is unbuildable as defined by Town Regulations, (i.e., excessive slopes, wetlands, flood plain, etc.) may be included as part of defined buffer areas and strips if applicable to the intent of buffering. In this event, a 25 foot wide strip shall be provided to accommodate a future buffer, should the adjoining land, sometime in the future, no longer satisfy the buffer requirement. The Commission may waive the required opaque visual barrier if no parking storage, building or other structure is on either side for 75 feet of any property line.

- 2.11 Child Day Care Center** – A child day care facility which offers or provides a program of supplementary care to more than twelve related or unrelated children outside their own homes on a regular basis for a part of the twenty four hours in one or more days of the week.
- 2.12 Co-location** – Locating wireless communications equipment from more than one provider on a single site. This reduces the need to build a new communications tower. A co-located telecommunications facility may include accessory structures such as cabinets and sheds for associated telecommunications equipment.
- 2.13 Commercial Complex** – A group of three or more commercial uses on one property which may or may not be served by a common driveway or parking lot.
- 2.14 Communication Facility** – A land use facility supporting antennas and microwave dishes that send and/or receive radio frequency signals.
- 2.14a Contractor Yards** – Property used for the conduct of a contractor business, including the storage of equipment, building materials and earth materials used in the conduct of the contractor business.
- 2.14b Congregate Care Facility** – Private residences in one or more rooms with congregate dining, housekeeping and personal services, primarily for persons who have difficulty with one or more essential activities of daily living, such as, feeding, bathing, grooming, dressing or mobility.
- 2.15 Communication Tower** – A structure that is intended to support antennas and other telecommunications equipment in the provisions of wireless telecommunications services. Examples include monopoles, lattice and guyed towers.
- 2.15a Drive Thru Facilities** – An establishment that distributes goods and services directly to consumers within their vehicle or entertains patrons within their automobile through a physical arrangement designed specifically for that purpose.
- 2.16 Disturbed Area** – An area where the ground cover is destroyed or removed, leaving the land subject to accelerated erosion.
- 2.17 Dwelling Unit** – Any room or group of rooms intended as living quarters for one person or one family.

- 2.17a Elder Care Facility** – A development in which all residents and their occupants shall comply with the requirement of the 55 and over housing exemption as set forth in the Fair Housing Amendments Act (42 U.S.C., Section 3601 et. Seq.), the Housing for Older Persons Act of 1955 and in accordance with Federal law, including those housing types and accessory facilities which offer various levels of medical and residential care to residents.
- 2.18 Earth Material Processing Equipment** – Machinery for crushing, washing and sorting into three or more sizes, earth materials.
- 2.19 Engineer** – A civil engineer as licensed to practice in Connecticut.
- 2.20 Erosion** – The detachment and movement of soil or rock fragments by water, wind, ice or gravity.
- 2.21 Excavation** – The removal of earth material from any property in excess of 1,200 cubic yards.
- 2.21a Family** – Two or more individuals related to each other by blood, marriage, civil union or adoption, living together as a single housekeeping unit, and sharing common living, cooking and eating facilities.
- 2.22 Family Day Care Home** – A family day care facility which consists of a private family home caring for not more than 6 children for not less than 3; nor more than 12 hours during a 24 hour period and where care is given on a regular, recurring basis.
- 2.23 Farming** – Farming or agriculture in these Regulations is defined in Section 1-1(q) of the Connecticut General Statutes.
- 2.24 Floor Area** – In determining compliance with minimum floor area requirements for dwellings and compliance with maximum floor area requirements for an office or shop of the occupant of a dwelling, only finished heated livable floor area of the dwelling shall be counted, excluding porches, terraces, balconies, bay windows, garages, and utility rooms and excluding basements or portions of basements where the ceiling is less than five (5) feet above the ground level or where adequate ventilation is lacking and windows have an aggregate area of less than one-tenth of the basement floor area served. Outside building dimensions may be used for computing floor area.
- 2.25 Game Room** – A place equipped with more than three tables or machines intended for commercial amusement of the public.
- 2.26 Group Day Care Home** – A day care facility which offers or provides a program of supplementary care to not less than seven or more than twelve related or unrelated children on a regular basis for a part of the twenty four hours in one or more days in the week.
- 2.27 Height** – The height of a building or other structure shall be measured from the lowest point of finished grade within 10 feet of the building or structure to the highest point of the roof from the portion of the building facing the approved road, street, highway or right of way. The provisions



of the regulations pertaining to height shall not apply to church spires, ornamental towers, chimney silos and water towers.

- 2.28 Inspection** – The periodic review of sediment and erosion control measures shown on the certified plan, or other site review to determine compliance with any other requirement.
- 2.29 Interior Lot** – A lot located to the rear of one or more front lots, served by an access way with a minimum width of 25 feet. Both accesses must come off the same road.
- 2.30 Land Area** – Land area is defined as the area of a horizontal plane bounded by the front, side and rear lot lines.
- 2.31 Lot** – A lot is defined as all contiguous land in one ownership as evidenced by deed or deeds recorded in the Land Records of the Town of Oxford.
- 2.32 Lot Coverage (Aggregate)** – The total of all buildings and other structures on any lot.
- 2.33 Lot Coverage (Maximum Total)** – The total area of a lot covered by buildings, structures, parking and other impervious improvements.
- 2.34 Major Re-grading** – Any activity that disturbs more than once acre of land or where volume of material to be filled, removed or displaced will exceed 1,200 cubic yards.
- 2.35 Minor Re-grading** – Any activity that does not cumulatively disturb more than one acre of land or volume of material to be filled, removed or displaced shall not exceed 1,200 cubic yards.
- 2.36 Monopole** – A structure composed of a single spire used to support communication equipment.
- 2.37 Multi-Family Dwelling** – A residence which contains more than one dwelling unit, excluding accessory.
- 2.37a Nursing/Convalescent Facility** – A facility, or portion thereof, licensed by the State of Connecticut, providing services for persons who have a need beyond the basic provisions for food, shelter, and laundry, including but not limited to, health services, licensed nursing services, recreation and physical therapy.
- 2.38 Office, Business or Corporate** – Offices used for the general conduct of business, such as management, administration, marketing, distribution, design, product development, advertising, data processing, legal affairs, or other functions associated with the overall operation of a business, but not intended to directly serve consumers or clients onsite. May include accessory activities and facilities such as laboratories, storage areas, showrooms, and other facilities that are required for the management of the business.

- 2.39 Package Store** – A store which has retail sales of alcoholic liquor not to be consumed on the premises. Such sales are to be made in sealed bottles or other containers; and such store shall sell only alcoholic liquor and items related to their consumption.
- 2.40 Parking Space** – A space not less than 18 feet long and 10 feet wide required for the parking of one passenger motor vehicle or light truck.
- 2.41 Permit** – Unless otherwise indicated, elsewhere herein shall mean approved zoning permit application.
- 2.42 Private Road** – A private road shall be an easement of access off of a public highway owned in common by all the landowners to whom it provides access and constructed in accordance with the Town Road Ordinance, except as may be amended as described herein.
- 2.43 Public Street, Road or Highway** – In these Regulations means a State highway or one that has been accepted by the Town or appears on the State-aid list.
- 2.43a Public Water Supply** – A private water company fully licensed by the State of Connecticut to serve a general area that includes all or sections of the Town of Oxford, that is in existence and fully permitted at the time of adoption of this regulation. Public water supply shall not include small water companies, or other entities established solely to serve a development or developments, which is the subject of application to the Planning & Zoning Commission.
- 2.44 Residence** – A house, building or dwelling in which people reside.
- 2.44a Retail Shopping Centers**
- 2.44b Roads, Internal** – Private roads or driveways or other means of vehicular access that provide automobile and other vehicular access to the internal uses within a proposed development, not including designated parking space. Such roads shall be privately owned and maintained.
- 2.45 Sediment** – Solid material, either mineral or organic, that is in suspension, is transported or has been moved from its site or origin by erosion.
- 2.45a Slopes – (Predevelopment)** – The contours and slopes of the land that exist in its natural state, prior to any re-grading, excavation, filling or any other disturbance. The contours and slopes of the land at the date of adoption of this regulation on which re-grading, excavation, filling or any other disturbance has already occurred shall be considered as predevelopment slopes for the purpose of this regulation.
- 2.46 Soil** – Any unconsolidated mineral or organic material of any origin.
- 2.47 Soil Erosion Certification** – A signed, written approval by the Oxford Planning & Zoning Commission or its designated agent that a soil erosion and sedimentation control plan complies with applicable requirements of these Regulations.

- 2.48 Soil Erosion and Sediment Control Plan** – A scheme that minimizes soil erosion and sedimentation resulting from development that includes, but is not limited to, a map and narrative.
- 2.49 Story** – A story is that part of a building between any floor and the floor, ceiling or roof next above. When the ceiling of any story is an average of five (5) feet or more above ground level, and this story contains livable floor area, it may be considered as a story in determining the floor area.
- 2.50 Structure** – Any production or piece of work artificially built up or composed of parts joined together in some definite manner or any construction. Structures include, but are not limited to, garages, barns, sheds, porches, tennis courts, decks, all in ground swimming pools, and those above ground pools occupying more than 200 square feet of land area, or if round, 16 feet in diameter, or any item of a type of construction that is not considered portable. Portable means able to be carried by one person without mechanical assistance. Not considered as structures are fences, walls less than 42” high from existing grade, shrubbery, driveways and auto parking areas.
- 2.51 Surveyor** – A land surveyor licensed to practice in Connecticut.
- 2.52 Trailer** – For the purposes of these Regulations, the term “trailer” includes trailer coach, mobile home or any vehicle motorized or not, originally designed or constructed to permit occupancy for dwelling purposes, whether standing on wheels or rigid supports.
- 2.52a Storage Trailer, Storage Container** – Any enclosed structure or object intended primarily for the storage of items on either a long or short term basis, whether on wheels or rigid supports.
- 2.53 Wetlands and Watercourses** – Shall mean those areas designated by Chapter 440 of the Connecticut General Statutes.
- 2.54 Wireless Communications Facilities** – Antenna, telecommunications equipment, communication towers, monopoles and/or other support structures used together in conjunction with the provision of wireless communications services. These services may include, but are not limited to, cellular communications, personal communication services and paging.
- 2.55 Zoning Inspector** – In these Regulations, where the words “Zoning Inspector” are used, it is intended to mean Zoning Enforcement Officer.

## **ARTICLE 3 – GENERAL REGULATIONS**

### **Section 3.1**

No land, building or other structure shall hereafter be used, and no building or other structure shall be constructed, reconstructed, extended, enlarged or structurally altered, except in conformity with these regulations.

Whenever an approved use is transferred or changed a new approved Zoning Permit Application is required except for changes to the following uses: Residences, the planting, cultivating, and harvestings of crops or trees, or the pasturing of animals.

### **Section 3.2**

Any building, structure or use legally existing at the time of promulgation of these regulations may be continued even though such building, structure or use does not conform with the requirements of these regulations.

### **Section 3.3**

**3.1.1** No nonconforming building or structure shall hereafter be enlarged, except that any building or structure which does not conform to the minimum floor area requirements of these regulations, and which is otherwise conforming, may be enlarged.

Nonconforming uses shall not be permitted to continue in conjunction with any additional uses on the subject property, except by the issuance of a special exception by the Commission, in accordance with Article 10. In the review of an application for special exception in accordance with this Section, the Commission shall specifically consider the potential compatibility of different uses, and public safety.

**3.1.2** No nonconforming use of any land, building, or other structure shall hereafter be extended to include any land, building or other structure, or portion thereof, which is not subject to such nonconforming use.

**3.1.3** Notwithstanding the provisions of Section 3.1, above, the Commission may permit by Special Exception a change or enlargement of a nonconforming use if it determines that the resulting use would be in greater conformance with the intent of these regulations.

### **Section 3.4**

**3.4.1** Any nonconforming building or structure may be strengthened or restored to a safe condition provided that the right to continue such nonconforming building or structure has not otherwise been lost.

### **Section 3.5**

- 3.5.1 Any nonconforming building or structure which is destroyed or damaged by fire or casualty may be reconstructed and structurally altered in accordance with the provisions of Chapter 124 of the General Statutes within two years, provided an approved Zoning Permit Application has been issued.

### **Section 3.6**

- 3.6.1 No nonconforming use, building or structure if once changed to conform with these Regulations, shall be changed so as to be nonconforming again. No nonconforming use shall be changed to another nonconforming use.

### **Section 3.7**

- 3.7.1 No nonconforming use which shall have been discontinued for a period exceeding 2 years shall be resumed or replaced by any other nonconforming use.

### **Section 3.8**

- 3.8.1 Should these Regulations change after an approved Zoning Permit Application has been lawfully granted, the plans, construction or use need not be changed to conform to such change, provided the construction shall be completed or the use begun, within 2 years of the date that the approved Zoning Permit Application was issued; otherwise the Zoning Permit Application shall become null and void unless an extension is granted by the Planning & Zoning Commission.

### **Section 3.9**

- 3.9.1 No land shall be divided so as to create a nonconforming lot, use, building, or other structure or make a nonconforming lot, use, building, or other structure more nonconforming.

### **Section 3.10 – Filling Stations, Motor Vehicle Repair Shops, Garages and Automobile Service Stations**

- 3.10.1 Any application for use of land for a filling station, motor vehicle repair shop, garage or automobile service station, or expansion of same, must receive preliminary review by the Planning & Zoning Board of Appeals for approval of the location in accordance with applicable motor vehicle laws. (Connecticut General Statutes, Section 14-54).
- 3.10.2 When accompanied by the approvals from the Zoning Board of Appeals and State of Connecticut, the application will be considered formally by the Planning & Zoning Commission as a Special Exception under Article 10 hereof.

## **Section 3.11**

- 3.11.1** No building or structure shall hereafter come into use, be occupied, erected, altered, enlarged, rebuilt, or moved except in conformity with the rules and regulations of which this section shall become a part, and the same must also conform to the provisions hereafter set forth unless modified or changed by other provisions of the Regulations. However, the provision covering minimum lot size, frontage and contained square shall not prevent construction or uses permitted in Articles 5, 6, 7, 7A, 8, 8A, 9 and 9A on nonconforming lots of less than one acre but more than ½ acre or which are in separate ownership and which have at least 150 feet of road frontage, can contain a square 135 feet on a side and are recorded in the office of the Town Clerk on or before February 15, 1966 and duly approved by the Planning & Zoning Commission where such approval was, or is required; and further that the owner of such nonconforming lot did not own sufficient adjoining land to enable such owner, without undue hardship, to conform to these Regulations, and provided that the requirement for yards and building area are observed.
- 3.11.2** The provisions of Article 3, Land Area, Section 26, shall not prevent construction or use of land permitted in Articles 5, 5A, 7, 7A, 8, 8A, 9 and 9A on those lots which were established prior to March 10, 1981, provided those lots contained, exclusive of water courses, wetlands, access ways, easements and parts of any public street, 85 % of the minimum area specified as required in the zoning district in which the lot is located and provided that the other requirements for such lots are complied with.

In addition, interior lots created prior to March 10, 1981, may be built upon provided such lots meet the land area in effect prior to March 10, 1981, and provided that current requirements are met.

## **Section 3.12 – Re-grading**

- 3.12.1** If the estimated quantity of earth proposed to be removed from the site exceeds 1,200 cubic yards on any parcel or the disturbed area is cumulatively more than 1 acre, the applicant must first comply with the requirements of Article 14 – Earth Re-grading/Excavation, because the proposed volume exceeds what is considered reasonable and necessary and will require inspections, except as otherwise provided for in Article 14.
- 3.12.2** All excavations or land fill operations which change existing land contours by more than two (2) feet (and do not have a permit under Article 14 of Oxford's Zoning Regulations) must be supported by a retaining wall or such other construction approved by the Zoning Commission, or must not exceed an earth slope two (2) horizontal to one (1) foot vertical or to what was originally prevailing whichever is greater.
- 3.12.3** There shall be no earth filling of materials except as otherwise provided for in Article 14. No tree stumps or large branches shall be deposited or buried on land. Tree stumps and large branches may be deposited upon the land for landscaping and/or composting purposes if they are

properly chipped or ground. Only clean fill, as defined by the Department of Environmental Protection of the State of Connecticut shall be deposited or filled on land.

**3.12.4** The area excavated or to otherwise disturbed ground shall be prepared and restored to conform to Article 3, Section 13 hereof.

### ***Section 3.13 – Top Soil***

**3.13.1** There shall be no removal of top soil from any size parcel of land that would leave that portion of land disturbed by excavation with coverage of less than four (4) inches of top soil, or equal to that originally prevailing, whichever is less.

### ***Section 3.14 – Subdivision***

**3.14.1** Any parcel of land that legally existed on or before August 1, 1961, may later be divided into no more than two (2) lawful parts, whether by the August 1, 1961 owner or subsequent owners, without obtaining prior approval of a subdivision from the Planning & Zoning Commission. Division of land into three or more parts creates a subdivision as defined by these Regulations.

### ***Section 3.15 – Buffers***

**3.15.1** Whenever nonresidential construction or use is proposed in the Commercial or Industrial District, and is also adjacent to an existing residence or residential district, a buffer shall be provided by that nonresidential owner which meets the criteria in Article 2.

### ***Section 3.16 – Setbacks***

**3.16.1** No portion of any building or structure, including any overhang, steps, porch or other projection from said building or structure, shall extend into any setback required elsewhere in these Regulations.

### ***Section 3.17***

The Planning & Zoning Commission may not approve any application for development of a site plan which does not include one of the following;

**3.17.1** A favorable report from the Town Sanitarian regarding the adequacy of the proposal for an on-site waste water disposal system.

**3.17.2** A permit from the appropriate agency or agencies regarding permission to discharge to an available and operable sanitary sewer system.

### ***Section 3.18 – Wetland/Dry Land Mapping***

Wetland/Dry Land mapping shall be done using the following procedure:

- 3.18.1** All record maps and plans of improvement shall indicate the location and extent of wetlands as flagged by a soil scientist as defined by Connecticut General Statute 22a-38 and water course regulated areas as flagged by a soil scientist, and/or other qualified professional, such as a botanist, and/or a biologist, and/or an ecologist, and/or a hydrologist as defined by Connecticut General Statutes 22a-38.
- 3.18.2** Said maps and plans shall indicate the name and title of the individual flagging said wetlands, watercourses and regulated areas.
- 3.18.3** A licensed surveyor shall, through the use of appropriate surveying techniques, locate said flagging on the record maps and plans of improvement.
- 3.18.4** Said maps and plans shall also bear the original signature of the soil scientist and/or other qualified professional as specified in Section 1, indicating that the flagging shown on the maps and plans reflects the actual field location of the wetlands, watercourses and regulated areas.

### ***Section 3.19 – Fees***

The fee schedule ordinance was last revised September 20, 2007 and may be amended from time to time is incorporated and hereby made a part of these Regulations.

- 3.19.1 Expert Review of Application** – The Commission may, at its discretion, hire or engage outside experts to assist in its evaluation of any application for site plan approval or approval by special exception. The total costs for all outside expertise shall be borne by the applicant. The Commission may require an initial payment, to be determined, for the hiring of these experts, prior to its review of the application. This payment shall be considered as an integral component of the application and the failure of the applicant to make this payment shall render the application incomplete. If the applicant fails to pay the fee within 30 days of receiving an invoice, the Commission may revoke all approvals of the application and pursue all necessary action to receive payment.
- 3.19.2** The Commission may require that the developer reimburse the Town for all costs associated with the inspection or re-inspection of the property that are required as a result of a violation of these regulations or any work, construction or disturbance that does not comply with the approved plan or the requirements of these regulations.

### ***Section 3.20 – Treatment of Slopes***

The steeply sloped areas of Oxford are integral to the character of the community. Development of these areas presents special challenges that must be addressed through the following requirements.

- 3.20.1** All earth excavation/re-grading and other alteration of the natural contours of the land shall be the minimal amount, as determined by the Commission, to permit the use of the land for a purpose consistent with these regulations.



- 3.20.2** Land that has slopes in excess of 35% within a minimum contiguous area of 5,000 square feet, also within a minimum square area of 50 feet by 50 feet shall not be disturbed from its natural state. These restrictions shall not apply to land within lots legally in existence at the time of adoption of these regulations or lots within subdivisions for which applications have been filed and accepted at the time of the adoption of these regulations or lots within the Commercial, Industrial or Corporate Business Park zones.
- 3.20.3** No major re-grading of land, as regulated by Article 14 of these regulations shall be done except in conjunction with an approved site plan or subdivision.
- 3.20.4** All areas that have been disturbed by re-grading or other means shall have a maximum finished slope of 2:1 (two feet horizontal to one foot vertical), except areas in which exposed solid rock is left exposed to the surface, in which case, the maximum permitted slope shall be 1:4 (one foot horizontal to four feet vertical).
- 3.20.5** The maximum height of retaining walls shall be six feet in residential zones and developments and eight feet in all other areas. Retaining walls in all zones shall be separated by a minimum horizontal measurement of six feet.
- 3.20.6** The Commission may permit higher retaining walls as provided by Article 3, Section 25, at its discretion, only if a clear need is found to exist for such wall, and the Commission determines that such wall does not present a threat to public safety. In this determination, the Commission may require that the wall be constructed in accordance with the specifications and plans of a licensed structural engineer, the installation of fencing at the top of the wall, or any other such measures that it determines is necessary to protect public safety.

### ***Section 3.21 – Prohibited Uses***

- 3.21.1** All uses not expressly permitted are hereby prohibited.

### ***Section 3.22 – Private Roads in Place of Public Highways***

- 3.22.1** The private road shall serve at least 3 but not more than 10 lots.
- 3.22.2** A Restrictive Covenant establishing the private road and explaining the common land owner's maintenance requirements be reviewed and approved by the Commission and recorded on the Oxford Land Records as a condition of approval. Said Restrictive Covenant shall contain a provision that the Restrictive Covenant shall be null and void if the subdivision is terminated in accordance with the Connecticut General Statutes, Section 8-26c, as amended.
- 3.22.3** The deeds of each lot contain common ownership in the private road with the right of ingress and egress and the duty to maintain.
- 3.22.4** All driveways off of said private roads shall comply with the Town Driveway Ordinance, as amended.

- 3.22.5** All private roads shall be constructed in accordance with the standards and requirements of the Town Road Ordinance. The Planning & Zoning Commission, with the advice of the Planning & Zoning Engineer, may, for good cause shown, at its discretion, vary Town Road standards except for the thickness and composition of the base of pavement.
- 3.22.6** All lots, including interior lots, shall have frontage on the private road as required for lots on public highways or properly bonded subdivision roads as stipulated in Article 5, Section 4 and Article 6, Section 3 of the Oxford Zoning Regulations.
- 3.22.7** All lots, including exterior lots, shall have adequate access to the Town road system as required by the Commission and the Oxford Zoning Regulations.

### ***Section 3.23 – Airport Impact Regulations***

The specification of these regulations shall be designated within the 1995 Waterbury-Oxford Airport Master Plan, as amended.

- 3.23.1 Intent** – This regulation is intended to provide for certain land development controls on the area surrounding the Waterbury-Oxford Airport which may be affected by aircraft accidents and by noise, vibrations, fumes, dust, smoke, fuel particles and other annoyances and influences from airport operations. Further, the use of land within the Airport Influence Area affects the safe and efficient operation of the airport and aircraft using the airport and this chapter is intended to minimize the risks to public safety and hazards to aircraft users and to protect the capacity of the airport to serve the regional air transportation needs.
- 3.23.2 Noise Impacts** – Within the area determined to have an average exterior day/night noise level of DNL 65 decibels or greater as specified in the most recent Waterbury-Oxford Airport Master Plan, consideration should be given, in any residential development, to construction standards that would reduce sound level of the interior auditory environment to DNL 45 decibels or below.

#### **3.23.3 Runway Protection Zone**

- 3.23.3a** No new residential uses, including without limitation, nursing homes, group homes, congregate care facilities and residential care facilities shall be permitted with the area determined to be the Runway Protection Zone.
- 3.23.3b** No schools, theaters, churches or other places of public assembly shall be permitted within the Runway Protection Zone.
- 3.23.3c** No structure shall pierce the elevation of the approach plan profile as determined in the most recent Waterbury-Oxford Airport Master Plan.

### ***Section 3.24 – Parking – General Requirements***

- 3.24.1 (a-c) Parking Spaces** – The following requirements shall be considered the minimum number of parking spaces required for each use. Where the number

of parking spaces is calculated to be a fraction, it shall be rounded up to the nearest whole number.

<b>Business Uses</b>	<b>Minimum # of Spaces Required</b>
Retail or personal business services	1 per 250 square feet of GLA (Gross Leasable Area)
General or Professional Offices (non medical)	1 per 250 square feet of GLA
Banks or Financial Institutions	1 per 300 square feet of GLA
Drive-through windows	5 off-street stacking spaces per window
Medical or Dental Offices or Clinics	1 per 150 square feet of GLA
Restaurants, taverns, bars	1 per 100 square feet of GLA or 1 per 3 seats, whichever is greater.
Theaters, auditoriums & entertainment facilities with fixed seats	1 per 3 seats
Centers for public amusement, recreation or Assembly	1 per 3 persons of maximum usage
Automotive Repair and Service	2 per bay
Hotels and Motels	1.5 per guest room
Undertaker Establishments, funeral parlors	15 per viewing room or chapel
Printing and blueprinting services	1 per 500 square feet of GLA
Artists and Dance Studios	1 per maximum capacity of student at one time
Lumber and Building Material Sales	1 per 400 square feet of GLA of buildings, plus 1 per 1,000 sq.ft. outdoor storage
Automobile, Farm Equipment, boat and other vehicle sales	Minimum of 5 spaces for uses of 3 acres or less, as vehicle sales determined by the Commission for larger uses
Carwashes and other facilities for cleaning of auto & vehicles	3 per facility, plus 5 spaces stacking room per stall
Veterinary offices and hospitals	1 per 250 square feet of GLA
Garden supply centers and nurseries	As determined by the Commission
Commercial Recreation Facilities	As determined by the Commission based on projected usage

<b>Residential, Public &amp; Semi-Public Uses</b>	<b>Minimum # of Spaces Required</b>
Single and Two-Family dwellings	2 per dwelling unit
Multi-family dwellings	2 per dwelling unit
Congregate Care Facilities	1 per unit and 1 per each employee on the largest shift
Assisted Living Facilities	One-half per each bed and one space for each employee on the largest shift
Nursing/Convalescent Home	One-half per each bed and one space for each employee on the largest shift
Independent Living Units	2 per dwelling unit
Parochial or Private Schools	1 per staff member, plus 1 per each 3 students for college, plus one per four seats for stadiums, arenas, and other public spectator areas
Places of Worship	1 per 4 seats (One seat = 18 linear inches of pew bench)
Accessory Dwelling Units	1 plus requirement for principal dwelling
Government buildings and uses	As determined by the Commission based upon projected usage
Family Day Care Centers	As determined by the Commission
Group Day Care Homes	1 per employee, plus 1 per 10 enrollees, plus adequate drop-off/pickup area as determined by the Commission
Private and vocational schools	As determined by the Commission
Bed and Breakfast Establishments	1 per bedroom, plus additional spaces as may be required by the Commission

<b>Industrial Uses</b>	<b>Minimum # of Spaces Required</b>
Corporate and business offices	1 per 250 square feet of GLA
Research and development facilities	1 per 500 square feet of GLA
Data processing facilities	1 per 300 square feet of GLA
Manufacturing and assembly	1 per 500 square feet of GLA
Wholesale and distribution	1 per 750 square feet of GLA
Warehouses and storage	1 per 1000 square feet of GLA
Broadcast and Media Production	1 per 500 square feet of GLA
Aviation Facilities	1 per 500 square feet of GLA
Temporary Lodging in conjunction with the principle use	1 per lodging bed or unit
Gas Powered Generating Facilities	1 per employee on the largest shift
Contractor's Yards	As determined by the Commission
Health and Fitness Clubs	1 per 500 square feet of GLA

**3.24.1d Other Uses** – As determined by the Commission.

**3.24.2 Reserved for Future Parking** – If the actual demand or need for off-street parking spaces for uses can be shown to the Commission’s satisfaction to be actually less than the minimum required number of parking spaces for said use, the Commission may permit the reservation of up to 25% of the required spaces, incorporation thereof, based upon a change of parking demand. The Commission may consider evidence of actual use and need in parking areas for similar uses, and other evidence as presented by the applicant that would provide a reliable basis for the Commission’s determination of actual need.

**3.24.3 Driveways and Curb Cuts.**

**3.24.3.1** Driveways serving the same lot shall be at least 150 feet apart (measured center line to center line), unless they are one-way driveways. However, the Commission may require that only one driveway serve a lot regardless of the amount of street frontage, if deemed necessary for public safety purposes.

**3.24.3.2** Where property is under unified ownership at the time of development, joint use of driveways shall be required.

**3.24.3.4** For corner lots, driveways shall be located as far from the intersection of the street lines of the lot as is practical, but a driveway shall not be located within 75 feet of such intersection.

**3.24.3.5** The combination of curb cuts and access driveways to parking for more than one use shall be encouraged and may be specified by the Commission on any Site Plan.

**3.24.3.6** The minimum width of driveways shall be 20’ for 2 way traffic and 12’ for one way traffic.

**3.24.3.7** The maximum driveway width shall be 30 feet, measured at and parallel to the street lines, except for two way access to non-residential uses with a raised island in the center, for which the maximum width shall be 44 feet.

**3.24.3.8** The maximum grade for a new driveways accessory to uses other than single family dwellings and connecting the required off street parking area to the street, shall not exceed 6% within 25 feet of any street line nor 10% at any other point.

**3.24.3.9** Driveways shall be aligned at the intersection of a public street in such a way as to create the minimum possible traffic hazard. The 25 feet of the driveway closest to the street shall be aligned at an approximate right angle.

- 3.24.3.10** For all driveways, except those serving single family dwellings, no fence, wall, hedge or other structure or planting shall be erected, placed or maintained in such a way as to obstruct traffic visibility across the triangular area formed by the intersecting street right of way and driveway lines and a straight line connecting points along said street right of way and driveway lines, which points are located 50 feet distant from the theoretical point of intersection of such lines measured along said lines.
- 3.24.3.11** Changes in grade shall be connected by a vertical curve that limits the change in vertical grade to no more than 0.08 feet per foot, (9.5" in 10 feet) as demonstrated in a submitted profile.
- 3.24.3.12** Driveways longer than two hundred fifty feet shall have a 50x50 foot or 60' diameter circular gravel or paved surface turnaround area located within 100' of the structure for use by emergency service apparatus.
- 3.24.3.13** A curve with a minimum centerline radius for 40' shall be provided at any point where the alignment of the driveway exceeds a 45degree angle.
- 3.24.3.14a** All driveways serving single family residences shall have a minimum sight distance of 200' on all Town roads. The minimum sight distance on State Highways shall be determined by the State Department of Transportation.
- 3.24.3.14b** All driveways serving all other uses other than single family shall have a minimum sight distance at the intersection of existing or proposed Town Roads in accordance with the standards of the most recent publication of the "Traffic Engineering Handbook" published by the Institute for Traffic Engineers, and "A Policy on Geometry Design of Highways and Streets" as published by the American Association of State Highway and Transportation Officials.
- 3.24.3.15** Driveways longer than 500' shall be widened at 300' (maximum) intervals to permit the passing of vehicles.
- 3.24.3.16** Land that is adjacent to driveways that has been disturbed by filling, grading or excavation shall be finished to a slope no steeper than 1' vertical to 3' horizontal (1:3), and suitably stabilized to prevent erosion.
- 3.24.3.17** The number of driveways permitted on a lot or parcel of land shall be based upon the frontage of the lot or parcel of land as follows:
 

125' of frontage or less	1 Driveway
126' to 250'	2 Driveways
251' to 500'	3 Driveways
More than 500'	4 Driveways

**3.24.3.18** All driveways and curb cuts shall be in conformance with all requirements and standards of the “Town of Oxford Driveway Ordinance”, adopted December 8, 1997.

**3.24.3 Design Standards for Parking Areas** – All off street parking areas for non-residential uses shall conform to the following standards:

- 3.24.3.1** Aggregate based material is the preferred driveway and parking surface.
- 3.24.3.2** Handicapped parking shall be in conformance with the provisions of the Connecticut General Statutes.
- 3.24.3.3** Access for emergency equipment to the entire perimeter of the buildings shall be provided.
- 3.24.3.4** No storage of commercial vehicles or equipment shall be permitted within any parking area between the front line of the building and the public right of way, or shall be visible from the public right of way.
- 3.24.3.5** Screening shall be provided for parking areas visible from adjacent properties or from the street.

Acceptable screening materials shall include:

- A.** The landscaping shall be designed to provide visual interest, with a mixture of different species of shrubs, trees, groundcover, annuals and perennials. Large unbroken expanses of lawn shall be avoided, unless it is to be used as part of recreational areas.
- B.** A minimum of one shrub having a minimum height of 4 feet at the time of planting for each four lineal feet of road frontage.
- C.** Earthen berms, when covered with shrubs, trees and/or ground cover, except grass, stone or gravel;
- D.** Fences of timber construction or masonry walls, if approved by the Commission, or;
- E.** Retention of natural vegetation provided that it provides the necessary visual screening.
- F.** Any combination of the above materials or alternative planting plan that would provide necessary visual screening in the opinion of the Commission.

**3.24.3.6** The minimum dimensional requirements for parallel, angled and perpendicular parking shall be as follows:

Parking Angle (degrees)	0	45	60	90
Curb Length per stall (feet)	23	13	10	9
Stall Depth (feet)	9	18	18	18
Access Aisle Width (feet)	15 (1)	15(2)	18(2)	24(3)
Staff Width (feet)	9	9	9	9

- (1) 15 feet required for one-way circulation, 25 feet required for two-way circulation
- (2) One-way circulation only
- (3) Two-way circulation only

**3.24.4 Access to Nonresidential Uses** – Access to any use in a non-residential zoning district other than by a public street shall be prohibited on or across land in a residential zoning district. Parking for any use in a non-residential zoning district shall be prohibited in a residential zoning district.

### **Section 3.25 – Fences & Walls**

The yard and setback requirements of these regulations shall not be deemed to prohibit any necessary retaining wall nor to prohibit any fence or wall, provided that in a residential district, no wall or fence shall exceed six feet in height, measured above the grade at the foot of the fence or wall, except that no fence erected within the front yard setback shall exceed four feet in height in any residential district. For buildings constructed within the Residential Golf Community District, Commercial, Planned Commercial, Industrial, Planned Development and Corporate Business District, the Commission, at its discretion, may permit the construction of a retaining wall greater than six feet in height, if it determines that the proposed wall shall:

- (1) not detract from the safety of the public
- (2) not be detrimental to the aesthetic qualities of the proposed project and the Town in general
- (3) is necessary to grade the property in compliance with the intent of these Regulations.

The Commission may require the installation of fences for walls greater than six feet in height, if it determines that it is needed for the protection of public safety. In this determination, the Commission may require that the wall be constructed in accordance with the specifications and plans of a licensed structural engineer, the installation of fencing at the top of the wall, or any other such measures that it determines is necessary to protect public safety.

### **Section 3.26 – Lot Area, Shape, Frontage & Slope Requirements**

Minimum lot area, shape and frontage requirements are to be stated in the respective zoning district regulations.

**3.26.1 Lot Area and Shape** – Compliance with minimum lot area and minimum square areas shall be by contiguous dry land in conformance with the requirements of the zoning district. In determining compliance with the minimum lot area and shape requirements the following areas shall be excluded:

- 3.26.1.1** Land subject to easements for any utilities, whether located above or below the ground surface unless located or contained within the required setback area.
- 3.26.1.2** Any part of a public highway.
- 3.26.1.3** Any part of an easement for ingress or egress.
- 3.26.1.4** Any right of way.
- 3.26.1.5** Access way owned in fee as part of the lot in question.



**3.26.1.6** Any areas of the lot mapped as or determined to be wetlands as defined in State Statute and the local Inland/Wetlands Regulations.

**3.26.2 Slopes** – Land with slopes in excess of 20% may be counted toward the minimum lot area and minimum square areas, provided that the Commission determines that there is sufficient land on the proposed lot with slopes of 20% or less to comply with all other requirements of the zoning regulations.

**3.26.3 Interior Lots – Residential** – The minimum lot area and square for interior lots in residential zones shall be calculated in conformance with Section 26.1 above, as follows:

**Single-Family Residence** – Minimum area, 2.75 acres; minimum square area for interior lots shall be a rectangular area with the smallest minimum dimension of 175' and a minimum size of 1.5 acres, all of contiguous dry land. The access way to the interior lot shall have a minimum width of 30', unless otherwise required by these regulations.

**Two-Family Residence** – Minimum area, 5.5 acres, minimum square for interior lots shall be a rectangular area with the smallest minimum dimension of 175' and a minimum size of 3 acres, all of contiguous dry land. The access way to the interior lot shall have a minimum width of 30' unless otherwise required by these regulations.

**3.26.4 Interior Lots – Commercial & Industrial** – The minimum lot area for interior lots in the Commercial District shall be 2.0 acres and the minimum lot area for interior lots within the Industrial District shall be 3.75 acres.

### ***Section 3.27 – Use of Non-Conforming Lots***

**3.27.1 Merger of Lots** – The construction of a permitted building or structure, or the establishment of a permitted use, or a non-conforming lots or parcel may be allowed by the Commission, following Site Plan approval in accordance with these regulations; provided, however, that if title to a non-conforming parcel or lot, whether improved or not, was, at any time after the adoption of zoning regulations in the Town of Oxford, or is now vested in any person(s) that own(s) any parcel or parcels of land contiguous to it, then so much of said contiguous land (including the non-conforming parcel) as is required to conform to these Regulations shall be deemed to be a single parcel for zoning purposes, and thereafter may not be divided, sold, transferred, or improved in any manner which would create or result in a non-conformity or in an increased or further non-conformity. In the event that all contiguous lands of said person(s) are together insufficient to meet the minimum requirements of these Regulations, then all said contiguous land shall be considered as a single non-conforming parcel for the purpose of this Section. The designation by a landowner or any person, including a surveyor or Town Official other than the Zoning Enforcement Officer, of any one tract or parcel as so-called separate “lots” shall be ineffective for the purposes of these Regulations, with the exception of lots included in any subdivision which shall have been approved by the Commission under the Subdivision Regulations then in effect and duly filed with the Town Clerk. The amendment constitutes a clarification of the merger provision currently set forth in the definition of the

term “lot” in Article 2, Section 31 of these Regulations and does not constitute a new substantive provision of these Regulations.

### **3.27.2 Identification & Notice of Merged Lots/Parcels by Zoning Enforcement Officer**

The Zoning Enforcement Officer is hereby authorized to undertake a program, as time and personnel permit, to systematically identify parcels and lots, which have merged pursuant to Section 3.27.1. Upon determining that any parcel(s) and/or lot(s) have so merged, the Zoning Enforcement Officer may issue a written ruling to that effect to the owner(s) of record, which ruling shall advise the recipient of the right of appeal to the Oxford Zoning Board of Appeals, per Connecticut General Statute 8-6. Upon a failure to appeal such a ruling to the Board, the Zoning Enforcement Officer shall provide written notice to the property owner(s) and shall also use his/her best efforts to provide notice of merger of the subject lot or parcel to prospective purchasers. Such notice to prospective purchasers may be provided by amendment to the records of the Town Assessor, with the consent of the Assessor, by suitable notation in the records of the office of the Zoning Enforcement Officer, by the filing of such notice in the Oxford Land Records; by notification of real estate professionals, land surveyors, engineers and attorneys; and/or by any other means determined by the Zoning Enforcement Officer to fulfill the purposes of this Section. The absence of any such notice shall merely indicate that no determination has been made by the Zoning Enforcement Officer, and shall not be deemed to be evidence that any lot or parcel has not merged with any other lot or parcel. In the absence of any ruling under this Section, any property owner may request such ruling and the Zoning Enforcement Officer shall comply with such request as time permits.

## **Section 3.28 – Temporary Use Permits**

The Zoning Enforcement Officer may issue a Temporary Use Permit for a period not to exceed thirty days, for uses which are inherently temporary which would not otherwise be permitted in the district in which it is located, for uses such as charitable events, sidewalk sales, outdoor fairs and other similar uses, in accordance with the following criteria:

- 3.28.1** The use shall be compatible with the surrounding neighborhood.
- 3.28.2** The use shall not create a nuisance on any surrounding properties.
- 3.28.3** The use shall be for a maximum period of 30 days. The Commission may vote to extend the period in which the temporary use is permitted for an additional 30 day period.
- 3.28.4** The Commission may impose conditions upon the proposed use to bring it into a maximum conformity with the surrounding neighborhood.
- 3.28.5** The temporary use shall not involve the construction of a building or other permanent structure.
- 3.28.6** The Zoning Enforcement Officer may issue a permit for temporary signs in conjunction with an approved temporary use permit. Such signs shall not be installed more than 15 days prior to the temporary event, and shall be removed within 24 hours of the cessation of the event. Such temporary signs shall not be placed within a public right of way; shall not interfere with the site lines of vehicles at intersections of public roads, or from private driveways entering public roadways; shall not exceed six square feet in area and shall not be illuminated.

3.28.7 Temporary structures intended for storage or other permitted uses shall be permitted only in conformance with the requirements of this section.

### **Section 3.28A – Temporary Permits for Model Homes/Sales Offices**

- A) The Commission may issue a permit, for a period of time to be determined by the Commission, for an applicant to use a home or homes constructed as part of an approved subdivision or site plan as a model home(s) or model home(s) with sales offices(s) limited to activity related to the marketing, sales and closing of homes located within the subdivision or site plan. The issuance of the permit shall allow the applicant to apply for a temporary certificate of occupancy limited to the use of the model home(s) or model home(s) with sales office(s).
- B) The application for the temporary zoning permit shall not be made until the subdivision or site plan has been approved by the Commission. An application for the permit shall be made for each model home or model home with sales offices so that the Commission can determine if the location is appropriate as it relates to traffic, parking, safety and other relevant considerations.
- C) The Commission may, at its discretion and upon application, grant an extension of the permit for a model home or model home with sales office.

### **Section 3.29 – Conflicting Standards**

- 3.29.1 Where these regulations require a greater width of size of yards or other open spaces, or a lower height of building, or a fewer number of stories, or a greater percentage of lot area to be left unoccupied, or impose other and higher standards than required by any other statute, bylaw, ordinance or regulation, the provisions of these regulations shall govern.
- 3.29.2 Where provision of any other statute, bylaws, ordinance or regulation require a greater width or size of yards or other open spaces, or a lower height of building, or fewer number of stories, or a greater percentage of lot area to be left unoccupied or impose other and higher standards that are required by these Regulations, the provisions of such statute, bylaw, ordinance or regulations shall govern.
- 3.29.3 Where certain sections or provision of these Regulations require greater width or size of yards or other open spaces, or a lower height of building, or a fewer number of stories, or a greater percentage of lot area to be left unoccupied, or impose other and higher standards that are required by any other sections or provisions of these regulations, the more restrictive sections or provisions of these Regulations shall govern.
- 3.29.4 In addition to any requirements for an amendment to the Oxford Zoning Map contained in Connecticut General Statutes and these regulations, if the proposed amendment involves a Residential Golf Community District, the requirements of Article 5A, Section 8, must be fulfilled.

### **Section 3.30 – Billboard Prohibition**

Anything in these Regulations to the contrary notwithstanding, billboards shall be prohibited throughout the Town of Oxford. “Billboards” shall include, but not be limited to, any sign greater than 100 square feet which is a freestanding structure or is mounted upon the roof or wall of a building, and which is visible from any public street or highway. “Billboard” shall expressly include any sign which is visible from a street from which the property on which the sign is located does not have direct vehicular access. “Billboard” shall not include any sign(s) approved pursuant to Article 16, or approved as part of a Site Plan Review, per Article 11, or Special Exception, per Section 10, of these Regulations.

### **Section 3.31 – Street Trees**

Subject to existing conditions, development plans and at the discretion of the Oxford Planning & Zoning Commission street trees shall be installed along all streets subject to the following conditions:

- 3.31.1** All trees shall be planted within the road right of way at a minimum distance of 5 from the edge of the roadway pavement. If the right of way is of insufficient width to meet this requirement or the Commission finds that the intent of this regulation is best served by planting outside of the public right of way, the Commission may permit the planting of the street trees outside of the public right of way. However, all street trees to be planted shall be planted within 25 feet of the edge of the roadway.
- 3.31.2** All trees shall be nursery stock, balled and bur lapped and shall be a minimum of 2 ½ inches caliper.
- 3.31.3** One street tree shall be planted for each 75’ of street frontage on both sides of the street.
- 3.31.4** No tree shall be planted or left standing within 35’ of an intersection unless the Oxford Planning & Zoning Commission determines otherwise.
- 3.31.5** Tree species shall be selected from the following list; Red Maple, Red Oak, White Oak, Black Oak, Sugar Maple.

The Commission may permit the substitution of another species of tree, upon advice from the Public Works Director, if it finds it suitable in characteristics for use as a street tree.

### **Section 3.32 – Foundation Surveys**

The applicant for a zoning permit which involves a new building or structure shall be required to submit to the ZEO an A-2 Survey prepared by a land surveyor showing the actual location of such foundations walls on the lot, upon completion of the foundation walls of the building or structure. No new building or structure thereafter shall be constructed above the foundation walls until the foundation survey has been approved by the ZEO as in compliance with the relevant provisions of the zoning permit and these regulations. Such survey shall contain a statement which states if the location of the foundation conforms to the zoning regulations.

## **ARTICLE 4 – APPROVALS & FEES**

### **Section 4.1**

No land shall be used and no buildings or other structures shall be constructed, reconstructed, extended, enlarged, substantially altered or used until receipt of the following:

- 1) Approved Zoning Permit Application
- 2) Zoning Certificate of Compliance (where required)
- 3) Flood Hazard Permit (where required).

A permit shall have been issued by the Planning & Zoning Commission or their authorized agent, showing that the proposed use and construction are in accordance with these Regulations.

This article shall also apply to signs, see Article 16.

### **Section 4.2**

All Zoning Permit Applications shall be in a form prescribed by the Planning & Zoning Commission and shall be accompanied by the following attachments as may be applicable:

- 1) Flood Hazard Approval
- 2) Copy of deed
- 3) Sanitary permit
- 4) Application fee(s)
- 5) Plot Plan of lot with dimensions or site plans as required in Article 11.
- 6) Size and location of existing and proposed buildings, existing and proposed wells and existing and proposed sanitary waste facilities.
- 7) Piping layout approved by Public Water supplier
- 8) Public Water Supply – Public Certificate of Need & Convenience
- 9) State D.O.T. Highway Entrance Permit
- 10) Soil Erosion & Sediment Control Plan
- 11) Any other information which the Commission may require to determine compliance with these regulations.
- 12) The Commission may require mapping to be done to an A-2 degree of accuracy.
- 13) Evidence of permit issued or applied for from the Oxford Inland/Wetlands Commission. The applicant may present evidence of permit applied for at the time of application, but evidence of approval of permit must be issued prior to approval by the Planning & Zoning Commission.
- 14) Permission of the owner; all applications shall include a letter from the owner of the property that authorizes the submittal of the application. If the owner of the property is a corporation or partnership, the letter of authorization shall also include the minutes of the meeting in which the submittal of the application has been authorized or other appropriate evidence of authorization in the opinion of the Commission.

### **Section 4.3 – Procedure**

Within sixty-five (65) days of receipt of a complete application with fees, and site plan if required, the Commission will either, approve, modify and approve, or disapprove the application. The applicant may consent in writing to an extension of time for Commissions action. Failure of the Commission to so act within the time limit of sixty-five (65) days shall be considered an approval; and an approved Zoning Permit Application shall be issued indicating approval, as submitted, upon demand by the applicant within thirty (30) days of the sixty-five (65) day time limit. The grounds for disapproval shall be stated in writing.

### **Section 4.4 – Fees**

All Zoning Permit Applications shall be accompanied by a fee as determined by the Planning & Zoning Commission.

### **Section 4.5 – Plot Plan**

A plot plan shall be submitted to the Zoning Enforcement Officer for a new detached structure, requiring a permit under these Regulations, upon commencement of the foundation, or completion of forms for same, and valued in excess of \$7,500. Failure to submit the plot plan at the prescribed time shall be considered as a violation of these Regulations. This plot plan shall be drawn to a scale of not smaller than 1" equals 50' and shall show applicant's name, application number or lot number, exact location of the proposed structure and all existing structures, the nearest distance of each building or structure including all proposed projection (steps, porches, overhangs, etc.) from said building or structure to a lot boundary and shall be certified by a land surveyor with the accuracy of plot plan or survey conforming to the **State of Connecticut Regulation of the Department of Consumer Protection Minimum Standard of Accuracy, Sections 20-300b-1 to 20-300b-20** inclusive and adopted May, 1996. The Planning and Zoning Commission or Zoning Enforcement Officer may require such plan for attached structures or for detached structures valued at less than \$7,500 if, in their judgment, a special situation requires such plot plan to assure compliance with these Regulations.

### **Section 4.6 – Time Limit**

The work or use authorized by the approved Zoning Permit Application shall commence within one (1) year from the date of issuance of the approval and shall be completed or established within two (2) years from the date of issuance of the approved Zoning Permit Application; otherwise the approved Zoning Permit Application shall be automatically null and void unless an extension of time is granted by the Planning and Zoning Commission. Where a soil erosion and sediment control plan is required, no such work or use shall commence until those control measures and facilities scheduled in the certified plan for installation prior to site development are installed and functional.

### **Section 4.7 – Temporary Uses**

The Planning and Zoning Commission may by majority vote issue an approved Zoning Permit Application for the temporary use of land or for the construction and temporary use of buildings and structures for the

following purposes and subject to the following conditions:

- 4.7.1 For the erection or location of a temporary building or temporary structure, such as a garage, tool shed, storage shed, or like structure, necessary in connection with construction of a building or structure, provided that the building will not be used for living quarters. The Commission shall prescribe specific time limits for use and removal of the temporary building or temporary structure. It shall be located so as to comply with the setbacks required for dwellings and other buildings.
- 4.7.2 For the temporary use and erection of a tent or like structure on a conforming lot, or a trailer, tent or like structure on a nonconforming lot if the lot lies within the Under the Rock Subdivision as presently constituted, for personal occupancy by the owner of such lot, provided that the temporary approved Zoning Permit Application is issued for not more than 120 days in any calendar year. After 120 days, the trailer, tent or like structure must be removed from the premises.
- 4.7.3 Trailer, camper or mobile home may be used for living quarters, for a period not exceeding six (6) months, provided that it is located on a lot for which an approved Zoning Permit Application has been issued for a permanent residence, and provided the temporary unit is occupied by the contemplated occupant of the permanent residence.

#### ***Section 4.8 – Zoning Certificate of Compliance – Intent***

The intent of Article 4, Section 8 is to define the areas of responsibilities of the Planning and Zoning Commission and to differentiate them from the Building Department of the Town of Oxford. Article 4, Section 8 is designed to insure that the rules and regulations of the Planning and Zoning Commission are adhered to during the development of a parcel of land or the reuse of an existing building (herein referred to as the project.) This section also allows the developer to indicate on the Zoning Permit Application if the project is to be developed in one or several phases. The Planning and Zoning Commission or its authorized agent will issue a Zoning Certificate of Compliance once a project, or a phase of a project, is completed provided that the Commission or its authorized agent determines that the property is in compliance with all Zoning Regulations, Subdivision Regulations, Inland Wetlands Regulations, and all Town Ordinances or other applicable regulations. To successfully complete a project in the Town of Oxford, a developer must: (1) file a complete Zoning Permit Application; (2) possess a valid approved zoning permit application before beginning work; and (3) possess a Zoning Certificate of Compliance before obtaining a Certificate of Occupancy from the Building Department of the Town of Oxford.

- 4.8.1 For all construction requiring a site plan, no land shall be used and no buildings occupied or other structure shall be used or occupied until a Zoning Certificate of Compliance is issued by the Planning & Zoning Commission or its authorized agent, showing that the construction and intended occupancy are in accordance with these Regulations, and are consistent with the approved Zoning Permit Application.
  - A) When a permitted use is changed to another permitted use, an approved Zoning Permit Application is required for the new use.
  - B) The Zoning Certificate of Compliance is required before application can be made for the Certificate of Occupancy.

**4.8.2** A developer may submit a plan for phased construction if, in the opinion of the Planning & Zoning Commission, such phasing is warranted. Furthermore, each phase must be considered to be a substantial part of the entire project. The developer must submit documentation to the Planning & Zoning Commission for a Zoning Certificate of Compliance upon the completion of each phase and prior to its use or occupancy. The phases must be completed in the order indicated on the approved site plan.

**4.8.3** A Zoning Certificate of Compliance will be issued for a specific phase of an approved Zoning Permit Application if;

- A) The Zoning Permit Application indicated all of the phases of the building project (hereafter referred to as the project) on the site plan.
- B) The phases are completed in accordance with the indicated sequence of development in the Zoning Permit Application.
- C) All work which is not shown as part of a specific phase shall be considered to be part of Phase 1.
- D) All parking, drainage, grading, soil erosion & sedimentation control, buffering, landscaping, paving, access and egress shown as part of the phase is completed.

**4.8.4** The Planning & Zoning Commission requires that an Improvement Location Survey or letter from a licensed engineer or architect testifying that the proposed and approved site plan and Zoning Permit was followed. The Improvement Location Survey shall show the location and boundaries of all wetlands areas and finished grades of all disturbed areas. This document shall be provided to the Planning & Zoning Commission, or its agent, as a precondition to the issuance of the Zoning Certificate of Compliance.

A Zoning Certificate of compliance may be issued for an uncompleted project or phase of a project if, in the opinion of the Planning & Zoning Commission, the uncompleted work is not detrimental to the safety of the project and that the phase is substantially complete, and that the uncompleted work be bonded in an amount and form satisfactory to the Planning & Zoning Commission and Town Counsel.



## **ARTICLE 5 – RESIDENCE DISTRICT A**

### ***Section 5.1 – General***

The following Regulations shall apply to the use of land, building and other structures and the location and bulk of building and other structures in any Residence A District.

### ***Section 5.2 – Permitted Uses***

Land, buildings and other structures may be used for one or more of the following purposes:

- 5.2.1** A single-family detached dwelling for one family, with not more than one single-family dwelling per lot.
- 5.2.2** The office in a single family dwelling, to be used exclusively for the profession or trade of the occupant of the dwelling, provided that no evidence of the profession or trade is visible from outside the dwelling or building except for an announcement sign not exceeding four (4) square feet in area, provided that the office does not occupy a floor area greater than 25% of the floor area of the dwelling, and provided that said use not substantially increase traffic in the neighborhood. For the purpose of this section, the office to be used exclusively for the profession or trade of the occupant shall not include uses that are primarily retail in nature or rely on public access other than by appointment. For the purpose of this section, floor area of the dwelling shall mean contiguous heated living space of the main residential structure.
- There shall be no more than two commercial vehicles and one piece of construction equipment, each with a gross vehicle weight that does not exceed 16,000 lbs, used in conjunction with the profession or trade of the occupant. The commercial vehicle shall be stored in an enclosed structure or otherwise shielded from view from all adjacent properties and public right of ways.
- There shall be no outside storage of any equipment or materials used in conjunction with the profession or trade of the occupant.
- 5.2.3** Farms, gardens, nurseries, and greenhouses, including roadside stands, exclusively for the sale of produce grown on the premises.
- 5.2.4** Governmental buildings, uses and facilities.
- 5.2.5** Accessory uses customary with or incidental to any aforesaid uses that are, or would be permitted on the same lot therewith. The term “accessory use” shall not include any activity conducted for gain, except an office or shop specified in Section 5.2.2, or any walk or driveway giving access to such activity. A maximum of three (3) accessory buildings, including storage sheds, that are subordinate and incidental to the principal building, or use shall be permitted on each parcel except as provided for in Article 5, Section 5.2.9. No accessory building shall exceed 1,000 square feet in area, and the maximum combined total building area of all accessory buildings shall be 1,250

square feet. The commission may permit, by Special Exception, the construction of an accessory building larger than 1,000 square feet in area provided the following:

- 5.2.5.1** The area of the building does not exceed 1% of the total area of the lot.
- 5.2.5.2** The proposed accessory building contains less than ½ of the floor area of the principal structure.
- 5.2.5.3** The Commission finds that the proposed accessory building will not have a detrimental impact upon adjacent properties or the neighborhood.
- 5.2.5.4** The accessory building shall not have any detrimental impacts upon any adjacent residential properties.
- 5.2.5.5** The accessory building shall be used solely for the uses accessory to the residential uses, including storage of household items and vehicles, not including any commercial or industrial activity.
- 5.2.5.6** The Commission may require architectural treatments to the siding, roofline, doors or any other feature of the building or site as part of the consideration of this Special Exception.

Each accessory building shall have a maximum height of 20'. The Commission may permit, by Special Exception, buildings with a maximum height as permitted for principle buildings within the underlying zone, provided that it finds that it would be consistent with the rural character of the area, and have no detrimental impacts upon surrounding properties. The use of metal siding without architectural treatment for an accessory building is prohibited except for storage sheds up to 200 square feet in size. This section shall not apply to buildings used for agricultural operations, such as barns.

**5.2.5.7** Accessory Apartments subject to the following conditions:

- A) Health Department approval must be secured regarding the quality and quantity of the water supply system proposed to serve the apartment.
- B) Health Department approval must be secured regarding the suitability of the proposed method of septic waste disposal whether a new system is proposed or not.
- C) The apartment must be attached to the primary dwelling and architecture must be harmonious with the area. If the proposed apartment is to be attached by a breezeway or other unenclosed structure, the breezeway or unenclosed structure shall be a minimum of 15' in length so that the exterior walls of the structure containing the apartment shall be no further than 15' from the wall of the principal structure.
- D) The property may not be listed for rent or sale as a two-family unit.
- E) No outside stairway to a second floor dwelling shall be visible from the street.
- F) A minimum of two (2) parking spaces for each dwelling unit shall be provided.
- G) The maximum number of accessory apartments permitted is one per building lot. No exemptions permitted.
- H) Cannot be less than 400 square feet for more than 800 square feet in size and shall not contain more than one (1) bedroom.

- D) All legally permitted in-law apartments in effect as of January 9, 1997 shall be considered legally permitted accessory apartments.
- J) The owner of the property shall reside on the premises.
- K) The occupancy of the accessory dwelling unit shall not exceed two adults, all of which shall be 18 years of age and older. This may not include employed caregivers, who are employed to provide care to the principal residents. The age restriction may be waived by Special Exception for hardship reasons by the Commission, and if the owner files a covenant on the land records which states that the accessory units shall be rented at, or below, prices which will preserve the units as housing for which persons and families pay 30% or less of their annual income, where such income is less than or equal to 80% of the median income.
- L) Accessory apartments shall be permitted by site plan approval. The application for site plan approval shall include copies of a plot plan showing the location of the dwelling and any proposed expansion, the proposed floor plan, existing and proposed off street parking, and the location of existing and proposed entrances.
- M) The owner of each structure shall submit by January 31<sup>st</sup> of each year, certification on a form provided by the ZEO that they continue to live in one of the units. Failure to submit certification or misrepresent their occupancy will result in forfeiture of the site plan approval

**5.2.8** One shed or storage building per lot for non-commercial use, providing that the building is less than 200 square feet in size and does not contain any plumbing facilities. Such shed or storage building may be erected on a separate lot that does not conform to the minimum lot area, minimum square area, or minimum frontage requirements, as required in Schedule B. The use of metal siding, without architectural treatments is prohibited for buildings in excess of 200 square feet in size.

### ***Section 5.3 – Special Exceptions***

Subject to the securing of a Special Exception as provided in Article 10 of these Regulations, the following are permitted:

**5.3.1** Churches and places of worship, multi-family dwellings, family day care homes, group day care homes, golf courses, tennis courts, swimming pools (excluding personal) and similar recreational facilities, public utility sub-stations (not including garages or storage yards), water supply reservoirs, wells, water towers, water treatment facilities, convalescent or nursing homes, recreation areas, and non-profit organizations of the following types: private schools, cemeteries, and philanthropic institutions and uses allowed in Article 10, Special Exceptions.

**5.3.2** Boarding of horses may be permitted for commercial purposes, subject to the following requirements:

- A) The minimum parcel size shall be 5 acres.
- B) There shall be a maximum of one horse or other large farm animal, such as cattle, sheep or goats kept per acre of the property. This shall include all animals kept on the subject property, including animals owned by the property owner.

- C) No building, pen or run used for such purposes shall be located closer than 100 feet to any property line.
- D) A fence, adequate to contain the subject animals, and suitable to the surroundings shall be required.
- E) The areas where the animals are kept shall be kept clean and sanitary, and there shall be no odors emanating from these areas that are detectable from adjacent properties.

**5.3.3** Age Restricted Housing, subject to the requirements of Article 10, Section 10, including the following uses;

- A) Independent Living Units
- B) Congregate Care Facilities
- C) Assisted Living Facilities
- D) Nursing Convalescent Facilities

### ***Section 5.4 – Lot Area, Shape, Frontage and Access***

Lot Area, Shape, Frontage and Access – Each lot shall have a minimum land area of 2 acres, of which there shall be a minimum area of 1 ½ contiguous dry acres. Such land shall be of such shape that a square with 175 feet on each side will fit on to the lot. Each lot shall also have a minimum frontage of 200’ on a public street or properly bonded subdivision street except that interior lots, as defined within these regulations may utilize an access way owned in fee with a minimum width of 30’ and a minimum frontage of 30’. Two interior lots may utilize private right-of-way or access way owned in fee of a minimum width of 60’ to a public street or a properly bonded subdivision street.

**5.4.1 Interior Lots** - Any lot meeting all the requirements except frontage of 200 feet or more will be considered an interior lot. It must have an access way owned in fee with a minimum width of 30’ and a minimum frontage of 30’ on a public street or properly bonded subdivision street. Each interior lot must be located behind and adjoining an acceptable front lot, with said lot and access way to the interior lot pinned by a licensed engineer or land surveyor.

- A) For single family use, an interior lot shall have a gross area of at least 2.75 acres, exclusive of access way of which 1.5 acres must be contiguous dry land in conformance with the criteria of Article 3, Section 26.
- B) For two-family use, an interior lot shall comply with the requirements of Article 10, Section 4, and have a gross area of at least 5.5 acres, exclusive of access way, of which 3.0 acres must be contiguous dry land in conformance with the criteria of Article 3, Section 26.
- C) All interior lots and access ways of interior lots shall be pinned by a licensed engineer or land surveyor.

## **Section 5.5 – Setbacks**

No building or other structure shall extend within 30 feet of the right of way or taking line of any State Highway, except as elsewhere specified, within 55 feet of the center line of any town road, highway or private right of way or within 25 feet of any property line.

## **Section 5.6 – Minimum Floor Area**

Except as provided for in Section 6.1 below, each one story dwelling shall have a minimum floor area on the ground floor of 1,000 square feet; each split level or one and one-half story dwelling shall have a minimum floor area of 1,200 square feet; each two story dwelling shall have a minimum floor area of 1,400 feet. Raised ranch houses are considered one and one-half story dwellings.

## **Section 5.7 – Height**

No building or other structure shall exceed a height of 2½ stories, or 35 feet, whichever is less. The Commission may permit by Special Exception a maximum height of 2 ½ stories, or 55 feet, whichever is less, if it makes the following findings:

- 5.7.1 The proposed building or structure shall be able to be adequately protected by the Oxford Fire Department with its resources at the time of the construction of the structure.
- 5.7.2 The proposed structure shall not result in any reduction of the public safety or welfare, either for the potential uses of the structure, or for the owners, residents or users of adjacent properties.
- 5.7.3 The proposed use or structure shall not cast shadows on adjacent properties which would detract from the use of the adjacent property. The Commission may require a shadow analysis of the proposed structure to assist in their decision making.
- 5.7.4 The height of the proposed building or structure is necessary due to issues of the natural grade of the land.
- 5.7.5 The proposed building or structure shall not have any detrimental impacts upon residential properties within Oxford or alter the historic character of Oxford.

## **Section 5.8 – Coverage**

The aggregate coverage of all buildings and other structures on any lot or parcel shall not exceed 20 percent of the area of the lot or parcel.

## **Section 5.9 – Exemptions**

Notwithstanding the provisions of Sections 4, 5 and 8 of Article 5, the Commission may grant a Special Exception to permit construction of a single family dwelling and accessory building on a lot created prior to November 23, 1956, and conforming to the Zoning Regulations in effect at the time of creation, as

documented by deeds, maps or other relevant document on file in the land records of the Office of the Town Clerk, subject to the following conditions:

- 5.9.1** The lot proposed for use is comparable in size and shape to other lots within the neighborhood on which houses have been constructed.
- 5.9.2** The proposed building(s) are comparable in size and shape to other buildings within the neighborhood.
- 5.9.3** The proposed buildings are setback a minimum of 10 feet from all side and rear property lines, and are in conformance with all applicable front yard setbacks.
- 5.9.4** The proposed use of the lot and the proposed buildings shall not be detrimental to the public health, safety and general welfare.

## **ARTICLE 5A - RESIDENTIAL GOLF COMMUNITY DISTRICT**

### ***Section 5A.1 – Intent and Purpose***

The Oxford Planning & Zoning Commission is hereby authorized to approve one or more site plans for permitted uses as defined in this article within an area of at least 350 acres which has been designated on the zoning map as a Residential Golf Community District. It is the purpose of this section to permit variations in height, bulk, density, and residential use types which would not otherwise be possible and to permit flexible site design. This article further authorizes the Commission to approve a subdivision containing building lots of the size and area specified herein within a Residential Golf Community District.

It is the intent of this article to:

- Enable the development of golf-oriented residential communities to expand housing opportunities for adult communities while allowing the construction of golf courses in open spaces;
- To provide controls and standards for the development of said communities in compliance with the purposes set forth in this section;
- It is the purpose of this article to carry out the stated intent while providing for:
- Housing choices and opportunities which are consistent with the needs of an adult community;
- The retention of significant open space areas, the protection of wetlands, and the preservation of natural resources and property values;
- Protection of the environmental character of the area and its particular suitability for the specific use;
- Employ residential uses and recreational uses which are related to and directly support the residential uses in order to maximize open space, recreational opportunities, and the preservation of the environment.
- Enable the Commission to select areas best suited for development and open space through modifications or conditions it may attach to its approval, and based on consideration of:
- The retention and protection of designated wetlands, rivers, streams, ponds, swamps, flood plains, and other designated water bodies;
- The protection of significant woodlands;
- The protection of hillsides and of terrains deemed susceptible to erosion or (the creation of) turbidity of siltation;
- The protection and enhancement of any other significant environmental and ecological asset.

## **Section 5A.2 – Permitted Uses**

### **5A.2.1 Residential Uses**

- A) **Detached, single-family dwellings** either on individual lots or land in common-interest ownership.
- B) **Attached Single Family Dwelling Units.** A dwelling unit having its own independent outside access, with no other dwelling units directly above or below it, and having party walls in common with at least one, but no more than two adjacent dwelling units, **and located in a building comprised of not more than three (3) dwelling units.**
- C) All residential dwellings and their occupants shall comply with the requirements of the "55 and over housing" exemption as set forth in the Fair Housing Amendments Act (42 U.S.C. Sec. 3601 et. seq.), The Housing for Older Persons Act of 1995, and in accordance with Federal Law. The "housing facility or community" shall provide to the Commission each year on the anniversary of the approval of the site plan documentation regarding age verification of the occupants of all dwelling units sufficient for the Commission to determine if there is compliance with the requirements of the "over 55 housing" exemption".

Further, by governing document and restrictive covenant which shall be binding upon all occupants of all dwellings in the development parcel, the applicant shall agree and covenant that no children under the age of 18 years, other than those children of the golf professional, golf club general manager and/or golf course superintendent, shall be permitted in any dwelling, except by hardship exception granted by the Board of Directors or other governing body of the "housing facility or community." Such hardship exception shall be granted only for children of an existing occupant. Provided that, visitor occupants of any age shall be permitted to visit for up to four (4) weeks of any calendar year. The restrictive language in the governing documents and in the restrictive covenant shall be approved by Town Counsel and shall not be subject to amendment and/or revocation.

In the event the Board of Directors or other governing body of the "housing facility or community" shall grant a hardship exception, a copy of the application for the exception and the Board's decision shall be forwarded to the Oxford Planning and Zoning Commission within thirty (30) days after such decision is made.

### **5A.2.2 Golf courses, together with customary accessory uses.**

**5A.2.3** Community building(s) designed to provided for the physical or social needs of older persons. Community building(s) may be located at convenient locations throughout the residential areas as may be approved by the Planning & Zoning Commission. A single location shall be designated as the "Community Center".

**5A.2.4** Uses customarily incidental and subordinate to the above uses. A clubhouse which may contain a banquet facility, tennis courts, and storage and maintenance buildings, are considered as accessory to a golf course, among others. Indoor and outdoor parking is also considered as accessory to any



of the above principal uses. In no event shall the banquet facility be separate from the clubhouse.

**5A.2.5** The sale of food and alcoholic beverages may be permitted only in the club house/banquet facility and is subject to a separate application and a special exception permit provided that zoning approval has been given in accordance with these Regulations and State Law as appropriate.

**5A.2.6** Any principal or accessory use not specified above, or determined by the Planning & Zoning Commission to be substantially similar to a listed use, is prohibited.

### **Section 5A.3 – Development Standards**

#### **5A.3.1 Single Family Dwellings**

- A) **Location.** All detached single family dwellings, and attached single family dwellings shall be located adjacent to and have sole access from roads or access ways constructed as a part of the Residential Golf Community. In no event shall any dwelling be located closer than 50 feet from the perimeter boundaries of the project area, or closer than 75 feet from the right-of-way of any Town or State road.
- B) **Lot Size and Area.** Building lots intended for individual sale and which are not parts of a common-interest ownership shall have an area of at least 10,000 square feet and a lot frontage measured along the street line of at least 75 feet. Lots on a cul-de-sac shall have a width of at least 65 feet, measured at the front setback line.
- C) **Setbacks/Building Separation/Buffers**
- 1) The following setbacks apply to buildings on lots to be sold individually and which are not part of a common-interest ownership:  
**Front** - All residences shall be setback the minimum distance from all internal roadways to provide sound residential design, and adequate off-street parking, as determined by the Commission.  
**Side** - 15 feet from the side lot lines  
**Rear** - 30 feet from the rear property line
  - 2) **Building Separations.** All detached, single family dwellings and buildings incorporating attached single family dwellings located on land in common-interest ownership shall be separated by as much room as is necessary to avoid a monotonous, overly dense streetscape, which shall not be less than 20 feet. All dwellings shall be setback the minimum distance from all internal roadways to provide sound residential design, and adequate off-street parking, as determined by the Commission.
  - 3) **Buffers** – Buffers as defined in these Regulations may be required by the Commission’s discretion along perimeter boundaries of the project area and between residential and non-residential uses.
- D) **Building Height** – Dwellings shall not exceed 2 ½ stories or 35 feet, whichever is less.
- E) **Building Design & Occupancy** – Residences shall be designed and intended for use by

persons 55 years of age and older. Residences shall have no more than four bedrooms. All residential dwellings and their occupants shall comply with the requirements of the “55 or over housing” exemption as set forth by Federal Law.

- F) **Density/Maximum Units** – The residential component of the Residential Golf Community shall contain no more than 1.25 dwellings units per acre, based on the gross area of the development parcel, provided that, if the total project area exceeds 600 acres, the maximum number of dwelling units can be up to 1,000 including up to 40% attached single family dwellings as determined by the density calculation in this subsection. For purposes of density calculations, gross area shall be defined as total project area less ½ of the area determined as wetlands and ½ of the area having a slope in excess of 25 %.
- G) **Lot Coverage** – Lot coverage of principal and accessory building shall not exceed 25% of the area of the lot. In the case of land in common-interest ownership, the first floor of a residential dwelling shall not exceed 2,500 square feet.
- H) **Utilities** – All dwelling units shall be served by a municipal sanitary sewer system and a public water supply, as well as conventional utilities. Electric power lines, telephone lines, and the like shall be underground. If natural gas is available, every effort shall be made to provide this service.
- I) **Off Street Parking** – Two off street parking spaces shall be provided for each dwelling unit, which may include garage space. If land is in common interest ownership, an additional visitor space shall be provided for each three dwelling units.

### 5A.3.2 Community Buildings

- A) **Location** - Community building(s) shall be in a location convenient and readily accessible to the residents of the Community. No community building(s) shall be located within 500 feet from the perimeter boundaries of the development.
- B) **Building Height** - Building height shall not exceed 53 feet.
- C) **Utilities** - Community building(s) shall be served by municipal sanitary sewers and a public water supply. Natural gas service shall be provided and readily available. All utility facilities, including but not limited to electric power, telephone, cable television, and gas shall be located underground throughout the subdivision. All utilities utilizing wire or cable shall be installed in accordance with the requirements of the utility provider.
- D) **Off-Street Parking** - One parking space for each four persons based on the capacity of the building as determined by the Fire Marshal or other lawful authority shall be provided. No portion of the parking lot shall be within 500 feet of the perimeter boundaries of the development. Parking spaces shall be at least 10' x 18'. Access ways shall be at least 12 feet in width for one-way circulation and at least 24 feet for two-way circulation. Parking areas shall be paved and drained.
- E) **Design** - Buildings shall be designed so as to be compatible with their functions and with existing topography so as not to visually intrude in the surroundings.
- F) **Fire Hydrants** - Fire hydrants shall be provided on site per Commission approval.

### 5A.3.3 Accessory Buildings

- A) **Location** - If residential land is in common interest ownership, detached garages shall be limited to a capacity of two cars and be located in proximity to the building served. Storage

sheds or other accessory buildings associated with residences shall meet setback and lot coverage requirements. No storage, maintenance, or similar building associated with any other permitted use shall be located within 500 feet of the perimeter boundary of the development. Any clubhouse associated with a golf course shall be at least 1,000 feet from the perimeter boundary if the boundary abuts a residential zone and at least 500 feet from the perimeter boundary if it abuts a non-residential zone.

- B) **Height** - Accessory buildings associated with residential uses and maintenance and storage and other such buildings shall not exceed one story or 24 feet in height. A clubhouse shall not exceed 53 feet in height.
- C) **Utilities** - The golf course clubhouse shall be served by a public water supply and municipal sanitary sewer system. If natural gas is readily available, this service shall be provided. All utility facilities, including but not limited to electric power, telephone, cable television and gas shall be located underground throughout the subdivision. All utilities utilizing wire or cable shall be installed in accordance with the requirements of the utility provider.
- D) **Fire Hydrants** - Fire hydrants shall be provided on site per Commission approval.

#### **5A.3.4 Golf Course**

- A) **Minimum Lot Size** - The golf course shall be a standard 18-hole course on a site of at least 150 acres.
- B) **Location** - Tees and greens shall be located at least 100 feet from the boundaries of any residentially used property which abuts the development.
- C) **Use Restrictions** - The golf course shall be a semi-private course with first priority for membership or use given to residents of the development and secondary priority for membership or use given to residents of Oxford and Naugatuck, CT.
- D) **Design** - The golf course shall be designed and constructed so as to minimize detrimental impact on wetlands and watercourses. Golf course design shall respond to the natural topography and drainage ways of the site and shall result in the minimal clearing of native vegetation and trees. Mass re grading of existing topography shall be avoided. Cut and fill areas shall be balanced as closely as possible. Rough and fairway areas shall make maximum use of existing land forms and indigenous grasses and vegetation. Provisions shall be made for the on-site storage of rainfall and surface run-off with the resulting impoundment areas serving as a source of water for irrigation purposes. An advanced water irrigation system, which meets or exceeds industry standards for golf course maintenance, shall be used.
- E) **Parking** - At least four (4) parking spaces for each tee plus one space for each 100 square feet of floor area in the clubhouse shall be provided. No portion of the parking area for the golf course or clubhouse shall be within 200 feet of the perimeter boundary of the project area when such boundary abuts a non-residential zoning district, or within 500 feet of the perimeter boundary where such boundary abuts or is across the street from a residential zoning district. Parking layout standards shall be as specified in Section 3.2(D) above. An unpaved, overflow parking area shall be provided providing 100 percent reserve.

### **Section 5A.4 – Roads & Access Ways**

- 5A.4.1 Location** - Except for principal access roads to the development, all development roadways, driveways and access ways for golf course use and maintenance shall be at least 100 feet from

the perimeter boundary of the development parcel and at least 50 feet from the right-of-way of any State or Town road.

#### **5A.4.2 Design & Construction Standards**

- A) Except for the portion of the interior road which serves the golf course and clubhouse, 65% of the roads in the project area shall be at least 24 feet in width and 35% of the roads in the project area shall be at least 22 feet in width. Any road less than 24 feet in width shall provide access to no more than 12 dwelling units. That portion of the interior road which serves the golf course and clubhouse shall have a right-of-way of at least 50 feet, a pavement width of at least 30 feet, and shall be constructed in accordance with the Town Road Ordinance. The Planning & Zoning Commission, with the advice of the Town Engineer or Project Consulting Engineer, may vary Town Road Ordinance standards except the thickness and composition of the base and pavement. The interior road serving the golf course and the clubhouse shall be considered as the road between the clubhouse and/or the nearest existing Town or State road. At least two access ways to existing roads shall be provided, one of which may be an emergency access way which shall be equipped with a break away gateway system.
- B) **Ownership and Maintenance** - All interior roads shall remain private ownership in perpetuity and all Town road maintenance services shall cease at the perimeter property line of the development parcel. The owner(s), successors, or assigns of the development shall by formal agreement with the Board of Selectmen agree to keep all roads properly maintained, open and passable at all times.

#### **5A.4.3 Pedestrian Circulation**

A pedestrian circulation system shall be provided within the development to provide safe access to all units and facilities within the development. The system shall consist of the following:

- A walking trail of suitable surfacing material (i.e., stone dust, wood) shall be provided in locations that give access to the surrounding environmental resources. When applicable, this trail system shall be accessible of all abilities.
- Sidewalks along both sides of the major streets within the development, along one side of minor streets and cul-de-sacs, and along the perimeter roads, as determined by the Commission

### ***Section 5A.5 – Open Space***

**5A.5.1 Minimum Requirement** - At least 50% of the gross area of the development parcel that is less than 450 acres or 45% of the gross area of a development parcel that is 450 acres or more shall be set aside as permanent open space which open space shall be developed as a golf course and may include walkways, cart paths, tennis courts, swimming pools, cabanas and structures customarily accessory thereto as determined by the Commission but which shall not include roadways, dwellings, clubhouse/banquet facility, community and maintenance and storage building(s) and accessory buildings, food service accessory structures nor parking in connection therewith. In the event a golf course or any part thereof is discontinued, the land on which the discontinued portion

of the course is located shall remain as open space in perpetuity and shall be so restricted by deed without any provision for removal of the said restriction, except as provided in Section 6.2 (6) herein.

**5A.5.2 Open Space Selection** - In selecting areas for recreation/ open-space purposes, the applicant and the Commission shall take into consideration the protection of environmental features, aesthetic assets, and other land amenities and constrictions. Therefore the applicant, by virtue of compatible design, and the Commission through modifications or conditions it may attach to its approval of the site plan hereunder, shall take into consideration the following:

- A) The retention and protection of designated wetlands, rivers, streams, ponds, swamps, flood plains, and other designated water bodies;
- B) The protection of significant woodlands;
- C) The protection of hillsides and of terrains deemed susceptible to erosion or (the creation of) turbidity or siltation;
- D) The protection and enhancement of any other significant environmental and ecological asset.

### ***Section 5A.6 – Site Plan Application Procedures & Approvals***

**5A.6.1 General** – Applications and approvals shall be in stages. The first stage shall be an application for approval of an overall Conceptual Development Plan for the entire site. Subsequent stages shall consist of detailed plans for each individual phase which conforms generally to the Conceptual Development Plan.

**5A.6.2 Conceptual Development Plan** – The Conceptual Development plan shall consist of the following:

- A) A composite development plan showing the essential elements of the development such as circulation, number and location of dwellings, golf-course layout, location of clubhouse and other uses and buildings accessory to the golf course, location of community building(s) and any other basic elements anticipated. The Plan shall be in sufficient detail as determined by the Commission for the Commission to evaluate the above elements.
- B) Conceptual architectural elevations and floor plans of all buildings.
- C) Project description including but not limited to such items as building and impervious surface coverage, open space calculations, number of anticipated employees, acreage attached to each individual land use, description of the manner in which solid waste will be handled, and estimated effect on the community's economic base.
- D) Confirmation of the availability of water and sewer service.
- E) Proposed golf course use Regulations assigning "priority" as specified in Section 3.4 (C).
- F) Description of restrictive covenant which assures that the area proposed for the golf course will never be subject to future development. Said restrictive covenant shall not apply to the Town of Oxford if the Town comes into ownership of the said property.
- G) Description of restrictive covenants, governing documents and community facilities and services required to show that the proposal complies with the permitted residential use and defined in Section 5A.2.1 of this Article.

- H) Narrative describing qualifications as 55 or older housing under Federal Law and age verification procedures.
- I) Traffic study evaluating the impact of the proposal on thoroughfares serving or affected by the development proposal. The study shall include, at least, data and information on existing average daily traffic (ADT) on principal roads, peak hour traffic; adequacy of right-of-way and travel ways; traffic impact of the proposed development; traffic generation data; location of road cuts within three hundred (300) feet from the development site; traffic lights and intersections; and recommendations for safe pedestrian and traffic circulation, including provisions for safe pedestrian crosswalks. If this study indicates that the proposal is likely to cause a decrease in Level of Service (as defined by the Institute of Traffic Engineers) on existing roads or other significant traffic problem, the study shall state how this problem should be addressed.
- J) An Environmental Impact Statement shall be submitted which shall review and evaluate the probable effect and/or potential impact of the proposed development on: (a) The animal and on the plant ecosystem; b) The wetlands and water courses; and c) The flora, the fauna and the aquatic life associated with wetlands and watercourses. The Statement shall also include analysis of the effect of the proposed development on the existing land forms, the effect of accelerated run-off on the water detention ability of low areas and wetlands, and the ability of said low areas to store sufficient water to accommodate for the irrigation needs of the completed project. The Statement shall identify the need (or not need) to construct water detention structures and other form of water impoundments to meet irrigation needs. The cumulative effect that chemicals, fertilizers and similar additives customarily used in the maintenance of golf courses may have on the ground water shall be evaluated.
- K) A phasing plan and tentative construction sequencing shall be submitted. Individual phases shall be shown on the overall site plan. No more than 25 percent of the dwelling units shall be in any one phase. Each phase shall be designed to be capable of independent existence without the completion of subsequent phases.
- L) Any other reports or studies which the Commission deems necessary in order to carry out the Intent and Purpose as defined in Section 1.

**5A.6.3 Approval of Conceptual Development Plan** – Approval of the Conceptual Development Plan shall represent the Commission's acceptance of the basic overall concept and the commitment of the applicant to develop the project essentially as shown but shall not permit development of the site without approval of the Detailed Construction Plans. It is recognized that certain minor adjustments to the plans will be necessary as the project progresses, but basic concepts such as circulation, maximum number of dwelling units, and location and character of the various components of the development including but not limited to the golf course, clubhouse/banquet facility, accessory recreational uses and community building(s) shall remain intact.

- A) The Commission shall make a determination as to the impact upon streets, roads, sewer, water, public safety and other municipal facilities, both on-site and off-site. In making this determination, the Commission may require relevant studies and information needed to determine the impact. Upon review, the Commission shall determine all on-site and off-site improvements required to provide facilities in accordance with standards of the Town of Oxford, which shall be the responsibility of the developer. To provide for the installation of the off-site improvements, the Commission may require that (1) the developer install the

improvements at their expense; (2) the developer make a payment to the Town of Oxford for the cost of installation of the improvements, based upon an estimation of costs reviewed by the Town Engineer and adjusted for anticipated inflationary costs; or (3) a combination of the above, as determined by the Commission. In their determination of the improvements required, the Commission may require a phasing of the improvements based upon the number of building permits issues within the proposed development.

#### 5A.6.4 Detailed Construction Plans

- A) **General** – Final zoning approval shall be in accordance with Detailed Construction Plans which may be either a subdivision or site plan application in conformity with the Conceptual Development Plan approved by the Commission.
  
- B) **Single Family Development**
  - 1) **Individual Ownership** – If building lots are to be created and sold, an application for subdivision approval in accordance with the Oxford Subdivision Regulations shall be required. The following information shall be provided in addition to all of the information required in a standard subdivision application:
    - a) Architectural elevations and floor plans of each type of style of individual dwellings.
    - b) The site development plan shall indicate the exact building location rather than the conceptual location on the usual site development plan.
    - c) The grading plan shall be an exact plan and not a conceptual plan. All grading shall be done by the applicant and not by the individual lot owner.
  
  - 2) **Land in Common-Interest Ownership.** If the land is to be in common interest ownership, a site plan for the parcel on which the individual phase is to be located shall be submitted for approval. The site plan shall show all the information required above including typical architectural renderings of building facades and building envelopes of the detached single family dwellings or a building incorporating attached single family dwellings. The specific detached dwelling or attached single family building and other building footprints shall be shown at time of building permit application. An erosion control plan, grading, drainage and utility plans and standard construction details as required by the Subdivision Regulations shall also be submitted.
  
- C) **Golf Course & Community Building(s)** – A site plan application for the golf course, including accessory uses and a site plan application for the community building(s) shall be submitted in accordance with the provisions and requirements of these Regulations. An erosion and sediment control plan prepared in accordance with these Regulations shall be submitted concurrently with the site plan application. Site plans shall be at an appropriate scale to show the required information.

Site plans shall meet both the specific development standards set forth in this article as well as the general standards applicable to all site plans as specified in these Regulations. Where there is a conflict, the provisions of this article shall govern.

#### **5A.6.5 Sequencing Requirements**

- A) Construction of dwelling units may occur concurrently in more than one phase upon the posting of a bond to be determined by the Planning and Zoning Commission to for each additional phase to ensure completion of all approved improvements within that phase.
- B) Prior to issuance of the 15th dwelling Certificate of Occupancy, construction work on the golf course must be commenced. Prior to the issuance of the 100th dwelling, Certificate of Occupancy, bulk grading of the golf course must be completed. Prior to issuance of the 150th dwelling Certificate of Occupancy, all eighteen holes of the golf course must be completed, fully seeded and ready to be played upon as soon as grass growth is adequate and an operating clubhouse shall be completed by the time golf play begins.
- C) Community building(s) sufficient to comply with Federal Regulations for Housing for Older People shall be provided.
- D) Roadway and golf course construction may be done at anytime.

**5A.6.6 Security** – The Commission shall have the right to require financial security to assure completion of site plan features as the Commission deems appropriate. The financial security shall be in an amount as determined by the Commission and shall be phased in accordance with the proposal. The Commission may adjust the amount of the security at the inception of each phase to account for changes and/or adjustments in the phase and construction costs. The form of the security shall be approved by Town Counsel and shall be automatically renewable except upon ninety (90) days written notice to the Town.

#### **Section 5A.7 – Fees**

In lieu of all fees contained in Appendix A of these Regulations, an application for a site plan approval under this Article shall have the following fees:

- **Application Fee:** \$250.00
- **Review and Project Administration Fee:** \$300 per unit up to 200 units, payable at the time of the application. If the site plan application is not approved, this fee shall be refunded to the applicant, less the cost to the Commission for legal, planning, engineering and other staff services directly related to the review of the site plan application \$200 per unit for units approved in excess of 200 units, payable at the time of and as a condition of the approval of the Conceptual Development Plan. This fee is **NON-REFUNDABLE**.



## **Section 5A.8 – Special Exceptions**

Subject to the securing of a Special Exception as provided in Article 10 of these regulations, the following are permitted:

**5A.8.1 Age Restricted Housing**, subject to the requirements of Article 10, Section 10; including the following uses:

- A) Attached, single family dwellings not to exceed three (3) units per building on land only in common interest ownership. The number of such units shall not exceed forty (40%) of the maximum number of such dwelling units permitted in accordance with density calculations in accordance with Section 3.1 (F). The Commission shall only permit this use if it determines that following conditions apply:
  - 1) The streetscape shall include measures to promote a pedestrian oriented environment, such as street trees, landscaping and pedestrian circulation facilities as deemed appropriate by the Commission.
  - 2) The design of the units would promote a diversity of streetscapes and high quality of design without the imposition of long monotonous building and garage; and
  - 3) Traffic calming devices shall be included which reduce the speed of vehicle and promote the pedestrian orientation of the area.
- B) Congregate Care Facilities
- C) Assisted Living Facilities
- D) Nursing Convalescent Facilities
- E) Retail, medical and personal services uses intended to serve the residents of the Residential Golf Course Community. Such uses shall be located within the Community Center, as provided for in **Article 5A section 2.3**. The total building square footage for all retail, medical and personal services shall not exceed 2,500 square feet.

## **Section 5A.9 – Modification of Existing Residential Golf Community District**

In any application to modify an existing Residential Golf Community District (RGCD), the following shall apply:

**5A.9.1** If the application is to add property to an existing RGCD, the property proposed to be added must be contiguous to the existing RGCD, and in addition to the requirements of the CT General Statutes 8-3m as amended, and Article 18 of these Regulations, as amended, the applicant must also submit the following:

- A) Two (2) copies of an A-2 boundary survey map showing the property proposed for zone change to RGCD.

- B) Two (2) copies of a map of the existing RGCD with the property proposed to be included in the RGCD. Said map shall delineate:
- 1) the number of acres in the existing RGCD;
  - 2) the number of acres in the property proposed for the zone change to RGCD;
  - 3) the number of acres of open space (including the golf course) in the existing RGCD; and
  - 4) the number of additional acres, if any, of open space required by the increase in the size of the RGCD. Any open space acreage in the existing RGCD in excess of the required open space acreage shall be credited toward the open space required by the increase in the size of the RGCD.
- C) Such other information as the Commission may deem relevant to consideration of an increase in the size of an existing RGCD.

**5A.9.2** If the Commission approves the application submitted in accordance with section 8-1, the application for the modification of the Conceptual Development Plan or the Site Plan that encompasses the additional property zoned as a RGCD shall be submitted on or before six (6) months from the date of the approval of the zone change or at such other time as may be determined by the Commission. Extensions may be granted by the Commission as deemed appropriate. The modified Conceptual Development Plan and/or Site Plan and approvals thereof shall be as required by Article 5A, Section 6.1 through Section 6.6 of these regulations, for such improvements and open space on the property proposed for the increase in the size of an existing RGCD. The applicant shall provide all information required in Sections 6.2 and 6.4 that is applicable to the increase in the size of the RGCD. All information, reports and exhibits submitted in accordance with Sections 6.2 and/or 6.4 for the prior approval(s) of the existing RGCD shall be made part of the application for the modification of the Conceptual Development Plans and/or Site Plan of the RGCD, provided that the Commission may, at its sole discretion, require that any information, reports and exhibits be updated or supplemented for the purposes of the application for the modification of the Conceptual Development Plans of the RGCD. Any decision on the application to modify the Conceptual Development Plans and/or Site Plan shall be made in accordance with the factors delineated in Article 5A, Section 6.3, as may be applicable to the proposal.

**5A.9.3** Fees for the application to modify the Conceptual Development Plan and/or Site Plan shall be in accordance with Article 5A, Section 7, herein, as may be amended by the Commission.

**5A.9.4** If the application for a zone change is to re-zone property located in the RGCD to another zone, in addition to the requirements of Connecticut General Statutes § 8-3, as amended, and Article 18 of these Regulations, as amended, the applicant must submit, with the application for the zone change, information to the satisfaction of the Commission that the modified RGCD meets the minimum size as required by these regulations and that the required open space and unit limitations are applicable to the reduced size of the RGCD.

## **Article 6 – Village Center Mixed Use District**

### **6.1. – Purpose**

The purpose of this zone is to permit and facilitate the development of a comprehensively planned mixed-use development which would provide a self-sustaining development, which can serve as the commercial and cultural center of the community. The development needs to have a strong pedestrian orientation, serve as a community gathering area, with specific design features which would make it an attractive place to live, work, shop and spend time. It would be a floating zone, to be applied only if the conditions of Article 6 are met.

### **6.2 – Applicability**

The Village Center Mixed use District shall be considered a floating zone. Properties in Oxford may be considered for rezoning to this zone only if in conformance with the following conditions:

- 6.2.1** Frontage along Route 67, Oxford Road.
- 6.2.2** Minimum size of twenty acres.
- 6.2.3** The site must be served by public water and sanitary sewer.
- 6.2.4** If approved by the Planning and Zoning Commission, the proposed development may be subdivided into separate parcels, all to be developed in accordance with the Overall Conceptual Site Plan.
- 6.2.5** Proposed use to be in conformance with the Plan of Conservation and Development.

### **6.3 – Permitted Uses**

The following uses may be permitted as a component of the conceptual site plan, subject to approval by the Planning and Zoning Commission:

- 6.3.1** Stores and shops for the purpose of retail business
- 6.3.2** Barber shops, beauty parlors and other similar personal services.
- 6.3.3** Banks and financial institutions
- 6.3.4** Corporate, business, professional and medical offices
- 6.3.5** Indoor theaters, and other places of assembly
- 6.3.6** Restaurants
- 6.3.7** Residential uses, including multi-family residential uses in accordance with 6.5.
- 6.3.8** Hotels and motels.
- 6.3.9** Motor vehicle fueling and charging stations.
- 6.3.10** Child and adult day care centers.
- 6.3.11** Full service fitness centers and health clubs.
- 6.3.12** Building and Farm supply, providing that all activities occur indoors.
- 6.3.13** Governmental uses.
- 6.3.14** Other similar uses, as determined by the Commission, that are consistent with the intent of these regulations.

- 6.3.15** Uses accessory to the principle use(s) as determined by the Commission There shall be no overnight parking of vehicles which are not a part of one of the businesses on the site, or are not owned by a resident of the dwelling units on the site.

## **6.4 – Site Design**

### **6.4.1 Circulation**

The design of these areas should include a complete pedestrian and vehicular circulation system, which emphasizes internal pedestrian circulation. This should include, but not be limited to:

- 6.4.1.1** There should be direct pedestrian circulation connections between the various areas of the residential development, with multiple direct connections to the commercial areas.
- 6.4.1.2** There should be multiple and direct pedestrian connections between the residential areas, commercial areas and public areas.
- 6.4.1.3** There should be pedestrian circulation connections between the subject area and other areas of the Town, which would include a public sidewalk along Route 67, which connects to the internal pedestrian circulation network.
- 6.4.1.4** Vehicular circulation should adequately serve all areas and components of the development in a manner which is supportive of the overall pedestrian orientation.
- 6.4.1.5** The pedestrian circulation system shall be strongly linked to the central open space area, residential open space areas, and all residential areas.
- 6.4.1.6** There should be adequate facilities for bicycles, including bicycle racks.

### **6.4.2 Open space/public gathering spaces**

- 6.4.2.1** The plan shall include a central open space area suitable public sitting and gathering areas which may include but is not limited to a public plaza or passive recreation areas. The area shall be equipped with benches or chairs, pedestrian scaled lighting, and adequate trash receptacles. The area(s) should be generally centrally located on the site. Water features and public art are encouraged to be included.
- 6.4.2.2** The Commission may require one or more secondary open space areas to serve residential components of the plan if the total residential component exceeds 100 dwelling units.

### **6.4.3 Building Design**

- 6.4.3.1** The design of the buildings shall be consistent with that of a traditional New England town center, in the opinion of the Planning and Zoning Commission.
- 6.4.3.2** Architectural styles similar to recently constructed high quality mixed use developments planned and/or constructed within Western Connecticut with an emphasis on a traditional New England styles and scale look as much as appropriate. Applicants should use decorative details on the exterior of the building appropriate to the architectural style that is being emulated. Buildings should have minimum details of window sills and frames and door frames. Other details such as quoins and lintels are encouraged.
- 6. 4.3.3** All rooftop utilities or other equipment shall be concealed from view of pedestrians, car traffic and residential units which may be located on higher floors, unless the Commission

determines that it is not feasible due to reasons such as topography and site layout. Mansard roof or gabled roofs are preferred with flat roofs only being permitted where the proposed structure is taller than adjacent structures. Flat roofs should have a parapet and cornice appropriate to the architectural style of the building. More ornamental architectural details such as dentils, corbels and an ornamental frieze are encouraged.

#### **6.4.4 Signage**

Signage shall be consistent with an overall theme approved by the Commission, based upon the size of the proposed development, type of uses proposed, layout of the proposed structures, visibility from Route 67, in a manner consistent with the intent of this regulation. The signage as approved by the Commission shall be incorporated within the approved conceptual plan.

#### **6.4.5. Parking**

The overall parking to be approved as a component of the conceptual site plan shall be sufficient to accommodate the various uses proposed within the site plan, as to location, time of use, and other factors as determined by the Commission. The applicant shall submit a parking analysis at the time of the submission of the zoning map amendment, and conceptual site plan which analyzes the projected parking demand of each use by time, the proximity of the parking to each use, the need for all day parking for specific uses, and times of peak parking demand for each proposed use, and other issues raised by the Commission. The Conceptual Site Plan shall reflect the need determined by this analysis as determined by the Commission, with peer review.

**6.4.5.1** The applicant shall submit a parking management plan which addresses the issues identified in the analysis. Such parking management plan shall include projected times of parking, designation of uses of each parking space, potential for shared parking, management of the parking areas, and interface with other modes of transportations, such as mass transit, bicycles, etc.

#### **6.4.6 Phasing**

The Conceptual Plan may be proposed in phases, subject to approval of the Commission.

### **6.5 – Residential Requirements**

All residential units within the Village Center Mixed Use District shall comply with the following:

- 6.5.1.** All residential units shall include one or two bedrooms. Bedrooms shall be defined in accordance with standards of the State building code.
- 6.5.2** The maximum height of all residential buildings shall be three stories.
- 6.5.3** The maximum density of the residential area of development shall be as determine by the Commission, based upon: (1) overall traffic impacts; (2) compatibility of the residential uses with that of the proposed commercial uses; (3) proposed design of the residential units in order to create a neighborhood environment, well integrated within the overall intent and concept of this district; (4) impact upon pedestrian and vehicular circulation, and the provision of facilities to

accommodate this circulation in a manner consistent with the intent of this regulations; (5) environmental impact; (6) Availability of adequate community services and the capability of the Town of Oxford to provide these services; and (7) quality of overall architectural design, as determined by the Commission.

- 6.5.4.** Multi-family residential development with a density greater than permitted by Article 5 of these regulations, as may be amended, shall only be permitted in conjunction with planned commercial development. No building permit for residential development shall be issued until building permit(s) shall be issued for a minimum of 100,000 square feet of non-residential construction.

## **6.6 – Procedural Requirements**

### **6.6.1 Informal Consideration**

It is recommended that, prior to the submission of a formal application for approval of a Village Center Mixed Use District, the applicant review with the Commission and its staff in preliminary and informal manner any proposal for a VCMUD.

### **6.6.2 Application**

A petition for a change of zone for the establishment of a Village Center Mixed Use District shall be submitted to the Commission in writing and shall be signed by the owner or owners of all parcels within the proposed district, and shall be accompanied by the following:

**6.6.2.1 Statement** – A written statement specifying the proposed uses of the area, special design considerations and features, architectural guidelines and themes, and how the proposal is consistent with the purpose of the Village Center Mixed Use District.

**6.6.2.2 Conceptual Plan** – A conceptual plan shall be presented to the Commission showing the general intent of the proposal. The following information shall be presented in enough detail to allow the Commission to determine if the plan is in the spirit of the Zone’s intent.

- a. Location and size of property, including a boundary map and a map showing the project site in the context of the surrounding area.
- b. Ability of existing fire suppression equipment and other sources to properly service the proposed development.
- c. General building and parking layout.
- d. Proposed area and square footage of the proposed buildings and uses.
- e. Concept plan for uses to be proposed which may not necessarily include specific tenants.
- f. General vehicular and pedestrian circulation showing all proposed public and private drives, walking paths, sidewalks, and means of traffic calming and/ or pedestrian safety.
- g. Proposed public areas such as parks, lawn areas and recreational facilities.

- h. Landscaping and lighting plans showing areas of existing mature trees, all existing and proposed surface water resources, proposed landscaping treatments, proposed open space and recreational areas, and detail of proposed pedestrian-scaled lighting fixtures to be used.
- i. General streetscape and architectural design or theme, with exterior elevations, perspective drawings and descriptive information regarding building materials and exterior finishes.
- j. Tentative construction timeline and phasing plan
- k. Existing and propose utility plan
- l. Traffic Impact analysis, which describes the potential impact of the proposed uses on public roads, and if needed, includes recommended improvements to such roads; and the adequacy and efficiency of the proposed internal circulation system. The Commission may request that the traffic impact be analyzed as to individual components of the overall plan.
- m. Other information which may be required by the Commission.

### **6.6.2.3 Review of Concept Plan**

After the application submission has been deemed complete for the establishment of a Village Center Mixed Use District, the Commission shall review the application for completeness of submission, and may require additional information. The complete application shall be reviewed at a public hearing and during this review may hold meetings with the petitioner and require additional information. The Commission shall hold a public hearing on the application.

After the public hearing, the Commission may disapprove or give approval to the Concept Plan or approval subject to modifications. Approval of the Concept Plan shall not constitute final approval of the Village Center Mixed Use District and shall simply authorize the submission of Site plans setting forth the in detail the specifics of the proposed development and showing any modifications specified by the Commission.

### **6.6.2.4 Site Plan**

A site plan and application shall be submitted to the Commission as required by Article 11 of the Zoning Regulations. In addition to the plans required by Article 1 of the zoning regulations, all requirements of a site plan required in Article 11 shall be submitted:

### **6.6.2.5 Criteria for Approval of Site Plan**

The Commission may approve the Site Plan only after the Commission finds that the Site Plan is consistent with the approved Concept Plan and any other applicable sections of the Oxford Zoning Regulations.

## **6.6 – Regulatory**

- 6.7.1** The approved Concept Plan, along with approved conditions and requirements shall be the governing tool for the zoning of the Village Center Mixed Use District.
- 6.7.2** Property owners may apply for changes to the approved concept plan. If the Commission determines that the proposed changes are minor, in that they do not have a significant impact upon the overall character, impact function or circulation of the development, the Commission may approve the minor changes through a site plan amendment. However, if the Commission determines that the proposed changes are significant for any reason, they shall require that an application for a change of the conceptual plan be submitted and considered in accordance to the procedures of Section 6.6 of this article and Article 18 of the Oxford Zoning Regulations
- 6.7.3** A site plan for at least one of the approved phases of this development shall be filed within two years of the date of the approval of the conceptual site plan and zone map change. If no work has commenced within two years of the approval of the site plan, as evidenced by the issuance of a building permit for at least one of the principal structures on the site, the Commission shall have the discretion to revoke the approval of the zone map amendment and the conceptual site plan, and rezone the property to its original zoning district.



## **ARTICLE 6A – MIXED INCOME HOUSING DISTRICT**

### ***Section 6A.1 – Intent***

The purpose of this Mixed Income Housing District zone regulation is to establish regulations governing the development of a residential community that will provide the Town of Oxford and the region with both market-rate dwellings and dwellings that are subject to long-term restrictions that will ensure their accessibility for moderate income and low income households. This regulation establishes standards to facilitate such development on selected parcels on which construction will be consistent with soil types, terrain and infrastructure capacity.

### ***Section 6A.2 – Definitions***

- 6A.2.1** “Manufactured home” shall mean a “mobile manufactured home” as set forth in Conn. Gen. Stat. § § 21-64(1) and 21-64a.
- 6A.2.2** “Manufactured home space” means a plot of ground within a manufactured housing community designated for the accommodation of one manufactured home, as set forth in Conn. Gen. Stat. § 21-64(3).
- 6A.2.3** “Manufactured housing community” shall be defined as a residential development comprised of manufactured homes and all accompanying infrastructure and accessory uses, specifically including a “mobile manufactured home park” as set forth in Conn. Gen. Stat. § 21-64(2).
- 6A.2.4** “Mixed Income Housing District” (MIHD) shall be deemed to mean a housing community in which not less than 30 percent of the dwellings will be held, leased or conveyed by deeds containing covenants or restrictions which shall require that such dwellings be sold or rented at, or below, process which will preserve the dwellings as affordable housing as defined in § 8-30g of the Connecticut General Statutes for persons and families whose income is less than or equal to 80 percent of the lesser of the statewide or area median income, for at least 40 years after the initial occupation of the proposed community.
- 6A.2.5** To the extent they are not inconsistent with this Article 6A, the definitions of Article 2 are hereby incorporated by reference. In the event of an inconsistency, the provisions of this Article 6A shall control and supersede such inconsistent definition.

### ***Section 6A.3 – Eligible Location***

A Mixed Income Housing District shall be permitted on property containing at least 40 acres, but not more than 41 acres, in single ownership and fronting on Hurley Road.

### ***Section 6A.4 – Permitted Uses***

No land in the Mixed Income Housing District shall be used or occupied and no structure shall be designed, erected, altered, used or occupied except for residential use of manufactured homes that have

been affixed to a prepared site within a manufactured housing community; provided however, that a permitted use may be accompanied by lawful accessory uses. No portion of an MIHD shall be subdivided or sold separately from the remaining land, provided however, that individually identified manufactured home spaces may be separately leased and lessees of individually identified manufactured home spaces may own and sell the manufactured home located thereon. This paragraph shall not be deemed to prohibit the sale of the entire community as one parcel, subject to the rights of the occupants.

### ***Section 6A.5 – Application for and Approval of Mixed Income Housing Districts***

- 6A.5.1** An application for approval of a Mixed Income Housing development shall be made by submission of an application for site plan approval, such submission to be in conformance with Article 11 of these Regulations.
- 6A.5.2** Following site plan approval, construction of a manufactured home within a manufactured housing space shall require application for and issuance of a zoning permit in accordance with Article 4 of these Regulations.

### ***Section 6A.6 – Criteria for Manufactured Housing Communities***

- 6A.6.1** All manufactured housing communities shall be occupied for residential purposes only. Each manufactured home shall have the wheel hubs, axles and tongue or hitch removed and shall be placed on and affixed to a permanent concrete slab in accordance with manufactured housing industry standards.
- 6A.6.2** All landscaping and storm water control structures in the community, including all lawns and landscaping within individual manufactured home spaces, shall be maintained solely by the owner of the community.

### ***Section 6A.7 – Dimensional Requirements***

- 6A.7.1** Every parcel zoned Mixed Income Housing District shall have a minimum frontage of 200 feet on a public street.
- 6A.7.2** Total impervious coverage shall not exceed 25 percent of the gross area of the site.
- 6A.7.3** Total impervious building coverage shall not exceed 15 percent of the gross area of the site.
- 6A.7.4 Front Yard.** A Mixed Income Housing District shall have one front yard of at least 50 feet, which shall be suitably landscaped.
- 6A.7.5 Rear and Side Yards.** All buildings shall be located at least 25 feet from the property line of the manufactured housing community.
- 6A.7.6 Street Setbacks.** No building shall be located within 25 feet of any Town or State road.

- 6A.7.7 Density shall not exceed 3.5 units per gross acre.
- 6A.7.8 No less than 30 percent of the gross acreage shall be dedicated, by conservation easement or similar enforceable method, as permanent open space.

**Section 6A.8 – Internal Requirements**

- 6A.8.1 **Requirements for Manufactured Home Spaces.** The minimum area for each manufactured home space shall be 2,000 square feet, with a minimum width of 50 feet per space.
- 6A.8.2 No building shall be located within 20 feet from an interior roadway.
- 6A.8.3 **Interior setbacks.** All manufactured homes shall be located at least 5 feet from any boundary of their manufactured home space that is adjacent to another manufactured home space. No manufactured home may be located within 20 feet of another manufactured home. All sheds and other detached accessory buildings shall be located at least 2 feet from any boundary of their manufactured home space.
- 6A.8.4 Building height shall not exceed 20 feet.

**Section 6A.9 – Interior Roadways**

All interior roadways shall be private; however the provisions of Section 22 of Article 3 shall not apply. All manufactured home spaces shall abut an interior roadway with a paved travel way no less than 24 feet in width. Suitable measures shall be taken to insure proper drainage. All interior roadways and common areas shall be maintained by the property owner.

**Section 6A.10 – Parking**

At least 2 parking spaces shall be provided for each manufactured home space with minimum dimensions of each space of 10 feet by 20 feet, which shall be located off of the street. A minimum of 10 guest parking spaces shall be provided and 1 handicapped parking space shall be provided.

**Section 6A.11 – Utilities**

All utilities serving individual manufactured homes shall be located underground within the community and the respective manufactured home space that they serve.

**Section 6A.12 – Additional Site Development Requirements**

- 6A.12.1 Each manufactured home space shall be clearly defined on the ground by permanent monuments or iron pins.
- 6A.12.2 All non-residential buildings, excluding accessory buildings on individual manufactured home spaces and other facilities shall be located at least 50 feet from any manufactured home.

## **Section 6A.13 – Grading**

**6A.13.1** A site plan application for a Mixed Income Housing development shall include maps and plans prepared by an engineer or surveyor licensed to practice in Connecticut showing all information necessary to allow the Commission to determine that moving on grading of earth materials as required for the site plan can be achieved in a safe and environmentally sound manner, including the following information:

**6A.13.1.1** The boundaries of the property where the excavation is proposed and the area to be excavated.

**6A.13.1.2** Existing and proposed grades of the property on a plan drawn to a scale of not less than 100 feet to the inch at the contour level of 2 foot intervals. Such map shall include:

- 1) Grades of the land at the time of the application, based on a field survey.
- 2) Proposed grades at the completion of the excavation.
- 3) Indication, by shading of those areas where the existing grades are in excess of 35 percent, and those areas where the existing grades are between 20 percent and 25 percent.

**6A.13.1.3** Existing and proposed drainage on the premises.

**6A.13.1.4** Surrounding streets and property lines.

**6A.13.1.5** Principal wooded areas and any rock outcrops.

**6A.13.1.6** Existing and proposed structures on the premises.

**6A.13.1.7** Proposed truck passage to the excavation area.

**6A.13.1.8** Proposed soil erosion and sediment control plan pursuant to Article 12.

**6A.13.2** Site grading in conjunction with a site plan for a Mixed Income Housing District shall not require a separate Special Exception approval under Article 14 and Section 12 of Article 3.

**6A.13.3** Retaining walls shall not exceed a height of 6 feet and shall not be located within an individual manufactured home space.

## **Section 6A.14 – Affordable Housing Requirements**

The purpose of the Mixed Income Housing District is to facilitate a residential community containing both market rate and price restricted dwellings that comply with § 8-30g of the General Statutes and 24 CFR §

§ 3280.1 to 3280.904 and 3282.1 to 3282.554. Such price restricted dwellings are referred to herein as MIHD Homes. The following requirements shall apply to MIHD Homes:

- 6A.14.1** MIHD Homes shall be of a construction quality that is comparable to market rate homes within the community. The final site plan and affordability plan shall identify the locations within the community of the MIHD Homes. MIHD Homes shall be interspersed throughout the community.
- 6A.14.2** The MIHD Homes shall be built or installed on a *pro rata* basis as construction proceeds.
- 6A.14.3** Calculation of the maximum monthly payment for MIHD Homes, so as to satisfy Conn. Gen. Stat. § 8-30g, shall utilize the area median income data as published by the U.S. Department of Housing and Urban Development in effect on the day a purchase and sales agreement or lease agreement is executed by the parties.
- 6A.14.4** The maximum monthly payment that the owner of an MIHD Home shall pay shall not be greater than the amount that will preserve such unit as “affordable housing” as that term is defined in Conn. Gen. Stat. § 8-30g, and shall include periodic mortgage or financing payment, based on a commercially reasonable interest rate at the time of occupancy; taxes; insurance; ground lease payments; heat; and utility costs, including hot water, sewer and electricity, but excluding telephone, cable television and information/internet services. All MIHD Homes shall be located on a Manufactured Home Space that is expressly dedicated for use by an MIHD Home within the community. Rent paid for a Manufactured Home Space dedicated for an MIHD Home shall not exceed the maximum monthly rental for a mobile manufactured home space promulgated by the U.S. Department of Housing and Urban Development and such rent shall be included in the calculation for maximum monthly payments to ensure that the total amount paid does not exceed the amount permitted by this section and the General Statutes.
- 6A.14.5** MIHD Homes shall be occupied only as an owner’s principal residence. Sub-leasing of MIHD Homes shall be prohibited. Notwithstanding the foregoing, the Manufactured Home Space on which an MIHD Home is located may be leased to the owner of the MIHD Home, provided the Manufactured Home Space is exclusively dedicated for an MIHD Home.
- 6A.14.6** At the same time that the market rate homes in a Mixed Income Housing District are first advertised to the general public, notice of availability of the MIHD Homes shall be provided by advertising such availability in the real estate section of a newspaper of general circulation in the Town of Oxford, by providing notice to the Oxford Town Council, the Oxford Town Clerk, and the Oxford Planning & Zoning Commission, and through procedures outlined in the affirmative fair housing marketing plan.
- 6A.14.7** Each deed for an MIHD Home will contain substantially the following provision:  
  
“This dwelling unit is an affordable housing dwelling unit and is therefore subject to a limitation at the date of purchase on the maximum annual income of the household that may purchase the unit, and is subject to a limitation on the maximum sale or resale price. These

limitations shall be strictly enforced, and may be enforced by the zoning enforcement authority of Oxford.

For the duration of this covenant or restriction, this dwelling unit may be sold only to a household or family whose annual income is equal to or less than eighty percent (80%) or sixty percent (60%), as applicable, of the median income as defined in subsection 8-30g – 1(1) of the Regulations of Connecticut State Agencies, and may be sold or resold and only at a price equal to or less than the price determined using the formula stated in section 8-30g – 8(a) of the Regulations of Connecticut State Agencies.”

**6A.14.8** Each lease for a Manufactured Home Space containing an MIHD Home will contain substantially the following provision:

“This space is an affordable housing dwelling unit space and is therefore subject to a limitation on the maximum annual income of the household that may rent the unit, and is subject to a limitation on the maximum rental that may be charged for the unit. These limitations shall be strictly enforced, and may be enforced by the zoning enforcement authority of Oxford or owner or landlord of this space.

For the duration of this covenant or restriction, this space shall be rented to persons or families whose annual income is equal to or less than eighty percent (80%) or sixty percent (60%), as applicable, of the median income as defined in subsection 8-30g – 1(10) of the Regulations of Connecticut State Agencies, and may be rented only at a rental equal to or less than the rental determined using the formula for maximum monthly rental amount, including utilities, stated in Section 8-30g – 8(d) of the Regulations of Connecticut State Agencies.

**6A.14.9** The forty (40) year affordability period shall be calculated separately for each MIHD Home in a Mixed Income Housing District, and the period shall begin on the date, as defined at closing, of occupancy of the MIHD Home.

**6A.14.10** In conjunction with an application for approval of a final site plan for a Mixed Income Housing District, the applicant shall submit an “Affordability Plan”, which shall describe how the regulations regarding affordability will be administered. The Plan shall include provisions for administration of and compliance with the provision of this section, notice procedures to the general public of the availability of affordable homes, identification of those homes which are to be designated affordable, procedures for verification of unit income, and compliance with affordability requirements. Such plan shall also include drafts of documents that will be used in the administration of the affordability restrictions and any explanations which will be provided to the prospective owners concerning such restrictions.

**6A.14.11** The applicant shall also submit an affirmative fair housing marketing plan to govern the sales of all MIHD Homes at the time of final site plan approval.

**6A.14.12** A violation of the Regulations contained in this section shall not result in a forfeiture or reversion of title, but the Oxford Planning & Zoning Commission or its designated agent shall otherwise retain all enforcement powers granted by the Connecticut General Statutes, including

the authority under § 8-12 to issue notices of violation, to impose fines and so seek injunctive relief.

### **Section 6A.15 – Conflicts**

- 6A.15.1** Where any provision of this Article conflict with any other provisions of the Oxford Zoning Regulations, the provisions of this Article shall supersede the conflicting provisions.
- 6A.15.2** Any application for a manufactured housing community in the MIHD zone shall be expressly exempt from the provisions of Article 13 and Section 52 of Article 2.

## **ARTICLE 7 – COMMERCIAL DISTRICT**

### ***Section 7.1 – General***

The following regulations shall apply to the use of land, building and other structures and the location and bulk of buildings and other structures in any Commercial districts.

### ***Section 7.2 – Permitted Uses***

Land, buildings and other uses with a gross floor area of less than 25,000 square feet may be used for one or more of the following purposes subject to site plan approval in accordance with Article 11.

- 7.2.1 Stores and shops for the conduct of retail business
- 7.2.2 Barber shops, beauty parlors and other similar personal services
- 7.2.3 Banks and financial institutions
- 7.2.4 Corporate, business, professional and medical offices
- 7.2.5 Indoor theaters and other places of assembly
- 7.2.6 Undertaker establishments, crematories and funeral parlors
- 7.2.7 (Deleted)
- 7.2.8 Child and adult day care centers
- 7.2.9 Commercial complexes
- 7.2.10 Restaurants without drive through windows
- 7.2.11 Printing and blueprinting services
- 7.2.12 Artist and dance studios

### ***Section 7.3 – Special Exceptions***

Subject to the securing of a Special Exception as provided in Article 10 of these Regulations, the following are permitted:

- 7.3.1 All permitted uses with a gross floor area of 25,000 square feet or greater.
- 7.3.2 Drive through facilities of permitted uses or uses permitted by special exception.
- 7.3.3 Government buildings.
- 7.3.4 (Deleted)
- 7.3.5 Places of worship.
- 7.3.6 Lumber & Building Materials Storage & Sales.
- 7.3.7 Commercial recreation facilities in accordance with Article 10, Section 5.
- 7.3.8 Garages, and filing stations in accordance with Article 3, Section 10.
- 7.3.9 Automobile, Farm Equipment, boat and other vehicle sales, rental and service.
- 7.3.10 Outdoor sales areas in accordance with Article 10, Section 1.
- 7.3.11 Membership clubs and fraternal organizations.
- 7.3.12 Carwashes and other facilities for the cleaning of automobiles and other vehicles.
- 7.3.13 Veterinary offices and hospitals
- 7.3.14 Farms, garden supply centers, and nurseries.
- 7.3.15 Wireless communication facilities in accordance with Article 10, Section 7.
- 7.3.16 Sale of alcoholic beverages.



7.3.17 Heavy equipment sales and storage.

### **Section 7.4 – Land Area & Frontage**

Each lot shall have a minimum land area of one and one half contiguous dry acres and shall be of such shape that a square with 160 feet on each side will fit on the lot. Each lot shall have 175 feet or more frontage on a public highway, or shall have access of at least 50 feet in width to the public highway.

**7.4.1 Interior Lots.** Any lot meeting all the requirements except frontage of 175 feet or more will be considered an interior lot. It must have an easement of access or private right-of-way at least 50 feet wide to a public street or properly bonded subdivision street. Each interior lot must be located behind and adjoining an acceptable front lot, with said lot and access ways to the interior lot pinned by a licensed engineer or land surveyor.

### **Section 7.5 – Setbacks**

**7.5.1** All buildings shall be setback a minimum of ten feet from all public rights of way.

**7.5.2** The minimum side and rear yard setback shall be fifty feet for all buildings which are adjacent to a residential zone.

**7.5.3** The minimum side and rear yard setback shall be twenty five feet for all buildings which are adjacent to property within the Commercial Zone.

**7.5.4** The commission may waive the setbacks required above, if (1) the proposed site is a component of a comprehensive site plan that provides adequate access and buffering to adjacent properties, of (2) the areas of setback are adjacent to areas zoned Commercial and the Commission finds that the reduced setbacks are appropriate to facilitate the appropriate development of the area.

### **Section 7.6 – Height**

No building or other structure shall exceed a height of 2½ stories, or 35 feet, whichever is less. The Commission may permit by Special Exception a maximum height of 55 feet, if it makes the following findings:

**7.6.1** The proposed building or structure shall be able to be adequately protected by the Oxford Fire Department with its resources at the time of the construction of the structure. This shall include adequate access for fire suppression vehicles from at least two sides of the proposed building, or as determined by the Oxford Fire Department.

**7.6.2** The proposed structure shall not result in any reduction of public safety or welfare, either for the potential uses of the structure, or for the owners, residents or users of adjacent properties.

**7.6.3** The proposed use or structure shall not cast shadows on adjacent properties which would detract from the use of the adjacent property. The Commission may require a shadow analysis of the proposed structure, to assist in their decision-making.

**7.6.4** The proposed building or structure shall promote the use of the Commercial district in conformance with the Plan of Conservation and Development.

**7.6.5** The proposed building or structure shall not have any detrimental impacts upon residential properties within Oxford.

## **Section 7.7 – Coverage**

The aggregate coverage of all buildings and other structures on any lot shall not exceed 40 percent of the area of the lot.

## **Section 7.8 – Off Street Parking**

**7.8.1** The number of off-street parking spaces shall be provided as required in Article 3, Section 24.

**7.8.2** All parking areas, excluding access drives shall have the following minimum setbacks:

**Front Yard:** 10 Feet

**Side and Rear Yard:** 25 Feet

**Side and Rear Yard when abutting a residential zone:** 40 Feet

The Commission may waive all or a portion of the parking lot setbacks, if they find that the unique circumstances of the lot would make strict adherence to the setback requirements not feasible, and that the intent of the regulations are met.

**7.8.3** All parking areas shall conform to the standards of **Section 8** of this article.

**7.8.4** Off street parking spaces shall be suitably separated from the building in such a way as to assure safe movement of pedestrian traffic to all major entrances of the building served by any of the following means: a six feet wide concrete walk with an six inch high concrete safety curb; six inch high precast concrete curbs in such a manner as to provide a five foot wide vehicle-free passageway; or by any other manner which may be approved by the Commission.

## **Section 7.9**

No commercial building shall occupy an area of less than 2,500 square feet.

## **Section 7.10 – Buffer**

Buffer belts or strips shall be provided along all property lines where adjoining property is zoned, or presently used, for residential uses. Each buffer shall comply with the definition in Article 2, Section 15.

## **Section 7.11 – Lighting**

All outdoor lighting shall be so directed and shielded that no glare shall fall upon adjoining property nor impair vision of motorists or aircraft.

## **Section 7.12 – Site Plan**

A site plan conforming to the requirements of Article 11 shall be provided except under either of the following conditions:

**7.12.1** A transfer of ownership or tenancy occurs, but use remains substantially unchanged.

**7.12.2** Tenant or use of one section of a multi-unit building does not substantially change from the site plan already on file for same building or property.

## ***Section 7.13 – Landscaping***

All ground area which is not covered by building, paving or natural vegetation, which has been disturbed by construction, shall be graded to a slope not steeper than 1:3 and planted and seeded so as to establish a permanent ground cover which will enhance appearance and inhibit erosion of soil.

- 7.13.1 The area between the parking lot and the street shall be landscaped in accordance with the requirements of Article 2, Section 24.3.7, in a way to provide visual interest, with a mixture of different species of shrubs, trees, groundcover, annuals and perennials. Large unbroken expanses of lawn shall be avoided.
- 7.13.2 Street trees shall be installed in conformance with Article 3, Section 31 of these regulations.
- 7.13.3 A minimum of one shrub of a minimum height of 24” shall be planted for each three feet of building frontage. The commission, at their discretion may permit the substitution of perennial gardens.

## ***Section 7.14 – (Deleted)***

## ***Section 7.15 – Design Standards***

- 7.15.1 Architectural renderings of the proposed building(s) shall be submitted to the Commission for their review.
- 7.15.2 The façade of all buildings that are visible from the street or other public areas shall be of some architecturally treated masonry or other treatment approved by the Commission.
- 7.15.3 No loading areas or overhead doors shall be visible from the street or other public areas.

## **ARTICLE 7A – PLANNED COMMERCIAL DISTRICT**

### ***Section 7A.1 – General***

The following regulations shall apply to the use of land, building and other structures and the location and bulk of buildings and other structures in the Planned Commercial District. This district shall be considered a floating zone that may be applied when the Commission finds that the conditions of this zone are met. The purpose of this regulation is to provide for the development of a community based commercial center, with a “Village like” design that would accommodate a certain degree of mixed use. The center is to be located within the Route 67 corridor in accordance with the Plan of Conservation and Development Update.

### ***Section 7A.2 – Procedure***

- 7A.2.1** The uses permitted shall be those specified in the approval of the Special Exception.
- 7A.2.2** The change of zone to Planned Commercial District shall only become effective upon approval of the Special Exception.

### ***Section 7A.3 – Special Exceptions***

Subject to the securing of a Special Exception as provided in Article 10 of these Regulations, the following are permitted:

- 7A.3.1** Stores and shops for the conduct of retail business
- 7A.3.2** Barber shops, beauty parlors and other similar personal services
- 7A.3.3** Banks and financial institutions
- 7A.3.4** Corporate, business, professional and medical offices
- 7A.3.5** Indoor theaters and other places of assembly
- 7A.3.6** Commercial complexes
- 7A.3.7** Restaurants
- 7A.3.8** Other similar uses, as determined by the Commission that is consistent with the intent of this regulation.

### ***Section 7A.4 – Unified Development Plan***

All development activities within the Planned Commercial District shall be done in conformance with a Unified Development Plan, which shall be submitted by the applicant and reviewed and approved by the Commission. The Unified Development Plan shall encompass all the land proposed for inclusion within the Planned Commercial Zone owned or under the control of the applicant and include the following:

- 7A.4.1** A key map at a scale of one inch equals 800 feet showing the parcel’s location in the Town of Oxford.
- 7A.4.2** A map at a minimum scale of one inch equals 100 feet showing the boundaries of the parcel, general topography highlighting areas exceeding 20% slopes, inland wetlands and

watercourses, flood hazard areas, heavily wooded areas and other significant natural or man-made features of the land.

- 7A.4.3 Master Phasing Plan, which indicates the phasing of development of the property.
- 7A.4.4 Proposed architectural guidelines intended to be used within the development including sample elevations of the proposed buildings.
- 7A.4.5 Proposed uses.
- 7A.4.6 The manner of ownership and maintenance of any private roadways, common open space, or any other common elements to the plan.
- 7A.4.7 A traffic impact study, which shall include, at a minimum, existing and projected average daily vehicle trips on nearby roads, peak hour traffic, adequacy of road rights-of-way, site lines at all intersections likely to be impacted by the proposed development, existing roadway and intersection capacity, recommendations for improved vehicle circulation, including improvements required for highway interchanges, Town and State roads.
- 7A.4.8 Projected use and demand for public water and sewer, capacity of the existing systems, and improvements necessary to accommodate the proposed development.
- 7A.4.9 Identification of sensitive environmental areas, impact of the proposed development upon those areas, and proposed methods of mitigation of those impacts.
- 7A.4.10 All other potential constraints to development and proposed methods of addressing those constraints.
- 7A.4.11 The Planning and Zoning Commission may amend the Unified Development Plan upon request by the developer, if it finds the proposed amendment in conformance with the current requirements of section.

### **Section 7A.5 – Applicability & Standards**

- 7A.5.1 The Planned Commercial District shall encompass a parcel or contiguous parcels with a minimum size of 10 acres.
- 7A.5.2 The site should be designed as a traditional “Village Center” with the orientation of the retail uses towards an internal street, pedestrian area or right of way. The primary entrances to the retail uses shall be directly from this internal street, pedestrian area or right of way.
- 7A.5.3 The architectural design shall be of a consistent theme, approved by the Commission, consistent with the village center concept.
- 7A.5.4 Multi-use and multi-story buildings shall be encouraged, with office or other suitable uses on second and third floors.
- 7A.5.5 **Maximum Building Height** – 3 stories or 40 feet, whichever is lower.
- 7A.5.6 **Minimum Setbacks** shall only apply to the perimeter of the site:

<u>Minimum Rear and Side Yard Setback</u>	<u>Parking</u>	50'
<u>Minimum Rear and Side Yard Setback</u>	<u>Building</u>	50'
<u>Minimum Front Yard Setback:</u>	<u>Parking</u>	50'
<u>Minimum Front Yard Setback:</u>	<u>Building</u>	25'

- 7A.5.7 All rooftop mechanical equipment shall be shielded from view from the ground.
- 7A.5.8 **Maximum Building Coverage** – 30% of the site; determined on the basis of the entire area encompassed by the Unified Development Plan.
- 7A.5.9 **Maximum Impervious Surface Coverage** – 75% of the site; determined on the basis of the entire area encompassed by the Unified Development Plan.
- 7A.5.10 All delivery, freight handling and storage shall be shielded from off site view.
- 7A.5.11 There shall be no outdoor storage of merchandise, although the Commission may permit outdoor sales in designated areas.
- 7A.5.12 All outdoor storage of equipment (including communication equipment), materials and vehicles, except automobiles used by employees and visitors shall be shielded from offsite view by a solid masonry wall and/or landscaping as approved by the Commission and does not block any site lines or traffic.
- 7A.5.13 The proposed development shall be served by public water and sewer.
- 7A.5.14 All utility facilities, including but not limited to; electric power, telephone, cable television and gas shall be located underground. All utilities utilizing wire or cable shall be installed within conduit in accordance with the requirements of the utility provider.
- 7A.5.15 All plans and amendments shall be in conformance with the requirements of these regulations in effect at the time of application of the plan or amendment.

### ***Section 7A.6 – Criteria for Approval***

In reviewing an application for rezoning and special exception for a Planned Commercial District; the Commission shall make the following findings in order to approve the application:

- 7A.6.1 The application is consistent with the standards of Article 7A, Section 5.
- 7A.6.2 The application is in conformance with the Plan of Conservation and Development as updated.
- 7A.6.3 The architectural style of the proposed building or buildings shall be consistent with the theme of the overall development and the intent of this regulation.
- 7A.6.4 The proposal is consistent with the provision of safe and efficient traffic circulation, on and off site.
- 7A.6.5 Significant environmental features are preserved or measures are taken to mitigate any adverse impacts or loss of resources.
- 7A.6.6 There is adequate utility service and capacity to serve the planned development.
- 7A.6.7 The buildings, parking areas, driveways and landscaped areas are placed to achieve efficient utilization of the site, and the enhancement of the aesthetic qualities of the overall development.
- 7A.6.8 All outdoor lighting shall be directed and shielded that no glare shall fall upon adjoining property nor impair the vision of motorists.

### ***Section 7A.7 – Requirements for Parking***

- 7A.7.1 The number of off-street parking spaces shall be provided as required in Article 3, Section 24.
- 7A.7.2 All parking areas shall conform to the standards of Section 8 of this article.
- 7A.7.3 Off street parking spaces shall be suitably separated from the building in such a way as to assure safe movement of pedestrian traffic to all major entrances of the building served by any of the following means: a six foot wide concrete walk with an six inch high concrete safety curb; six

- inch high precast concrete curbs in such a manner as to provide a five foot wide vehicle-free passageway; or by any other manner which may be approved by the Commission.
- 7A.7.4** Landscaped end islands shall be provided within the parking lots at each end of each row of parking spaces. They shall be a minimum of 9 feet wide by 18 feet long for a single row of spaces and 9 feet wide by 36 feet long for a double row of spaces. Each end island shall contain a minimum of one shade tree with a minimum height of 12 feet and at least three shrubs per 12 parking spaces or fraction thereof.
- 7A.7.5** There shall be no more than 25 contiguous parking spaces without an interior or an end island.
- 7A.7.6** Interior islands shall be a minimum of 9 feet wide by 18 feet long for a single row of spaces and 9 feet wide by 36 feet long for a double row of spaces. Each interior island shall contain a minimum of one shade tree with a minimum height of 12 feet and at least three shrubs per 12 parking spaces or fraction thereof.

### **Section 7A.8 – Landscaping**

- 7A.8.1** All land not to be covered by parking lot, driveways, aisles, buildings or pedestrian walks shall be landscaped in accordance with the provisions of these regulations.
- 7A.8.2** All areas shall be properly irrigated throughout the use of an underground irrigation system, unless the plantings proposed would not require irrigation as determined by the Commission.
- 7A.8.3** Major trees shall include any of the appropriate varieties of shade trees, ornamental trees or evergreens.
- 7A.8.4** Shrubs shall include any of the appropriate varieties of evergreen or deciduous plants.
- 7A.8.5** At the time of planting, trees shall be of the following minimum size:
- 7A.8.6** **Shade trees:** two and one-half inch caliper measured at three feet above grade
- 7A.8.7** **Evergreen trees:** five foot height
- 7A.8.8** **Flowering trees:** two-inch caliper, single stem; eight-foot height, clump form
- 7A.8.9** Trees, shrubs and ground cover within five feet of any paved areas shall be of a variety capable of withstanding damage from salt.
- 7A.8.10** All plant material shall be nursery grown and conform to the standards of the American Association of Nurserymen.
- 7A.8.11** Mulched planting beds of an appropriate size shall be placed around trees and shrubs to retain moisture. Acceptable mulching material shall be bark, wood chips, gravel or stone, at least four inches in depth.
- 7A.8.12** Suitable ground cover shall be placed on all disturbed site areas not covered by paving, buildings or mulching for trees and shrubs. Suitable ground cover shall be grass, turf, myrtle pachysandra, stone or an appropriate substitute. A maximum of 5% of the landscaped area shall be stone.
- 7A.8.13** No stone or gravel shall be used for planting beds or ground cover within four feet of pedestrian walkways unless the material is suitably contained within its area.
- 7A.8.14** Existing large trees shall be saved, if possible; if grading is required in their vicinity, trees shall be appropriately welled or mounded to protect them from damage.
- 7A.8.15** All trees eight inches or greater in caliper shall be identified on the site plan. No trees eight inches or greater in caliper within areas designated for landscaping shall be removed unless expressly permitted by the Commission.
- 7A.8.16** Street trees shall be installed in conformance with Article 3, Section 31 of these Regulations.

## **ARTICLE 8 – ROUTE 67 OFFICE PROFESSIONAL DISTRICT**

### ***Section 1 – Purpose***

To promote the development of limited small scale non-residential uses that would not detract from the residential and rural environment, such as small offices, day care centers, small retail, houses of worship and similar uses along the northern areas of Route 67.

### ***Section 2 – Permitted Uses***

Land, building and other structures may be used for one or more of the following:

**8.2.1** Land, buildings and other structures may be used for any use permitted in Residence District A.

### ***Section 3 – Permitted Uses subject to Site Plan Review***

Land, buildings and other uses with a gross floor are of less than 5,000 square feet may be used for the following purposes subject to the Site Plan approval in accordance with Article 11.

**8.3.1** Offices for use by professions and non-retail business services including, but not limited to: accountant, architect, attorney, chiropractor, computer & data processor, dentist, doctor, engineer, insurance agent, physical therapist, professional engineer, real estate broker, land surveyor, consultants, stock brokers and administrative offices.

### ***Section 4 – Special Exceptions***

Subject to the securing of a Special Exception as provided in Article 10 of these regulations, the following are permitted:

**8.4.1** Churches and places of worship

**8.4.2** Multi-family dwellings, in accordance with the provisions of Article 10 Section 4.

**8.4.3** Day care facilities, including family day care homes and group day care homes.

**8.4.5** Commercial Recreation Facilities, including golf courses, tennis courts, swimming pools and similar recreational facilities.

**8.4.6** Public utility sub-stations (not including garages, or storage yards), water supply reservoirs, wells, water towers, water treatment facilities.

**8.4.7** Undertaking establishments

**8.4.8** Private and vocational schools



- 8.4.9** Cemeteries and philanthropic institutions.
- 8.4.10** Offices for use by professions and non-retail business services including, but not limited to: accountant, architect, attorney, chiropractor, computer & data processor, dentist, doctor, engineer, insurance agent, physical therapist, professional engineer, real estate broker, land surveyor, consultants, stock brokers and administrative offices, that exceed five thousand square feet of Gross Leasable Area.
- 8.4.11** Bed and Breakfast establishments.
- 8.4.12** Age-restricted housing subject to the requirements of Article 10, Section 10; including the following uses:
  - A. Independent Living Units
  - B. Congregate Care Facilities
  - C. Assisted Living Facilities.
  - D. Nursing Convalescent Facilities
- 8.4.13** Retail sales and service establishments with a gross floor area of less than 5,000 square feet, subject to the following:
  - 8.4.12.1** There be no drive-through establishments;
  - 8.4.12.2** The Commission may limit the hours of operation to ensure its compatibility with residential uses;
  - 8.4.12.3** The Commission may limit the extent and intensity of lighting to ensure compatibility with residential uses;
  - 8.4.13.4** The architectural characteristics of the building shall be of a residential style character;
  - 8.4.13.5** There shall be no sale of alcoholic beverages;
  - 8.4.13.6** There shall be no sale of food or beverages to be consumed on-site;
  - 8.4.13.7** The Commission determines that services or products are compatible with the surrounding residential environment.
- 8.4.14** Banks and financial institutions subject to the requirements of Sections 4.12.1 through 4.12.7.
- 8.4.15** Dance Studios.
- 8.4.16** Veterinary Hospitals

## ***Section 8.5 – Land Area & Frontage***

- 8.5.1** All uses permitted within the Residence District A, shall conform to the minimum lot area, shape, frontage and access requirements as required in Article 5, Section 4.
- 8.5.2** All other uses other than those permitted within the Residence District A shall be located on a parcel with a minimum land area of 2 contiguous dry acres which meets the criteria of Article 3, Section 26

of these regulations, and shall be of such shape that a square with 200 feet on each side shall fit on the lot. Each parcel shall have a minimum frontage of 200 feet on Route 67. However, lots and parcels in existence legally at the time of adoption of this amendment shall be legally conforming of the purpose of the uses permitted by right or special exception within this zoning district. No lots or parcels that have an area of 2 acres or less shall be reduced in size for a use permitted in this district.

**8.5.3** No use permitted by Special Exception as specified in Article 8, Section 4 shall be permitted on rear lots.

### **Section 8.6 – Setbacks**

**8.6.1** All uses permitted within the Residence District A shall conform to the minimum setback requirements as required in Article 5, Section 5.

**8.6.2** For all other uses other than those permitted within the Residence District A, no building or structure shall extend within 30 feet of the right-of-way or taking line of any State highway, within 55 feet of the center line of any Town road or highway, or within 100 feet of any residential zone, or within 25 feet of any other property line. The Commission may permit, by special exception, lesser setback from a residential zone of greater than 50 feet if it finds that for reasons of landscaping, natural vegetation and/or topography that there would be adequate buffering between proposed non-residential and residential uses.

**8.6.3** Buildings in existence at the time of adoption of this zoning amendment shall not be bound by the setbacks or bulk regulations of this zone for reuse for any use permitted by right or special exception, provided that no expansion shall be permitted that would not be in conformance with the requirements of Section 8.6.2.

### **Section 8.7 – Height**

No building or other structure shall exceed a height of 2 ½ stories or 35 feet, whichever is less.

### **Section 8.8 – Coverage**

The maximum total coverage, as defined by Article 2, Section 33 as amended, of all buildings and other structures and parking and drives on any lot shall not exceed 30 % of the area of the lot.

### **Section 8.9 – Off Street Parking**

**8.9.1** All off street parking for non-residential uses shall be located behind the front line of the building, and shall be visually screened by a wall, fence or solid vegetation from the public right of way and all abutting residential properties. The Commission may permit, by special exception, the installation of parking facilities within 10 feet of the public right of way if it determines that there is adequate visual buffering in the form of: (1) a berm with a minimum height of 3 feet with adequate landscaping along the berm; (2) the planting of evergreens with a minimum height of 4 feet with at least 1 planting for every 5 feet of parking lot frontage that extends the total length of frontage between the parking lot

and the street right of way; and/or (3) a stone wall or fence with a design approved by the Commission with a minimum height of 3 feet that extends the total length of frontage between the parking lot and the street right of way.

- 8.9.2** No parking area shall contain more than 20 contiguous spaces. If more than 20 spaces are needed, the parking shall be separated by vegetation so as to prevent the appearance of large areas of parking.

### ***Section 8.10 – Buffer***

Buffer strips of lawn, plantings, shrubs or trees, as determined appropriate by the Planning and Zoning Commission, shall be provided along all property lines to provide reasonable, undisturbed use and enjoyment of adjoining properties. Each buffer shall comply with Article 2 and Article 3. Plantings or buffers shall reflect rural character of indigenous species rather than newly planted nursery stock where possible.

- 8.10.1** Fences of a height, size and style as may be determined by the Commission if it finds such structures would provide a buffer more appropriate than lawn, plantings and shrubs. Such fence may be in lieu of or in addition to other buffers, but should also reflect the rural character of the Town.
- 8.10.2** In determining the nature and size of such buffer strip, the Commission shall consider potential for disturbance to adjoining properties including visual, sound and light disturbance, hours of operation and other applicable parameters.

### ***Section 8.11 – Lighting***

All outdoor lighting shall be directed and shielded so that no glare shall fall upon adjoining property nor impair the vision of motorists or aircraft.

### ***Section 8.12 – Landscaping***

All ground area which is not building, paving nor natural vegetation, which has been disturbed by construction shall be graded to a slope of not steeper than 1:3 (1 foot vertical on 3 foot horizontal), and planted and seeded so as to establish a permanent ground cover which will enhance appearances and inhibit erosion of soil. However, exposed rock ledges that results from re-grading shall be permitted at a slope of up to 6:1 (Six foot vertical on one foot horizontal) upon acceptance by the Town Engineer that the resultant slope shall be stable.

### ***Section 8.13 – Design Considerations***

- 8.13.1** All non-residential uses shall be designed to be consistent with the residential character of the area.
- 8.13.2** All applications for non-residential structures shall include an architectural rendering of the proposed buildings and structures.
- 8.13.3** The maximum size of any non-residential building shall be 25,000 square feet of gross leasable area.

## **Section 8.14 – Signs**

One double-sided sign, with external illumination may be placed on the premises for which an R/POD zoning permit has been granted. Said sign may be a maximum of 2 feet by 3 feet on each side.

## **Section 8.15 – Procedure**

- 15.1** The submission of a site plan in accordance with Article 11 shall be required for all applications for this district.
- 15.2** The submission of a completed application for a zoning permit shall be required for all applications in this District.
- 15.3** Any expansion of an approved, designated professional office use which shall increase the area used for office purposes or increase the parking requirements shall require a new application to and approval by the Commission. Expansion for the purpose of this section shall include increase in square footage of office space, increase in office personnel, increase in clientele or other conditions resulting in inadequate parking space. The Commission, with proper notice to those concerned, may act upon any such reported change by the property owner, user or off site complainant.

## **ARTICLE – 8A OXFORD CENTER DISTRICT**

### ***Section 8A.1 – General***

The following regulations shall apply to the use of land, building and other structures and the location and bulk of building and other structures in the Oxford Center District. The purpose of this regulation is to permit certain non-residential uses that would be compatible with the current residential uses, provide for the continued economic use in this area, protect and enhance its unique character and contribute to the economy of the Town by a greater economic utilization of the center of Town.

### ***Section 8A.2 – Permitted Uses***

Land, buildings and other structures may be used for one or more of the following purposes:

**8A.2.1** All uses permitted in the Residence A District as specified in Article 5, Section 2.

### ***Section 8A.3 – Special Exceptions***

Subject to the securing of a Special Exception as provided in Article 10 of these regulations, the following are permitted:

- 8A.3.1** All uses permitted by Special Exception in the Residence A District as specified in Article 5, Section 3.
- 8A.3.2** Business and professional offices.
- 8A.3.3** Retail stores and shops for the sale of antiques, gifts, clothing or other type of retail establishment, that in the opinion of the Commission would be consistent with the historical and residential character of the area with respect to levels of activity, generation of traffic or hours of operation.
- 8A.3.4** Undertaker establishments and funeral parlors.
- 8A.3.5** Child day care facilities.
- 8A.3.6** Artist and dance studios.
- 8A.3.7** Bed & Breakfast establishments.

### ***Section 8A.4 – Applicability & Standards***

The following standards shall apply to all special exception uses specified in Article 8A, Section 3, except those uses permitted as per Article 8A, Section 3.1.

- 8A.4.1** No parking areas shall be located between the building and the public right of way, except the driveway.
- 8A.4.2** All parking areas shall be shielded from view from the public right of way and adjacent properties through the use of evergreen hedges, lumber fence, masonry walls or other measure determined to be suitable by the Commission.

- 8A.4.3** All parking areas shall be setback a minimum of 10 feet from all side lot lines and 15 feet from the rear lot line. The Commission may waive the setback when the adjacent property is being used for nonresidential purposes and a common parking area is used.
- 8A.4.4** These uses shall utilize existing buildings. The Commission may permit the expansion of an existing building or the construction of a new building if it finds that the architecture of the new construction is compatible with the historic architecture of the area.
- 8A.4.5** All signs shall conform to the requirements of Article 16, and shall reflect the historic nature of the area, in the opinion of the Planning & Zoning Commission. No internally illuminated signs shall be permitted.
- 8A.4.6** All other requirements of the Residence District A shall apply.
- 8A.4.7** All uses by Special Exception shall utilize buildings that exist at the time of adoption of this regulation. Such buildings, if they contain less than 2,500 square feet of floor area, may be enlarged so that the special exception use occupies a maximum of 2,500 square feet of floor area, if, in the opinion of the Commission, the expansion of the building will not detract from the historical and residential character of the area.

### ***Section 8A.5 – Landscaping***

All ground area which is not covered by building, paving or natural vegetation, which has been disturbed by construction, shall be graded to a slope not steeper than 1:3 and planted and seeded so as to establish a permanent ground cover which will enhance appearance and inhibit erosion of soil. The landscaping shall be destined to promote the historic and residential character of the area.

## **ARTICLE 9 – INDUSTRIAL DISTRICT**

### ***Section 9.1***

The following Regulations shall apply to the use of land, buildings and other structures and the location and bulk of the buildings and other structures in the Industrial District.

### ***Section 9.2 – Permitted Uses***

Land, buildings and other uses with a gross floor area of less than 50,000 square feet may be used for one or more of the following purposes subject to Site Plan approval in accordance with Article 11.

- 9.2.1** Wholesale & distribution.
- 9.2.2** Manufacture & assembly when conducted entirely within a building.
- 9.2.3** Warehousing & storage only in conjunction with manufacture & assembly or other permitted use.
- 9.2.4** Broadcast & media production.
- 9.2.5** Banks & financial institutions.
- 9.2.6** Business, professional & corporate offices.
- 9.2.7** Aviation facilities.
- 9.2.8** Printing, publishing, blueprinting & similar reproduction.

### ***Section 9.3 – Special Exceptions***

Subject to the securing of a Special Exception as provided in Article 10 of these regulations, the following are permitted:

- 9.3.1** All uses with a gross floor area of 50,000 square feet or greater.
- 9.3.2** Outdoor manufacture or assembly.
- 9.3.3** Monument & stone cutting.
- 9.3.4** Garden supply centers & nurseries.
- 9.3.5** Government buildings.
- 9.3.6** Lumber & building supply storage & sales
- 9.3.7** Restaurants.
- 9.3.8** Sale of alcoholic beverages.
- 9.3.9** Veterinary hospitals.
- 9.3.10** Undertaker establishments, crematories & funeral parlors.
- 9.3.11** Child day care centers.
- 9.3.12** Carwashes.
- 9.3.13** Medical offices.
- 9.3.14** Commercial recreation facilities.
- 9.3.15** Garages & filling stations.
- 9.3.16** Heavy equipment sales, storage & rental.
- 9.3.17** Public parking lots.
- 9.3.18** Gas powered generating facilities.
- 9.3.19** Drive through facilities of permitted uses or uses permitted by special exception.
- 9.3.20** Retail uses when accessory to manufacturing or other principal use.

- 9.3.21 Contractor's yards.
- 9.3.22 Health & fitness clubs.

### **Section 9.4 – Lot Area, Shape, Frontage & Access**

Each lot shall have a minimum land area of 2 ½ contiguous dry acres which meets the criteria of Article 3, Section 26 of these regulations, and shall be of such shape that a square with 200 feet on each side will fit the lot. Each lot shall have a frontage of 225 feet or more on a public street or shall have an easement of access or private right of way at least 50 feet in width to a public street.

**9.4.1** However, the foregoing provision for lot area, shape and frontage shall not prevent construction or use of land, permitted in this article, on lots which were established prior to May 1, 1983 and which contained at least 1 ½ acres as defined in the lot area section of Article 3, and had not less than 175 feet of road frontage or 50 feet wide access to a public street and could contain a square 160 feet on a side.

**9.4.2 Interior Lots** – Any lot meeting all the requirements except frontage of 225 feet or more will be considered an interior lot. It must have an easement of access or private right of way at least 45 feet wide to a public street or properly bonded subdivision street. Each interior lot must be located behind and adjoining an acceptable front lot, with said lot and access ways to the interior lot pinned by a licensed engineer or land surveyor.

**9.4.2. A** Each interior lot shall have a minimum gross area of 3.75 acres, exclusive of access ways of which 2.5 acres must meet the criteria of Article 3, Section 26 when calculating land area.

### **Section 9.5 – Setbacks**

No building or other structure shall extend within 40 feet of the right of way or taking line of any State Highway, within 65 feet of the center line of any Town road or highway or private right of way, or within 40 feet of any property line except as elsewhere specified.

### **Section 9.6 – Height**

No building or other structure shall exceed a height of 2 ½ stories, or 35 feet, whichever is less. The Commission may permit, by Special Exception, a maximum height of 55 feet in the Industrial District if it makes the following findings:

- 9.6.1** The proposed building or structure shall be able to be adequately protected by the Oxford Fire Department with its resources at the time of construction of the structure.
- 9.6.2** The proposed structure shall not result in any reduction of public safety or welfare, either for the potential uses of the structure, or for the owners, residents or users of adjacent properties.
- 9.6.3** The proposed use or structure shall not cast shadows on adjacent properties which would detract from the use of the adjacent property. The Commission may require a shadow analysis of the proposed structure to assist in their decision making.



9.6.4 The proposed building or structure shall promote the use of the Industrial District in conformance with the Plan of Conservation and Development.

9.6.5 The proposed building or structure shall not have any detrimental impacts upon residential properties within Oxford.

### **Section 9.7 – Coverage**

The aggregate coverage of all buildings and other structures on any lot shall not exceed 40% of the area of the lot. Where a buffer zone is required, that area shall not be included in the calculation for 40% coverage. The maximum total lot coverage allowed on any lot shall be 65%.

### **Section 9.8 – Parking & Site Development Plan**

For any use established under Sections 2 & 3 of this Article, provision must be made for outdoor storage of material and trash in accordance with applicable sanitary codes and regulations and landscaping as approved by the Planning & Zoning Commission.

#### **Parking:**

9.8.1 The number of off street parking spaces shall be provided as required in Article 3, Section 24.

9.8.2 All parking areas, excluding access drives shall have the following minimum setbacks:

<b>Front Yard:</b>	10 feet
<b>Side &amp; Rear Yard:</b>	25 feet
<b>Side &amp; Rear Yard when abutting a residential zone:</b>	40 feet

The Commission may waive all or a portion of the parking lot setbacks if they find that the unique circumstances of the lot would make strict adherence to the setback requirements not feasible, and that the intent of the regulations are met.

9.8.3 All parking areas shall conform to the standards of Article 2, Section 24.3.

#### **Loading Area:**

In addition, adequate off street space for loading and unloading must be provided. Such loading areas must be suitably screened from the street from existing and/or proposed on site employee parking.

#### **Setback Belt Use:**

No portion of the setback bordering streets and highways may be used for parking but shall be suitably stabilized with vegetation, planted and landscaped as approved by the Planning & Zoning Commission.

#### **Screening:**

All parking, storage, loading and unloading areas must be suitably screened from abutting roads and highways, with evergreens or a substitute suitable to the Commission. In addition, storage, loading and

unloading areas must also be suitably screened from existing and/or proposed on site parking areas as well as from neighboring residential uses.

### **Section 9.9 – Lighting**

All outdoor lighting shall be so directed and shielded that no glare will fall onto adjoining property or impair vision of motorists or aircraft.

### **Section 9.10 – Storage Areas**

All outdoor storage areas must be sufficiently screened and fenced to prevent visibility from either the parking area or neighboring properties with evergreens or a substitute suitable to the Commission.

### **Section 9.11 – Buffer**

Buffer belts or strips shall be provided along all property lines where adjoining property is zoned, or presently used, for residential purposes. Such buffer will comply with the definition in Article 2 and with Article 2, Section 10.

### **Section 9.12 – Site Plan**

A site plan conforming to the requirements of Article 11 shall be provided, except under the conditions of Article 7, Section 12B.

### **Section 9.13 – Prohibited Uses**

The following uses are prohibited: residences, any structure in which people reside, and dwelling units. *Existing residences as of November 2, 1995 are exempt.* See Article 3, Section 21 and Schedule C for further information on prohibited uses.

### **Section 9.14 – Design Standards**

- 9.14.1** Architectural rendering of the proposed building(s) shall be submitted to the Commission for their review.
- 9.14.2** The façade of all buildings that are visible from the street or other public areas shall be of some architecturally treated masonry or other treatment approved by the Commission.
- 9.14.3** No loading areas or overhead doors shall be visible from the street or other public areas.
- 9.14.4** The area between the parking lot and the street shall be landscaped in accordance with the requirements of Section 8.7.

- 9.14.5** The area between the building and the street shall be landscaped in a way to provide visual interest, with a mixture of different species of shrubs, trees, groundcover, annuals and perennials. Large, unbroken expanses of lawn shall be avoided.
- 9.14.6** Street trees shall be installed in conformance with Article 3, Section 31 of these regulations.
- 9.14.7** A minimum of one shrub of a minimum height of 24” shall be planted for each 3 feet of building frontage. The Commission, at their discretion, may permit the substitution of perennial gardens.

## **ARTICLE 9A – CORPORATE BUSINESS PARK DISTRICT**

### ***Section 9A.1***

The following regulations shall apply to the use of land, buildings and other structures and the location and bulk of buildings and other structures in the Corporate Business Park District.

### ***Section 9A.2 – Intent & Purpose***

To provide and ensure, for the development of high quality economic development that will take advantage of the unique economic attributes of the area, contribute to the long term economic base of the town and region, provide attractive sites for the emerging industries of the 21<sup>st</sup> century, and become an economic, aesthetic and environmental asset for the town and region.

### ***Section 9A.3 – Unified Development Plan***

All development activities within the Corporate Business Park District shall be done in conformance with a unified development plan, which shall be submitted by the applicant and reviewed and approved by the Commission. the Unified Development Plan shall encompass all the land within the Corporate Business Park Zone owned or under the control of the applicant and include the following:

- A key map at a scale of 1 inch equals 800 feet showing the parcel's location in the Town of Oxford.
- A map at a scale of 1 inch equals 100 feet showing the boundaries of the parcel, general topography highlighting areas exceeding 20% slopes, inland/wetlands and watercourses, flood hazard areas, heavily wooded areas and other significant natural or man made features of the land.
- Master Phasing Plan, which indicates the phasing of development of the property.
- Proposed architectural guidelines to be used within the development including sample elevations of the proposed buildings.
- Proposed uses.
- The manner of ownership and maintenance of any private roadways, common open space, or any other common elements to the plan.
- A traffic impact study, which shall include, at a minimum, existing and projected average daily vehicle trips on nearby roads, peak hour traffic, adequacy of road rights of way, site lines at all intersections likely to be impacted by the proposed development, existing roadway and intersection capacity, recommendations for improved vehicle circulation, including improvements required for highway interchanges, Town and State roads.
- Projected use and demand for public water and sewer, capacity of the existing systems and improvements necessary to accommodate the proposed development.
- Identification of sensitive environmental areas, impact of the proposed development upon those areas and proposed methods of mitigation of those impacts.
- All other potential constraints to development and proposed methods of addressing those constraints.
- The Planning & Zoning Commission may amend the Unified Development Plan upon request by the developer, if it finds the proposed amendment in conformance with the current requirements of this section.

## **Section 9A. 4 – Permitted Uses**

The following uses are permitted subject to Site Plan approval in conformance with Article 11.

- 9A.4.1 Business or corporate offices.
- 9A.4.2 Research & development facilities, including laboratories.
- 9A.4.3 Data processing files.
- 9A.4.4 Manufacturers showrooms and sales offices.
- 9A.4.5 Printing & publishing services.
- 9A.4.6 Broadcast & media production facilities.
- 9A.4.7 Manufacturing & assembly, if conducted entirely within the building.

## **Section 9A.5 – Special Exceptions**

Subject to a securing of a Special Exception as provided in Article 10 of these regulations, the following are permitted:

- 9A.5.1 Wholesale & distribution uses provided that they are a component of a corporate or business office or manufacturing use.
- 9A.5.2 Warehouses, providing that they are component of a corporate or business office, or manufacturing use.
- 9A.5.3 Restaurants, excluding drive through facilities.
- 9A.5.4 Hotels
- 9A.5.5 Child day care facilities
- 9A.5.6 Health & fitness clubs
- 9A.5.7 Schools – colleges, universities, technical, trade vocational & business

## **Section 9A.6 – Accessory Uses**

The following accessory buildings, structures and uses shall be permitted:

- 9A.6.1 Any accessory buildings, structures or uses customarily incidental and directly related to the operation of the principal use.
- 9A.6.2 Off street parking and loading, including parking structures, subject to the provisions of Section 7 and Section 9.
- 9A.6.3 Signs, subject to the provisions of Section 11.

## **Section 9A.7 – Applicability & Standards**

- 9A.7.1 The Unified Development Plan shall encompass the entire parcel under common ownership, with a minimum area of 20 acres. The Commission may permit a Unified Development Plan of less than 20 acres that encompasses the entire area under common ownership, if it finds that all components of the plan are consistent with the intent and specific regulations of this Article. The Planning & Zoning Commission may amend the Unified Development Plan upon request by the developer, if it finds the proposed amendment in conformance with the current requirements of this section.

- 9A.7.2 Minimum Parcel Size:** Each lot shall have a minimum land are of 2 ½ contiguous dry aces which meets the criteria of Article 3, Section 26 of these regulations. The Commission may permit smaller parcels if it finds that it would be integral to the overall Unified Development Plan.
- 9A.7.3** The architectural design shall be of a consistent theme, approved by the Commission, befitting a modern high quality business park.
- 9A.7.4** The exterior of all buildings shall consist entirely of a finished decorative masonry and glass; or its architectural equivalent.
- 9A.7.5 Maximum Building Height:** 4 stories or 55 feet, whichever is lower. The Commission may permit a maximum building height of 5 stories or 75 feet, whichever is lower, by Special Exception if all concerns about fire safety are addressed to the satisfaction of the Fire Marshal and the Commission.
- 9A.7.6 Minimum Rear & Side Yard Setback:**  
*Parking 50 feet*  
*Building 75 feet*  
 The Planning & Zoning Commission may permit a minimum side and rear yard setback of 40 feet for lots less than 4 acres in size.
- 9A.7.7 Minimum Front Yard Setback:**  
*Parking 50 feet*  
*Building 1 foot for every foot of height with a minimum setback of 50 feet.*  
 The Planning & Zoning Commission may permit a minimum front yard setback of 40 feet for lots less than 4 acres in size.
- 9A.7.8** All rooftop mechanical equipment shall be shielded from view from the ground.
- 9A.7.9 Maximum Building Coverage:** 30% of the site, determined on the basis of the entire area encompassed by the Unified Development Plan.
- 9A.7.10 Maximum Impervious Surface Coverage:** 75% of the site, determined on the basis of the entire area encompassed by the Unified Development Plan.
- 9A.7.11** All delivery, freight handling and storage shall be shielded from off site view.
- 9A.7.12** There shall be no outdoor production or processing of materials.
- 9A.7.13** All outdoor storage of equipment, (including communication equipment), materials and vehicles, except automobiles used by employees and visitors, shall be shielded from off site view by a solid masonry wall and/or landscaping as approved by the Commission, and does not block site lines for traffic.
- 9A.7.14** The storm water runoff system shall be suitable to accommodate runoff from a 25 year design storm.
- 9A.7.15** Municipal sanitary sewer and public water shall serve the development. The Commission may waive this requirement if it determines that the provision of utility service is not feasible, the proposed water supply system and/or sewage disposal system has been approved by all necessary agencies, and that the approval of the development with on site supply disposal systems would not be detrimental to the public health, safety or welfare.
- 9A.7.16** All utility facilities, including but not limited to electric power, telephone, cable television and gas shall be located underground throughout the subdivision. All utilities utilizing wire or cable shall be installed within conduit in accordance with the requirements of the utility provider.
- 9A.7.17** All plans and amendments shall be in conformance with the requirements of these regulations in effect at the time of application of the plan or amendment.

**Section 9A.8 – Criteria for Approval**

In reviewing an application for site plan approval within the Corporate Business Park District, the Commission shall make the following findings in order to approve the application:

- 9A.8.1 The application is consistent with the standards of Article 9A, Section 7.
- 9A.8.2 The application is consistent with the approved Unified Development Plan.
- 9A.8.3 The architectural style of the proposed building(s) shall be consistent with the theme of the overall development and the intent of this regulation.
- 9A.8.4 The proposal is consistent with the provision of safe and efficient traffic circulation, on and off site.
- 9A.8.5 Significant environmental features are preserved or measures are taken to mitigate any adverse impacts for loss of resources.
- 9A.8.6 There is adequate utility service and capacity to serve the planned development.
- 9A.8.7 The buildings, parking areas, driveways and landscaped area(s) are placed to achieve efficient utilization of the site, and the enhancement of the aesthetic qualities of the overall development.
- 9A.8.8 All outdoor lighting shall be so directed and shielded that no glare shall fall upon adjoining property or impair the vision of motorists or aircraft.

**Section 9A.9 – Requirements for Parking**

- 9A.9.1 All driveways, parking areas and parking aisles shall be surfaced with a dust free, all weather surface.
- 9A.9.2 A six inch bituminous concrete, Portland concrete or granite curb shall be provided between all pavement and landscaped areas.
- 9A.9.3 The number of off street parking spaces shall be provided as required in Article 3, Section 24.
- 9A.9.4 The minimum dimensional requirement for parallel, angled and perpendicular parking shall be as follows:

Parking Angle (degrees)	0	45	60	90
Curb Length Per Stall (feet)	23	13	10	9
Stall Depth (feet)	9	18	18	18
Access Aisle Width (feet)	15(1)	15(2)	18(2)	24(3)
Stall Width (feet)	9	9	9	9

- (1) 15 feet required for one way circulation, 25 feet required for two way circulations
- (2) One way circulation only
- (3) Two way circulation only

**9A.9.5** Off street parking spaces shall be suitable separated from the building in such a way as to assure safe movement of pedestrian traffic to all major entrances to the building served by any of the following means:

- A six foot wide concrete walk with a six inch concrete safety curb;
- Six inch high precast concrete curbs in such a manner as to provide a five foot wide vehicle free passageway;
- Any other manner which may be approved by the Commission.

**9A.9.6 Parking Structures:** Parking spaces may be located beneath or within the principal structure they are intended to serve or in a detached structure. A parking structure shall be considered an accessory use for purposes of these regulations.

**9A.9.7 Reserved Future Parking:** If the actual demand or need for off street parking for Corporate Business Park uses can be shown to the Commission's satisfaction to be actually less than the minimum required number of parking spaces for said use, the Commission may permit the reservation of up to 25% of the required spaces for future construction of said reserved spaces, or portion thereof, based upon a change of parking demand. The Commission may consider evidence of actual use and need in parking areas for similar uses, and other evidence presented by the applicant that would provide a reliable basis for the Commission's determination of actual need.

## ***Section 9A.10 – Landscaping***

**9A.10.1** All land not to be covered by parking lot, driveways, aisles, buildings or pedestrian walks shall be landscaped in accordance with the provisions of these regulations.

**9A.10.2** A landscaped end island shall be provided within the parking lots at each end of each row of parking spaces. They shall be a minimum of 9 feet wide by 18 feet long for a single row of spaces and 9 feet wide by 36 feet long for a double row of spaces. Each end island shall contain a minimum of one shade tree with a minimum height of 12 feet and at least 3 shrubs per 12 parking spaces or fraction thereof.

**9A.10.3** There shall be no more than 25 contiguous parking spaces without an interior or end island.

**9A.10.4** Interior islands shall be a minimum of 9 feet wide by 18 feet long for a single row of spaces and 9 feet wide by 36 feet long for a double row of spaces. Each interior island shall contain a minimum of one shade tree with a minimum height of 12 feet and at least 3 shrubs per 12 parking spaces for fraction thereof.

**9A.10.5** Screening shall be provided for parking areas visible from adjacent properties or from the street. Acceptable screening materials shall include:

- A) The landscaping shall be designed to provide visual interest, with a mixture of different species of shrubs, trees, groundcover, annuals and perennials. Large unbroken expanses of lawn shall be avoided unless it is to be used as part of recreational areas.
- B) A minimum of 1 shrub having a minimum height of 24' at the time of planting for each 4 lineal feet of road frontage.
- C) Earthen berms, when covered with shrubs, trees and/or ground cover, except grass, stone or gravel.
- D) Fences of timber construction or masonry walls, if approved by the Commission or;
- E) Any combination of the above materials.



**9A.10.6** General standards for landscaping of areas within the Corporate Business Park District shall include the following:

- A) All areas shall be properly irrigated throughout the use of an underground irrigation system, unless the plantings proposed would not require irrigation as determined by the Commission.
- B) Major trees shall include any of the appropriate varieties of shade trees, ornamental trees or evergreens.
- C) Shrubs shall include any of the appropriate varieties of evergreen or deciduous trees.
- D) At the time of planting, trees shall be of the following minimum size:
  - Shade Trees:** 2 ½ inch caliper measured at 3 feet above grade.
  - Evergreen Trees:** 5 foot height.
  - Flowering Trees:** 2” caliper, single stem; 8 foot height, clump form.
- E) Trees, shrubs and ground cover within 5 feet of any paved area shall be of a variety capable of withstanding damage from salt.
- F) All plant material shall be nursery grown and conform to the standards of the American Association of Nurserymen.
- G) Mulched planting beds of an appropriate size shall be placed around trees and shrubs to retain moisture. Acceptable mulching material shall be bark, wood chips, gravel or stone, at least 4 inches in depth.
- H) Suitable ground cover shall be placed on all disturbed site areas not covered by paving, buildings or mulching for trees and shrubs. Suitable ground cover shall be grass, turf, myrtle pachysandra, stone or an appropriate substitute. A maximum of 5% of the landscaped area shall be stone.
- I) No stone or gravel shall be used for planting beds or ground cover within 4 feet of pedestrian walkways unless the material is suitably contained within this area.
- J) Existing large trees shall be saved, if possible. If grading is required in their vicinity, trees shall be appropriately welled or mounded to protect them from damage.
- K) All trees 8” or greater in caliper shall be identified on the site plan. No trees 8” or greater in caliper within areas designated for landscaping shall be removed unless expressly permitted by the Commission.

**9A.10.7** Street trees shall be installed in conformance with Article 3, Section 31 of these regulations.

**Section 9A.11 – Signs**

All signs shall be in conformance with the approved site plan and Unified Development Plan, and the provisions of Article 16 of these regulations.

**Section 9A.12 – Soil Erosion & Sediment Control Plan**

Where there will be any disturbed area of the site, a soil erosion and sediment control plan shall be submitted as required by Article 12 of these regulations.

## **ARTICLE 9B – HIGH TECHNOLOGY INDUSTRIAL DISTRICT**

### ***Section 9B.1 – Applicability***

The following regulations shall apply to the use of land, buildings and other structures; and location and bulk of buildings and other structures in the High Technology Industrial District.

### ***Section 9B.2 – Intent & Purpose***

To provide and ensure the development of quality high technology industrial and related uses, which would benefit from the unique economic attributes of the area and provide attractive sites for the emerging industries of the 21<sup>st</sup> century.

### ***Section 9B.3 – Permitted Uses***

- 9B.3.1** Manufacturing & assembly when conducted entirely within a building.
- 9B.3.2** Wholesale & distribution provided that they are a component of a manufacturing use.
- 9B.3.3** Data processing facilities.
- 9B.3.4** Manufacturer showrooms and sales offices.
- 9B.3.5** Printing and publishing services.
- 9B.3.6** Business, professional or corporate offices.
- 9B.3.7** Broadcast and media production.
- 9B.3.8** Research and development facilities, including laboratories.

### ***Section 9B.4 – Special Exceptions***

Subject to the issuance of a Special Exception as provided in Article 10 of these regulations, the following uses are permitted:

- 9B.4.1** Wholesale, distribution & warehousing.
- 9B.4.2** Restaurants, excluding drive thru facilities.
- 9B.4.3** Classroom facilities for higher education, including, but not limited to; colleges, universities and vocational training or other education and training directly related to a specified business or groups of businesses, providing that there be no dormitory or any other lodging facilities permitted.

### ***Section 9B.5 – Accessory Uses***

The following accessory buildings, structures & uses shall be permitted.

- 9B.5.1** Any accessory buildings, structures or uses customarily incidental and directly related to the operation of the principal use.
- 9B.5.2** Off street parking and loading, including parking structures, which shall be subject to the provisions of Article 9, Section 9.6.15.

## **Section 9B.6 – Applicability & Standards**

- 9B.6.1 Minimum Parcel Size:** Each lot shall have a minimum land area of 2 ½ contiguous dry acres which meets the criteria of Article 3, Section 3.26 of these regulations. The Commission may permit smaller parcels by Special Exception, if it finds that it is consistent with the intent of this regulation. The architectural design shall be of a consistent theme, approved by the Commission, befitting a quality, modern, high technology industrial park.
- 9B.6.2** All Unified Development Plans approved in conformance with Article 9A, Section 9A.6, of these regulations shall be valid and remain in effect, but are not required for new developments in accordance with this article.
- 9B.6.3** The architectural design of all buildings shall be of a consistent theme, approved by the Commission, befitting a modern quality high technology industrial park, including, but not limited to, that the exterior of all buildings shall consist entirely of a finished decorative masonry and glass or its architectural equivalent.
- 9B.6.4 Maximum Building Height:** 4 stories or 55 feet, whichever is lower. The Commission may permit a maximum building height of 5 stories or 75 feet, whichever is lower, by Special Exception if all concerns about fire safety are addressed to the satisfaction of the Fire Marshal and the Commission.
- 9B.6.5 Minimum Front Yard Setback:**  
*Parking: 50'*  
*Building: 75'*
- 9B.6.6** The Planning & Zoning commission may permit a minimum side and rear yard setback of 40 feet for lots less than 4 acres in size.
- 9B.6.7** All rooftop mechanical equipment shall be visually shielded from view from the ground.
- 9B.6.8 Maximum Building Coverage:** 30% of the site, determined on the basis of the entire area encompassed by the approved subdivision or Unified Development Plan.
- 9B.6.9 Maximum Impervious Surface Coverage:** 75% of the site, determined on the basis of the entire area encompassed by the approved subdivision or Unified Development Plan.
- 9B.6.10** All delivery, freight handling and storage shall be shielded from off site view.
- 9B.6.11** There shall be no outdoor production or processing of materials.
- 9B.6.12** All outdoor storage of equipment, including communication equipment, materials and vehicles, except automobiles used by employees and visitors, shall be shielded from off site view by a solid masonry wall and/or landscaping as approved by the Commission, and does not block any site lines for traffic.

- 9B.6.13** Municipal sanitary sewer and public water shall serve the development. The Commission may waive this requirement if it determines that the provision of utility service is not feasible, the proposed water supply system and/or sewage disposal system has been approved by all necessary agencies, and that the approval of the development with onsite supply disposal systems would not be detrimental to the public health, safety or welfare.
- 9B.6.14** All utility facilities, including, but not limited to, electric power, telephone, cable television and gas shall be located underground throughout the subdivision. All utilities utilizing wire or cable shall be installed within conduit in accordance with the requirements of the utility provider.
- 9B.6.15** All outdoor lighting shall be so directed and shielded that no glare shall fall upon adjoining property or impair the vision of motorists or aircraft.
- 9B.6.16 Parking Structures:** Parking spaces may be located beneath or within the principal structure they are intended to serve or in a detached structure. A parking structure shall be considered an accessory use for purposes of these regulations. Parking structures that are not part of the principal structure shall be no closer than 25' to the principal structure.

### ***Section 9B.7 – Criteria for Approval***

In reviewing an application for site plan approval within the High Technology Industrial District, the Commission shall make the following findings in order to approve the application:

- 9B.7.1** The application is consistent with the standards of Article 9B, Section 6.
- 9B.7.2** The architectural style of the proposed building(s) shall be consistent with the theme of the overall development and the intent of this regulation.
- 9B.7.3** The proposal is consistent with the provision of safe and efficient traffic circulation, on and off site.
- 9B.7.4** Significant environmental features are preserved or measures are taken to mitigate any adverse impacts or loss of resources.
- 9B.7.5** There is adequate utility service and capacity to serve the planned development.
- 9B.7.6** The buildings, parking areas, driveways and landscaped area are placed to achieve efficient utilization of the site, and the enhancement of the aesthetic qualities of the overall development.

### ***Section 9B.8 – Landscaping***

- 9B.8.1** All land not to be covered by parking lot, driveways, aisles, buildings or pedestrian walks shall be landscaped in accordance with the provisions of these regulations.
- 9B.8.2** A landscaped end island shall be provided within the parking lots at each end of each row of parking spaces. They shall be a minimum of 9' wide by 18' long for a single row of spaces and 9' wide by 36' long for a double row of spaces. Each end island shall contain a minimum of 1 shade tree with a minimum height of 12' and at least 3 shrubs per 12 parking spaces or fraction thereof.
- 9B.8.3** There shall be no more than 25 contiguous parking spaces without an interior or end island.

- 9B.8.4** Interior islands shall be a minimum of 9' wide by 18' long for a single row of spaces and 9' wide by 36 feet long for a double row of spaces. Each interior island shall contain a minimum of 1 shade tree with a minimum height of 12' and at least 3 shrubs per 12 parking spaces or fraction thereof.
- 9B.8.5** Screening shall be provided for parking areas visible from adjacent properties or from the street, in accordance with the requirements of Article 3, Section 24.3.6.
- 9B.8.6** General standards for landscaping of areas within the High Technology Industrial District shall include the following:
- A) All areas shall be properly irrigated throughout with the use of an underground irrigation system, unless the plantings proposed would not require irrigation as determined by the Commission.
  - B) Major trees shall include any of the appropriate varieties of shade trees, ornamental trees or evergreens.
  - C) Shrubs shall include any of the appropriate varieties of evergreen or deciduous plants.
  - D) At the time of planting, trees shall be of the following minimum size:
    - Shade Trees:** 2 ½ inch caliper measured at 3' above grade.
    - Evergreen Trees:** 5' high.
    - Flowering Trees:** 2 inch caliper, single stem, 8 feet high, clump form.
  - E) Trees, shrubs and ground cover within 5' of any paved area shall be a variety capable of withstanding damage from salt.
  - F) All plant material shall be nursery grown and conform to the standards of the American Association of Nurserymen.
  - G) Mulched planting beds of an appropriate size shall be placed around trees and shrubs to retain moisture. Acceptable mulching material shall be bark, wood chips, gravel or stone, at least 4" in depth.
  - H) Suitable ground cover shall be placed on all disturbed site areas not covered by paving, including buildings or mulching for trees and shrubs. Suitable ground cover shall be grass, turf, myrtle pachysandra, stone or an appropriate substitute. A maximum of 5% of the landscaped area shall be stone.
  - I) No stone or gravel shall be used for planting beds or ground cover within 4' of pedestrian walkways unless the material is suitably contained within its area.
  - J) Existing large trees shall be saved, if possible. If grading is required in their vicinity, trees shall be approximately welled or mounded to protect them from damage.
  - K) All tree 8" or greater in caliper shall be identified on the site plan. No trees 8" or greater in caliper within the areas designated for landscaping shall be removed unless expressly permitted by the Commission.
- 9B.8.7** Street trees shall be installed in conformance with Article 3, Section 3.31 of these regulations.

## **ARTICLE 10 – SPECIAL EXCEPTIONS**

### **Section 10.1**

Any request for a Special Exceptions shall be a written request detailing the nature of the Special Exception and shall be accompanied by the appropriate hearing fee, an acceptable site plan or plot plan drawn to scale showing proposals for satisfying the requirements of this Article, and any other information the Commission may deem necessary. All other applicable provisions of this Article shall otherwise apply to such applications. The Commission may require that any application for a Special Exception submit an Environmental Impact Analysis which includes the following information:

- 10.1.1** How the proposed development is consistent with the objectives and policies of the Town Plan of Conservation & Development.
- 10.1.2** The impact of the proposed use on traffic, including the impact on public roads. For high traffic generators involving the construction of more than 50 dwelling units, 100 parking spaces, 25,00 square feet of gross floor area, or any age restricted housing development, the study should be prepared by a Traffic Engineer and shall include at a minimum, data and information concerning the following:
- existing & potential impact of the proposed development upon daily traffic (ADT) on town roads and state highways;
  - peak hour traffic;
  - adequacy of right of way and travel way widths;
  - proposed traffic generation and distribution of proposed development;
  - location of road cuts and driveways within 300 feet of the development;
  - pedestrian circulation including safety considerations; and
  - site lines of all intersections likely to be significantly impacted by the proposed development.

If the Commission determines that the proposed project is likely to cause adverse impacts upon the pedestrian or traffic circulations, or render any transportation facility inadequate for projected use, whether on town roads adjacent to, on site or off site; the Commission may require that the developer make improvements to mitigate the impacts of the proposed development.

- 10.1.3** The likely impact of the proposed development on the characteristics of the surrounding neighborhood addressing such issues as congestion on public streets, harmony with surrounding development and effect on property values and overall neighborhood stability.
- 10.1.4** The extent to which any sensitive environmental features on the site may be disturbed and what measures shall be taken to mitigate these impacts. Consideration shall be given to steep slopes, groundwater, wetlands, drainage ways, vegetation and any other land feature considered to be significant.
- 10.1.5** The impact of the proposed development on various public services such as, police, fire, schools, recreation public water supply and sanitary sewage disposal.
- 10.1.6** Mitigation proposed for adverse impacts.

**10.1.7 Statement of Use** describing;

- a) proposed use;
- b) total anticipated residents and/or employees; and
- c) proposed phasing of the project.

**Section 10.2**

Any request for a Special Exception submitted in accordance with Section 10.1 shall be subject to a public hearing, for which public notice requirements shall be the same as for a zone change, as outlined in the current State Statutes and the procedures required in Article 18, Section 1.4 of the Oxford Zoning Regulations.

**Section 10.3**

The Planning & Zoning Commission may, after public hearing and by a majority vote of the membership, grant a Special Exception to permit a use specified as a Special Exception in this Article and elsewhere in these regulations, provided that the Commission shall find that in addition to all other pertinent Zoning Regulations the following conditions have been satisfied:

- 10.3.1** That the proposed use, buildings or other structures will not be detrimental to the health, safety, welfare and property values in the neighborhood.
- 10.3.2** That the proposed use, buildings, or other structures are adequate to carry the potential traffic and that provision is made for entering and leaving the site in such a manner that no traffic hazards will be created and that adequate off street parking and loading facilities will be provided.
- 10.3.3** That the site will be suitably landscaped and that the design and setbacks of buildings and other structures are adequate to protect property and preserve the appearance and character of the neighborhood.
- 10.3.4** That the lot on which the use, building or other structure is proposed to be established is of adequate dimensions to permit construction of the facilities and conduct of the use in such a manner that it will not be detrimental to adjoining property and the neighborhood.

**Section 10.4 – Multi-Family Dwellings**

- 10.4.1** All multi-family dwellings are classified as Special Exception and must be processed under the provisions of Article 10 of these regulations.
- 10.4.2 Lot Area – Frontage – Access** – Minimum lot area shall be 2 acres for each family unit. Every multi-family dwelling shall front at least 200 feet on an accepted town road or state highway, plus and additional 25’ for each family unit over 2 (i.e. 200’ for 2 families, 225’ for 3 families and 250’ for 4 families). Multi-family dwellings on interior lots shall have at least a 50’ wide access to a public street if the dwelling contains 2 or more living units.
- 10.4.3 Floor Area** – Each family unit in a multi-family dwelling shall contain a minimum floor area of 850 square feet.

**10.4.4 Other requirements** – A multi-family dwelling shall conform to all other Regulations of the zone in which it is located. No multi-family dwelling shall contain more than 4 family units.

**10.4.5 Other Standards** – Multi-family dwellings shall:

- a) be architecturally harmonious with the area;
- b) have the use be unobtrusive;
- c) no outside stairway to a second floor dwelling shall be visible from the street;
- d) have a minimum of 2 parking spaces for each dwelling unit; and
- e) if converted from a single family dwelling, preserve the general character and appearance as seen from the street.

**10.4.6** Applicant must present a site plan showing that the proposal meets the above requirements and those of Article 11, hereof.

### ***Section 10.5 – Commercial Recreational Facilities***

The following recreational uses and facilities may be permitted as Special Exception, in the zoning districts as designated within this section.

**10.5.1** The following uses are permitted within the Residence District A, and the Residential Golf Community District, by Special Exception, as they are non-intensive in nature, and are based upon the use of a large amount of land without significant disturbance.

- A. Golf Courses
- B. Country Clubs
- C. Swimming pools and pool clubs
- D. Other non-intensive outdoor recreational activities that do not include any motorized vehicles or mechanical equipment, which the Commission determines is compatible with a residential environment.

**10.5.2** The Commission shall have the authority to determine whether a specific commercial recreational use is compliant with the standards of uses permitted within the residential zones, as specified in Article 10, Section 10.5.1.

### ***Section 10.6 – Day Care Facilities***

Applications for a Child Day Care Center, Group Day Care Home or Family Day Care Home shall show on a site plan, and accompanying supplements, the following:

- parking provisions for highest population;
- play areas;
- exterior lighting;
- driveway access at roadside;
- traffic site lines;
- number of child patrons;



- number of staff persons;
- hours of operation; and
- emergency building evacuation plan

**Section 10.7– (Deleted)**

**Section 10.8 – Bed & Breakfast Accommodations**

Bed and Breakfast Accommodations may be permitted as a Special Exception if consistent with the following standards;

- 10.8.1** There shall be a maximum of 4 guestrooms in the Bed & Breakfast Accommodation.
- 10.8.2** The Bed & Breakfast Accommodation shall be owned and operated by the resident owner of the house.
- 10.8.3** There shall be no more than 2 employees who are not residents of the house.
- 10.8.4** Health Department approval must be secured regarding the quality and quantity of the existing or proposed water supply system proposed to serve the Bed & Breakfast.
- 10.8.5** Health Department approval must be secured regarding the suitability of the existing or proposed method of solid waste disposal.
- 10.8.6** There shall be a minimum of 1 parking space per guestroom plus 2 spaces for the residential unit.
- 10.8.7** The Bed & Breakfast shall be compatible with the character of the neighborhood within which it is located. All Bed and Breakfast Accommodations located within a residential zone shall not detract from the residential character of the neighborhood, nor have any adverse impacts upon adjacent or nearby properties.
- 10.8.8** The Commission may limit the number of guestrooms to ensure conformance with the requirements of this Section.

**Section 10.9 – Affordable Housing Applications**

**10.9.1 Statement of Purpose**

The Town of Oxford is a small, historically rural town that has in recent years experienced rapid growth. The Town has a number of large, undeveloped parcels of land which are attractive for higher density residential development. A new, state of the art high school, major industrial development, infrastructure improvements, a golf course and a busy airport, and numerous recreational parks made the Town an attractive development option.

The Planning & Zoning Commission hereby recognizes that there is a need to increase affordable housing in the Town, to provide housing for our senior and workforce populations, and housing that is attractive to and

affordable by young adults. However, it is important that all housing, including affordable housing, be developed in a manner which is consistent with the character and history of the Town, and is guided in a manner which is beneficial to all residents of the Town.

Accordingly, the Planning & Zoning Commission hereby adopts the following policies concerning affordable housing:

1. The Commission is committed to providing frameworks within these Regulations to encourage property owners and developers to seek out opportunities to provide affordable housing and increase the availability of affordable housing in the Town;
2. In order to manage growth at a reasonable rate, the Commission is committed to the approval, construction and completion of sufficient affordable housing units to qualify for a moratorium under the provision of General Statutes § 8-30(g), and will provide such assistance as may be needed to achieve this goal; and
3. In order to ensure that applications submitted under General Statutes § 8-30(g) result in safe, desirable communities, such applications shall be reviewed by the Commission, subject to the provisions of this Article and Section.

Accordingly, to implement the policies of this section, the Commission hereby adopts the provisions set forth herein concerning applications under General Statutes § 8-30(g).

### **10.9.2 Definitions**

- 10.9.2.1** As used in this Section, the term “Affordable Housing Application” shall be as set forth in Connecticut General Statutes § 8-30(g).
- 10.9.2.2** As used in this Section, the term “Affordable Housing Development shall be as set forth in Connecticut General Statutes § 8-30(g).
- 10.9.2.3** As used in this Section, the term “Set-Aside Development” shall be as set forth in Connecticut General Statutes § 8-30(g), as amended, meaning “a development in which not less than thirty percent of the dwelling units will be conveyed by deeds containing covenants or restrictions which shall require that, for at least forty years after the initial occupation of the proposed development, such dwelling units shall be sold or rented at or below, prices which will preserve the units as housing for which persons and families pay thirty percent or less of their annual income, where such income is less than or equal to eighty percent of the median income. In a set-aside development, of the dwelling units equal to not less than fifteen percent of all dwelling units in the development shall be sold or rented to persons and families whose income is less than or equal to sixty percent of the median income and the remainder of the dwelling units conveyed by deeds containing covenants or restrictions shall be sold or rented to persons and families whose income is less than or equal to eighty percent of the median income”.

- 10.9.2.4** As used in this Section, the term “Affordable Unit” shall mean a dwelling unit in a Set-Aside Development which is designated to be conveyed subject to deed restrictions concerning the sales or rental price of the unit.
- 10.9.2.5** As used in this Section, the term “Market Rate Unit” shall mean a dwelling unit in a Set-Aside Development which is designated to be conveyed no subject to any deed restrictions concerning the sales or rental price of the unit.
- 10.9.2.6** As used in this Section, the term “Median Income” shall be as set forth in Connecticut General Statutes § 8-30(g), as amended, meaning “after adjustments for family size, the lesser of the state median income or the area median income for the region in which the Town is located, as determined by the United States Department of Housing and Urban Development.
- 10.9.2.7** This Section may refer to terms which are defined in Connecticut General Statutes § 8-30(g); such terms shall have the meaning ascribed to them by said statute.

### **10.9.3 Applicable Zoning Districts**

- 10.9.3.1** Affordable Housing Developments shall be permitted by Special Exception only in the following zoning districts:
- a. Residence District A
  - b. Commercial District
  - c. Route 67 Office Professional District
  - d. Oxford Center District
- 10.9.3.2** Notwithstanding any other provision of these Regulations, Affordable Housing Developments shall not be permitted in the following zoning districts:
- a. Industrial District
  - b. Corporate Business Park District
  - C. High Technology District

### **10.9.4 Affordable Housing Development Design and Construction Standards**

In order to further substantial public interests in health and safety, and to ensure that the legal requirements provided by Connecticut General Statutes § 8-30(g) are met, the Commission has determined that in addition to any other requirement of these Regulations, Affordable Housing Developments shall comply with the following design and construction standards:

- 10.9.4.1** In a Set-Aside Development, Affordable Units and Market Rate Units shall be of comparable size and workmanship. For purposes of this Section, the term comparable size shall mean that:
- a. The gross square footage of each Affordable Unit shall be no less than 75% of the average size of all Market Rate Units, and

- b. the number of bedrooms in each Affordable Unit shall be no less than the average number of bedrooms provided in all Market Rate Units, rounded up to the nearest whole number, minus one (1) bedroom

**10.9.4.2** In a Set-Aside Development, no more than two (2) units which are designated as Affordable Units may be located adjacent to each other on the same street, road, driveway or cul-de-sac.

**10.9.4.3** In a Set-Aside Development, Affordable Units and Market Rate Units shall be constructed at a ratio of 2 Market Rate Units for each Affordable Unit. Affordable Units for persons earning 80% of the Median Income shall be constructed alternately with those for persons earning 60% of the Median Income. No building permits may be issued for Market Rate Units, or for structures containing more than one Market Rate Unit, if the ratio of building permits issued for Market Rate Units would exceed the ratio stated in this Section.

**10.9.4.4** No certificate of occupancy may be issued for any Unit unless (a) the driveway serving that unit has been paved with the final course of pavement, (b) all grass and landscape plants for that Unit have been installed, and (c) a foundation survey has been submitted as required by Article 3, Section 32 of these Regulations. The requirements of this section shall apply to the issuance of zoning permits and zoning certificates of compliance. Notwithstanding the provisions of this subsection, the Commission may, in its sole discretion and for good cause shown, accept a cash bond for completion of the items in this Section, in the amount of 150% of the cost estimated by the Town Engineer to complete such items. The Commission may recognize the existence of an existing cash bond to satisfy the bond requirements of this subsection, or may require an additional cash bond, where applicable.

**10.9.4.5 Site Selection.** In order to meet the policies set forth in Section 10.9.1 to provide for safe and desirable communities, the Commission hereby sets forth the following criteria to be used for site selection for an application under General Statutes § 8-30(g)

- a. The site should not be in an area in which the Day-Night Average Noise Level (DNL) metric, as adopted by the Federal Aviation Administration, exceeds 65db; and

- b. The site should not be in the Runway Protection Zone, (Approach) or (Departure), for the Waterbury-Oxford Airport (OXC);

#### **10.9.4.6 Architectural Features**

In as Set-Aside Development, Affordable Units and Market Rate Units shall comply with the following architectural features:

- a. Garages shall be restricted so that they may not be converted to habitable living space of any kind;
- b. All housing units shall provide two parking spaces in a garage;

- c. Basements shall be restricted so that they may not be converted into bedrooms and/or kitchens;
- d. All rooms shall be designated as to their principal use, and any room not designated as a bedroom shall not be converted to a bedroom;
- e. The architectural designs for all housing unit types shall be referred to the Architectural Review Committee for comment;

#### **10.9.4.7 Site Development Features**

Where a Set-Aside Development does not provide for a subdivision into individual lots for each unit, the project shall comply with the following requirements:

- a. Affordable Units and Market Rate Units shall not contain any land or be assigned any limited common elements consisting solely of land;
- b. The common interest community documents, rules and regulations shall provide that units may not be physically expanded;
- c. The common interest community documents, rules and regulations shall provide that the number of bedrooms provided in the architectural plans shall not be increased;
- d. All proposed outdoor lighting shall be downward directed, and shall measure zero (0) lumens at all property lines.
- e. All Set-Aside Developments should provide for two primary, non-emergency entrances for vehicles, which entrances shall not be on streets which are part of the same cul-de-sac road system. A Set-Aside Development proposing more than 40 housing units shall provide for two such entrances. The Commission may require two such entrances for Set-Aside Developments proposing less than 40 housing units, if the Commission determines, in its discretion, that there are site specific constraints which require the application or waiver of these requirements.
- f. Except in the case of a subdivision providing for single family homes on individual lots:
  - (i) The common interest community documents, rules and regulations shall not permit the construction of any accessory buildings within a unit or within limited common elements.
  - (ii) The common interest community documents, rules and regulations shall not permit the construction of any swimming pools within a unit or within limited common elements.
- g. The development plan shall provide for a recreation area, play area or playground, open to all members of the community, as may be determined to be appropriate by the Commission;

- h. The development plan shall provide for (a) at least one school bus stop with a sheltered waiting area, and (b) an area for temporary parking;
- i. Except in the case of a subdivision providing for single family homes on individual lots, all roads in the community shall be private roads and shall provide for curbing where necessary for management of storm water;
- j. All roads, public or private, shall have a concrete sidewalk of at least four (4) feet in width on at least one side of the street;
- k. All utilities shall be located underground;
- l. No road, public or private, shall be located within twenty-five (25) feet of any side or rear property line. No driveway shall be located within five (5) feet of any side or rear property line.

### **10.9.5 Conceptual Site Plan**

**10.9.5.1** Together with the submission of an Affordable Housing Application which proposes to amend the Zoning Regulations or Zoning Map of the Town of Oxford, the Applicant shall submit a Conceptual Site Plan for review by the Commission. The Conceptual Site Plan should contain the following information:

- a. Conceptual Site Plan at a scale on 1 inch equals 100 feet showing the following:
  - (i) Boundaries of the parcel;
  - (ii) General topography highlighting the areas exceeding identified in Section 20.2 of these Regulations, inland wetlands and watercourses, flood hazard areas, heavily wooded areas and other significant natural or man-made features of the land;
  - (iii) Proposed location of all units and structures; and
  - (iv) Proposed roads, driveways and parking areas.
- b. A Narrative to accompany the Conceptual Site Plan describing:
  - (i) Proposed total number of residential units;
  - (ii) Proposed total number of affordable units and the affordability levels of the affordable units;

- (iii) The proposed size and/or number of bedroom of the market rate units, and the different levels of affordable units;
  - (iv) Proposed method, demand and capacity of water supply and systems;
  - (v) Proposed method, demand and capacity of sanitary waste disposal and systems; and
  - (vi) Proposed construction sequence.
- c. A Statement describing (a) the manner in which the Application does not meet the existing zoning regulations and (b) if a new zoning district is proposed why the existing zoning districts in the Regulations cannot be used for the Application.

**10.9.5.2** Any person who intends to submit an Affordable Housing Application shall submit a Conceptual Plan as described in this section for review by the Commission, pursuant to the authority of General Statutes § 7-159 (b) before making any formal applications. There shall be no fee for informal review of a Conceptual Plan. The Commission shall review any Conceptual Plans at a regular or special meeting of the Commission, and may accept public comment thereon, but shall not hold a public hearing on the Conceptual Plan.

## **10.9.6 Application Requirements**

**10.9.6.1** Notwithstanding any other provision of these Regulations, any proposed Affordable Housing Development shall be reviewed by the Commission only in connection with an Affordable Housing Application.

**10.9.6.2** In addition to all other submissions and information required in all applicable sections of the Oxford Zoning Regulations, an Affordable Housing Application shall require the following submissions:

- a. An Application for Special Exception, together with all materials and information required by Article 10 of these Regulations;
- b. An Application for a Site Plan, together with all materials and information required by Article 11 of these Regulations;
- c. An accurate survey of the property which meets the criteria for horizontal accuracy of a “Class A-2” property survey and the standards for accuracy of a “Class T-2” topographic survey, as defined by the Regulations of Connecticut Agencies (Section 20 300b-1 et seq., General Statutes as amended). Such survey shall bear a live, embossed seal, the signature and license number of a land surveyor licensed in Connecticut, together with a certification that the data is “substantially correct” in accordance with the cited criteria. The cited survey shall be the basis for each of the required maps and plans.

- d. A traffic impact study as set forth in Article 10, Section 10.1.2, with the following additional criteria:
  - (i) the traffic counts upon which the study is based shall be performed within three (3) months of the date of application;
  - (ii) the traffic impact study shall analyze all intersections relevant to the site access drives, and such other intersections as the Commission may determine are appropriate;
  - (iii) the traffic impact study shall also analyze all transportation aspects of the site development plan including the suitability of on-site circulation and parking.
  - (iv) the dates of the year and times of day at which the traffic counts are performed shall be appropriate for the community in locale of the project site.
  
- e. A Narrative describing the following:
  - (i) Proposed total number of residential units;
  - (ii) Proposed total number of affordable units and the affordability levels of the affordable units;
  - (iii) The proposed size and/or number of bedrooms of the market rate units, and the different levels of affordable units;
  - (iv) Proposed method, demand and capacity of water supply and systems;
  - (v) Proposed method, demand and capacity of sanitary waste disposal and systems;
  - (vi) Proposed construction sequence;
  - (vii) A zoning chart.
  
- f. Sample floor plans for each proposed unit style, including a designation of the principal use for each room;
  
- g. A community lighting plan, addressing street lighting on public and private roads, off-street lighting and lighting to be affixed to buildings;
  
- h. A draft of any proposed zone text amendments required by the Application, together with a Statement describing (a) the manner in which the Application does not meet the existing zoning regulations and (b) if a new zoning district is proposed, why the existing zoning districts in the Regulations cannot be used for the Application.
  
- i. An Affordability Plan which meets the criteria stated in Connecticut General Statutes



- B. **Accessory Uses** – Including gift shops, personal service studio (barber shop, beauty parlor, etc.), sundries store and similar commercial uses intended solely for use by or for residents of the Age Restricted Housing and their visitors. No advertising of such commercial uses outside the Age Restricted Housing shall be permitted.

#### **10.10.2A Expansion of Development that contain Independent Living Units**

The Commission may permit by Special Exception, the construction of additional Independent Living Units for development approved by Special Exception prior to January 1, 2006, subject to the following requirements:

- A. The overall density of the development not be increased beyond that permitted at the time of the approval.
- B. The area to be expanded shall be contiguous to the approved development.
- C. The total number of units within the expansion shall not exceed 50% of the number of units of the original approval.
- D. Only one such expansion shall be permitted for each development.
- E. The Commission shall find that the expansion is consistent with all criteria for the issuance of a Special Exception, including access to emergency services.

#### **10.10.3 Minimum Area of Parcel**

- A. The minimum parcel size shall be 30 acres.
- B. There shall be no subdivision of the parcel approved for development as an Age Restricted Housing development, except that the Commission may approve the separation of parcels for each type of Age Restricted Housing, provided that all units within that category of Age Restricted Housing shall remain within the same parcel.
- C. The minimum lot frontage on a Town road or State highway shall be 250'.

#### **10.10.4 Setbacks**

- A.
  - 1. All buildings, structures or parking areas shall be setback a minimum of 50' from all property lines, except where the project abuts existing residential structures.
  - 2. Where abutting properties which contain existing residential structures, all buildings, parking areas and structures, except unenclosed decks extending from the first floor of the proposed residence with a maximum floor height of 5' above the finished grade, shall be setback a minimum of 75' from such property lines.

§ 8-30(g)(b)(2) and Connecticut Agencies Regulations § 8-30(g-7), as amended.

- j. Draft deeds, conditions of approval, restrictive covenants or lease provisions that will govern the affordable dwelling units.

### **10.9.7 Administration of Affordable Housing Developments**

- A. Where units are offered for sale, the Affordability Plan shall provide that the Applicant, or its designee, shall be responsible for ensuring that the requirements of the Affordability Plan are met for the initial sale of each unit, and shall be responsible for the payment of all expenses associated therewith. Copies of all documents necessary to ensure compliance with the median income requirements shall be provided to the Commission's designee.
- B. The Commission may designate a person to review each subsequent transfer to ensure compliance with the requirements of the Affordability Plan. The Affordability Plan and the deed to each unit shall provide that the costs for review shall be borne by the Seller of the unit.
- C. Where units are offered for rent, the Affordability Plan shall provide that the Applicant or its designee, shall be responsible for ensuring that the requirements of the Affordability Plan are met for each rental of each unit, and shall be responsible for the payment of all expenses associated therewith. Copies of all documents necessary to ensure compliance with the median income requirements shall be provided to the Commission's designee.

### **Section 10.10 – Age Restricted Housing**

**10.10.1 Intent** – To provide for the development of comprehensive elder care facilities for residents aged 55 and over, that would provide a diversity of living arrangements suitable to this population.

**10.10.2 Permitted by Special Exception** – Age Restricted Housing shall be permitted by Special Exception within the Residence District A, and Residential Golf Community District, in accordance with all requirements of Article 10, Sections 10.1, 10.2, 10.3 and 10.10. Age Restricted housing shall be a Planned Residential Community offering one or more of the following housing types:

- A. **Independent Living Units** for parcels with frontage on Route 34, Roosevelt Drive. All properties shall have the ability to obtain access on Route 34.
- B. **Congregate Care Facilities**
- C. **Assisted Living Facilities**
- D. **Nursing Convalescent Facilities**

An Age Restricted Housing Development may also include the following facilities as accessory uses:

- A. **Clubhouse and its Accessory Uses** – Including health and fitness facility, outdoor tennis, pro/gift shop (maximum 500 square feet), swimming pool and meeting rooms.

3. Unenclosed decks extending from the first floor of the proposed residence, with a maximum floor height of 5' above the finished grade shall be setback a minimum of 50' where abutting properties contain residential structures.
  4. Existing vegetation shall be maintained within such setback areas, if feasible as determined by the Commission. Planting and visual screen shall be provided as deemed appropriate by the Commission.
- B. All residences shall be setback the minimum distance from all internal roadways to provide sound residential design, and adequate off-street parking as determined by the Commission.
- C. All buildings shall be separated from each other as follows:
- Side: 30'  
Rear: 50'

#### 10.10.5 Minimum Floor Area

- |                               |                   |
|-------------------------------|-------------------|
| A. Independent Living Units   | 1,000 square feet |
| B. Congregate Care Units      | 500 square feet   |
| C. Assisted Living Units      | 265 square feet   |
| D. Nursing/Convalescent Units | 250 square feet   |

#### 10.10.6 Building Size & Coverage

- A. **Coverage** – The total coverage of all buildings, parking areas and other impervious surfaces shall not exceed 20% of the total land area of the parcel.
- B. **Length of Building** – No wall of any buildings shall exceed 100' in length in an unbroken plane, without an offset of at least 5'.

#### 10.10.7 Age Restriction

Occupancy of all units within Age Restricted Housing Development shall comply with the requirements of the "55 and over housing" exemption as set forth in the Fair Housing Amendments Act (42 U.S.C., Sec 3601 et Seq.), the Housing for Older Persons Act of 1955, and in accordance with Federal Law. The "housing facility or community" shall provide to the Commission, each year on the anniversary of the approval of the site plan, documentation regarding age verification of the occupants of all dwelling units sufficient for the Commission to determine there is compliance with the requirements of the "over 55 housing" exemption. Further, by governing document and restrictive covenant, which shall be binding upon all occupants of all dwellings in the development parcel, the applicant shall agree and covenant that no children under the age of 18 years shall be permitted to reside in any dwelling, except by hardship exception granted by the Board of Directors or other governing body of the community. Such hardship exception shall be granted only for children of an existing occupant, provided that visitor occupants of any ages shall be permitted to visit for up to 4 weeks of any calendar year. The restrictive language in the governing documents and in the restrictive covenant shall be approved by the Town Counsel and shall not be subject to revocation. In the event that the Board of

Directors or other governing body of the “housing facility community” shall grant a hardship exception, a copy of the application for the exception and the Board’s decision thereon shall be forwarded to the Oxford Planning & Zoning Commission within 30 days after such decision is made.

### 10.10.8 Roadways & Sidewalks

- A. All other interior roadways and sidewalks shall remain in private ownership in perpetuity. All Town road maintenance services shall cease at the perimeter boundary of the development parcel. The owner(s), successors or assigns of the development shall, by formal agreement with the Board of Selectmen, agree to keep all internal roadways properly maintained, open and passable at all times.
- B. Except for one way travel lanes, the internal roads in the project shall be at least 24’ in width. One way travel lanes shall be at least 20’ in width. All internal roadways shall be constructed in accordance with the Town Road Ordinance. The Planning & Zoning Commission may vary all Town Road Ordinance standards (including grade requirements), except for standards regarding the thickness and composition of the base and pavement.
- C. All pedestrian circulation system shall be provided within the development to provide a safe access to all units and facilities within the development. The system shall consist of the following:
  - A walking trail of suitable surface material, (i.e., stone dust, wood), shall be provided in locations that give access to the surrounding environmental resources. When applicable, this trail system shall be accessible of all abilities.
  - Sidewalks along both sides of the major streets within the development, along one side of minor streets and cul-de-sacs and along the perimeter roads, as determined by the Commission.

### 10.10.9 Utilities

- A. Municipal sanitary sewer and public water shall serve Age Restricted Residential Developments. The Commission may permit on-site sewage disposal for properties with frontage on Route 34, if it determines that the provision of municipal sanitary service is not feasible, the proposed sewage disposal system has been approved by all necessary agencies and that the approval of the development with on-site sewage disposal systems would not be detrimental to the public health, safety or welfare.
- B. All electrical, cable, telephone and other service utilities shall be placed underground.
- C. Fire hydrants shall be provided on site as directed by the Commission.

**10.10.10 Parking/Off Street Loading**

- A. No parking areas shall be located within 50’ of a property line. Suitable screening, as determined by the Commission, shall be provided between parking areas and all property lines.
- B. All parking areas shall conform to the requirements of Article 3, Section 3.24.3.
- C. The number of parking spaces shall conform to the requirements of Article 3, Section 3.24.1.1.

**10.10.11 Open Space**

- A. A minimum of 30% of the total area of the site shall be reserved as open space to enhance and preserve the rural character of the Town of Oxford.
- B. Open space shall be undisturbed areas, left in their natural state, except for walking trails and other passive recreation features.
- C. Land designated as open space shall be set aside in accordance with the plan submitted, and in the manner proposed by the applicant, and as approved by the Commission, in accordance with one of the following methods as deemed appropriate by the Commission.
  - 1. Ownership by a non-profit land trust or other conservation organization, or the Town of Oxford;
  - 2. Conservation Easement in favor of the Town of Oxford.

**10.10.12 Recreation Area**

In addition to the open space requirement herein, the proposed development shall include outside recreation area(s) suitable, as determined by the Commission, to serve the occupants thereof. Such recreational area(s) shall contain a minimum of 25 square feet of lot area for each nursing home bed, efficiency or 1 bedroom unit, and a minimum of 50 square feet for each unit containing 2 bedrooms. A minimum contiguous recreation area of 5,000 square feet shall be provided.

**10.10.13 Maximum Density**

- A. Congregate Care Facility                      12 dwelling units per acre
- B. Assisted Living Facility                      12 dwelling units per acre
- C. Independent Living Units                      12 dwelling units per acre
- D. Convalescent/Nursing Home                      8 beds per acre
- E. Any combination of the foregoing uses shall not exceed the composite density requirements hereof.

**10.10.14 Application Requirements**

- A. Application for Age Restricted Housing shall include all the information required in Article 10, Section 10.1.

- B. A description of the operational issues of the proposed project, including community access, activities and methods of solid waste disposal.
- C. Application fee of \$500.00 plus additional fees as provided for in Article 3, Section 3.19 of these Regulations.
- D. Site and Architectural Plans: 10 Copies
- E. All other information as may be required by the Commission.

## **ARTICLE 11 – SITE PLANS**

### ***Section 11.1 – General***

The following Regulations shall apply to the submission and approval of site plans for the establishment of certain uses of land, buildings and other structures as specified in these Regulations. In certain zoning districts, uses are permitted subject to approval of a site plan for the use in order:

1. To assure an agreeable relationship between the use and other nearby uses or areas, preserving the value, character and stability of such uses or areas.
2. To establish high quality of development, improving the character of the Town and economic conditions and preserving property values.
3. To assure provision for safe vehicular passage.
4. To implement the comprehensive plan of zoning.

### ***Section 11.2 – Application***

A Zoning Permit Application shall be submitted at least 7 days prior to the Commission meeting at which it will be discussed, and shall be accompanied by 5 copies of each of the following:

**11.2.1 Statement of Use** – A written statement describing the proposed use in sufficient detail to determined compliance with the permitted use provisions of these Regulations. It shall include a written description of the character and use of the property that is adjacent to and across the street from.

**11.2.2 Site Plan** – A site plan drawn by a licensed engineer or in conjunction with a landscape architect, professional planner, architect or surveyor, shall be submitted. The plan shall bear the signature, embossed seal and license number (where applicable) of those professionals which formulated it. The site plan shall contain the following information:

- a. drawn to a scale not smaller than 1' = 100'
- b. show existing and proposed contours (2 foot intervals)
- c. property lines
- d. buildings and structures
- e. size and dimensions of all buildings and structures
- f. height of all buildings and structures
- g. percentage of the lot covered by building impervious surfaces
- h. the distance between the building and the property lines
- i. the distance between the parking lots and the property lines
- j. all drainage facilities
- k. signs
- l. outdoor illumination
- m. streets
- n. driveways

- o. paving
- q. sidewalks
- r. curbing
- s. safety barriers
- t. off-street parking and loading spaces
- u. outside storage areas
- v. water courses
- w. water supply facilities
- x. septic systems and landscaping
- y. on-site fire protection
- z. all structures above and below ground and fire lanes; and

All other information required by the Commission.

**11.2.3 Architectural Plans** – Preliminary architectural plans certified by a licensed architect must contain the following:

They must show all proposed buildings and structures, above and below the ground, including general views and renderings of exterior elevations and landscaping, as seen from all streets, and generalized floor plans including drawings of proposed signs.

**11.2.4 Other** – The Commission may request the submission of such additional information that it deems necessary in order to decide on the Application.

**11.2.5** The Commission shall have the right, at its discretion, to require that any or all the features mentioned herein be provided on the land.

**11.2.6 Permission of the Owner** – All applications shall include a letter from the owner of the property that authorizes the submittal of the application. If the owner of the property is a corporation or partnership, the letter of authorization shall also include the minutes of the meeting in which the submittal of the application has been authorized or other appropriate evidence of authorization in the opinion of the Commission.

**11.2.7** Existing and proposed grades of the property on a plan, drawn to a scale of not less than 100' to 1" at a contour level of 2 foot intervals. Such map shall include:

- a. Grades of the land at the time of application, based upon a field survey.
- b. Proposed grades at the completion of the excavation.
- c. Indication, by shading of those areas where the existing grades are in excess of 35%, and those areas where the existing grades are between 20% and 35%.

### **Section 11.3 – Standards**

In addition to the other site plan requirements, the following shall be met when applicable:



**11.3.1 Passage** – Vehicular passage to and from the property shall be provided in a manner to avoid hazards to pedestrians and traffic and to avoid congestion and traffic backups. Driveways shall provide adequate flaring and sight lines at street entrances and traffic guide striping.

**11.3.2 Drainage** – Both during construction, and upon completion, effective provision shall be made to control storm water to prevent erosion and flooding of sidewalks, off-street parking and loading spaces and to prevent hazard to vehicle and pedestrian traffic.

**11.3.3 Landscaping** – All areas of the property which are not covered by buildings, other structures, outside storage and paving shall be suitably landscaped with trees and/or shrubs, lawns or other suitable treatment or shall be left as natural terrain if not disturbed by filling, grading or excavation.

Any off-street parking or loading area in excess of 3,000 square feet shall be landscaped with a tree for each 3,000 square feet or fraction thereof. Such tree shall be of species approved by the Commission and shall not be less than 2 ½ inch caliper and 12' high.

**11.3.4 Storage** – Outdoor storage shall not extend into the area or space required for buffer or setback space from street line or boundary of a residence district. All outdoor storage areas shall sufficiently be screened and fenced to prevent visibility from either the parking area or neighboring properties and shall not be located on the street side of the facility.

**11.3.5 Barriers** – In the event that stream courses, drains, ditches or other abrupt declivities abut the parking, loading or driveway areas, protection shall be provided by barriers of post steel cable or continuous steel band.

**11.3.6 Sidewalks** – Paved sidewalks or walkways shall be provided for pedestrian traffic between the main entrances of business establishments in multiple building or multiple premise developments. They shall be at least 6' in width and protected by curbing or vehicle bumpers to protect pedestrians.

**11.3.7 Compatibility** – The development and use of land and buildings and other structures, and their location, bulk and appearance, shall be designed so as to protect property values and enhance the development of the area.

**11.3.8 Off-Site Impacts** – No uses shall be permitted which transmit outside the property where it originates any vibration, electromagnetic or microwave radiation, which is determined to be objectionable due to volume, intermittence, shrillness, beat or frequency.

## **Section 11.4**

The Commission shall have the right to require financial surety to assure completion of site plan features such as, but not limited to, planting, landscaping, grading, drainage, etc. Such surety to be in an amount set by the Commission and in a form satisfactory to Town Counsel.

## **ARTICLE 12 – SOIL EROSION AND SEDIMENT CONTROL PLAN**

### ***Section 12.1 – Intent***

The following Regulations shall apply to the submission and certification of soil erosion and sediment control plans. A soil erosion and sediment control plan shall be submitted with any Zoning Permit Application where the disturbed area of the proposed development is cumulatively more than one-half acre. Each soil erosion and sediment control plan, as submitted, shall contain proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from storm water runoff on the proposed site.

### ***Section 12.2 – (Deleted)***

### ***Section 12.3 – Soil Erosion and Sediment Control Plan***

**Five (5) copies** of the plan shall be submitted with the Zoning Permit Application. Each plan shall contain, but not be limited to:

A narrative describing:

1. The development, including location of development and adjacent properties;
2. The schedule for grading and construction activities including:
  - A. start and completion dates;
  - B. sequence of grading and construction activities;
  - C. sequence for installation and/or application of soil erosion and sediment control measures;
  - D. sequence for final stabilization of the project site.
3. The design criteria for proposed soil erosion and sediment control measures;
4. The construction details for proposed soil erosion and sediment control measures;
5. The installation and/or application procedures for proposed soil erosion and sediment control measures;
6. The operations and maintenance program for proposed soil erosion and sediment control measures;
7. Proposed record keeping program;
8. The identification of the person responsible for record keeping and monitoring required control measures, and who will be the Commission's contact.

**A site plan map at a scale of 1"= 40' showing:**

1. The existing and proposed topography using two foot contours including soil types, wetlands, watercourses and water bodies;
2. The existing structures on the project site, if any;
3. The proposed area alterations including cleared, excavated, filled or graded areas and proposed structures, utilities, roads and, if applicable, new property lines;
4. The location of and design details for all proposed soil erosion and sediment control measures;
5. The sequence of grading and construction activities;
6. The sequence for installation and/or application of soil erosion and sediment control measures.
7. The sequence for final stabilization of the development site;
8. Any other information deemed necessary and appropriate by the applicant or information requested by the Commission or its designated agent;
9. Names, addresses and telephone numbers of two people who are authorized to respond to failures, breaches and noncompliance with sedimentation and erosion control measures.

***Section 12.4 – Minimum Acceptable Standards***

Soil Erosion and sediment control plans shall result in a development that minimizes erosion and sedimentation during construction; is stabilized and protected from erosion when completed; and does not cause off-site erosion and/or sedimentation. Methods and measures identified in the Connecticut Guidelines for Soil Erosion and Sediment Control (1985) as amended may be considered to be acceptable provided they are utilized in the correct manner.

***Section 12.5 – Issuance or Denial of Certification***

The Commission or its designated agent shall either certify that the soil erosion and sediment control plan, as submitted, complies with the requirements and objectives of this regulation or deny certification when the plan does not comply with these Regulations. Prior to making this decision, any plan submitted to the Commission may be reviewed by the New Haven County Soil and Water conservation District, or its succeeding authority, which may make recommendations concerning such plan, provided such review shall be completed within 30 days of receipt of such a plan. The Commission may also forward a copy of the proposed plan to the Inland/Wetlands Agency or other review agency for comment.

## ***Section 12.6***

Site development shall not begin unless the soil erosion and sediment control plan is certified and those control measures and facilities scheduled in the plan for installation prior to site development are installed and functional. All planned soil erosion and sediment control measures and facilities shall be installed as scheduled according to the certified plan, and shall be maintained in effective condition to ensure the compliance of the certified plan.

## ***Section 12.7***

Inspection shall be made by the Commission, or its designated agent, during development to ensure compliance with the certified plan and to insure that control measures and facilities are properly performed or installed and maintained.

## ***Section 12.8***

Any person engaged in a developmental activity who fails to file a soil erosion and sediment control plan in accordance with these Regulations, or who does not conduct a development activity in accordance with the provisions of a certified plan, shall be deemed in violation of the Oxford Zoning Regulations. All prior zoning approvals related to the activities for which the soil erosion and sediment control plan was required may be rescinded by the Commission. No further approvals for said activity will be issued until the violation is corrected.

## ***Section 12.9***

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

## ***Section 12.10***

The Commission shall have the right to require financial surety to assure completion of the soil erosion and sediment control plan features. Said surety will be in an amount set by the Commission and in a form satisfactory to Town Counsel.

## **ARTICLE 13 – TRAILERS**

### ***Section 13.1***

No trailer shall be used as a residence in the Town of Oxford, except in accordance with the following conditions:

- 13.1.1** Before any trailer is parked or located on any land for use as a residence, an approved Zoning Permit Application shall be obtained from the Planning & Zoning Commission. See definition Article 2.
- 13.1.2** A trailer may be parked on a lot as a temporary residence for not more than 120 days in any 12 month period, as provided for in Article 4, Section 4.7, or the Commission may permit the use of a trailer as a temporary residence, where the principle residence has been damaged or destroyed by fire, flood or other natural disaster and the residence is being repaired or reconstructed on site, for a period not to exceed 6 months.
- 13.1.3** Not more than 1 approved Zoning Permit Application shall be issued to any person, firm or corporation or for any particular trailer within any 12 month period and not more than 1 approved Zoning Permit Application of approval shall be issued for the same parking site of lot within any 12 month period. Also see Article 4, Section 4.7.
- 13.1.4** No Zoning Permit Application shall be issued for any trailer which carries an addition to its outside physical structure which enlarges its area in any way and no addition shall be added after an approved Zoning Permit Application is issued. Also see Article 4, Section 4.7.

### ***Section 13.2***

Nothing in this Regulation shall prohibit the owner of an unoccupied trailer, motor home, boat or other recreational vehicle from storing it on his/her residential property providing it is not visible to adjoining properties or the public right of way, provided that such vehicle is properly registered in accordance with all applicable regulations and laws of the State of Connecticut.

- 13.2.1** This Regulation shall not apply to any other districts or zones. All other districts and zones require application under Article 10.

### ***Section 13.3***

Notwithstanding any of the foregoing provisions of this article, and except as permitted under Article 4, Section 4.7.2, no approved Zoning Permit Application shall be issued for any trailer located in the Flood Plain District as defined in the Flood Plain District Article.

### ***Section 13.4***

In accordance with Sections 13.1-13.3, above, no approved Zoning Permit Application shall be issued for any trailer as the primary use on any site or parcel of land. This provision shall not prohibit the Commission from

issuing an approved Zoning Permit Application for temporary use or erection of a trailer in the Under the Rock Park Subdivision as presently constituted, in accordance with the provisions of Article 4, Section 4.7.2

### ***Section 13.5***

Mobile storage containers and trailers shall only be permitted in the Commercial and Industrial zones subject to the issuance of a Zoning Permit for a maximum period of 1 year, if they are shown on an approved site plan, provided that they are sufficiently screened and fenced to prevent visibility from either parking area or neighboring properties. The Commission may limit the number and location of the trailers and containers to assure that they are not being used as the primary area of storage on the property. The Commission, at its discretion, may renew the permit once, upon application, for a maximum period of 1 year.

## **ARTICLE 14 – EARTH REGRADING AND EXCAVATION**

### **Section 14.1 – General**

There shall be no filling, removing, or displacing of earth, sand, gravel, clay, stone, loam or top soil, or any other materials the Commission may deem, except under one of the following conditions:

- 14.1.1 Minor Regrading** – Any activity that does not cumulatively disturb more than one acre on any parcel of land or volume of material to be filled, removed or displaced shall not exceed 1,200 cubic yards.
- 14.1.2 Major Re-grading** – Any activity that disturbs more than one acre on any parcel of land or where volume of material to be filled, removed or displaced will exceed 1,200 cubic yards.
- 14.1.3** Excavation shall mean that the volume of earth material to be removed from the parcel exceeds 1,200 cubic yards.
- 14.1.4** The Zoning Enforcement Officer may issue a Zoning Certificate of Approval for earth re-grading/removal performed in conjunction with the construction of a new house in conformance with a valid building permit provided that the following conditions are present in the opinion of the Zoning Enforcement Officer;
  - (1) not more than 1,200 cubic yards of material may be removed from the site;
  - (2) all earth materials brought onto the site are consistent with what is customarily required to construct the house, driveway and to create a usable yard area;
  - (3) all re-grading shall be the minimum necessary to construct the house, driveway and create a usable yard area;
  - (4) all grading shall be done within 150’ of the foundation of the house, except re-grading associated with the construction of the driveway;
  - (5) no stumps, large branches or foreign materials shall be buried or otherwise deposited; and
  - (6) all fill brought onto the site shall be earth materials classified as clean fill by the Department of Environmental Protection, State of Connecticut and shall not include, garbage, debris, waste or any other foreign material that would require any permit to fill from the Department of Environmental Protection.

The applicant for minor re-grading shall indicate the purpose of the excavation and re-grading. The ZEO shall determine if it is in compliance with the standards of minor grading as defined in this section, and may request more specific information from the applicant.

#### **14.1.5 Re-grading in Conjunction with Site Plans**

The Commission may approve re-grading in conjunction with the site plan approval process, if done in conformance with an approved site plan, provided that all the following conditions are present and adhered to:

- A. The final grades called for in the site plan reflect the minimal disturbance to the property that would be required to achieve the purpose of the development.

- B. The final grades called for in the site plan reflect the minimum amount of fill required to be brought on site, or the minimum amount of material to be removed from the site, which is necessary to achieve the proposed development.
- C. Not more than 5,000 cubic yards of material are to be removed from the site. The Commission may waive the requirement to obtain a Special Exception for major re-grading for site plans that require more than 5,000 cubic yards of material to be excavated from the site, if they determine that all other conditions of this Article are to be met, and that the proposed excavation activity will have no negative impacts upon the natural environment, nearby properties or traffic circulation.
- D. All applications for re-grading in conjunction with site plans shall comply with the requirements of "Major Re-grading/Excavation" including the requirements of Section 14.3, except that approval as a Special Exception shall not be required, and therefore, a public hearing shall not be required.

## **Section 14.2 – Application and Fees**

**14.2.1 Minor Re-grading** – Where the disturbed area is cumulatively less than 1,200 cubic yards and less than one acre on any parcel of land, an approved Zoning Permit Application shall be required, including compliance with Article 12. Otherwise, no application or fees are required, but the Commission may, depending on the circumstances, require surety and controls.

**14.2.2 Major Re-grading/Excavation** – Where the disturbed area is more than 1,200 cubic yards or more than one acre on any parcel of land, an approved Zoning Permit Application is required before work is started and will be acted upon by the Commission as a Special Exception. The application shall be accompanied by maps and plans prepared by an engineer or surveyor licensed to practice in Connecticut, showing the following: (see Article 10).

- 14.2.2.1** The boundaries of the property where excavation is proposed and the area to be excavated.
- 14.2.2.2** Existing and proposed grades of the property on a plan drawn to a scale of not less than 100' to the inch at a contour level of 2 foot intervals. Such map shall include:
  - 1) Grades of the land at the time of the application, based upon a field survey.
  - 2) Proposed grades at the completion of the excavation.
  - 3) Indication, by shading of those areas where the existing grades are in excess of 35%, and those areas where the existing grades are between 20% and 25%.
- 14.2.2.3** Existing and proposed drainage on the premises.
- 14.2.2.4** Surrounding streets and property lines.
- 14.2.2.5** Principal wooded areas and any rock outcrops.
- 14.2.2.6** Existing and proposed structures on the premises.
- 14.2.2.7** Proposed truck passage to the excavation area.
- 14.2.2.8** Proposed soil erosion and sediment control plan pursuant to Article 12.



**14.2.2.9** An assessment of bedrock conditions by a geotechnical engineer or other qualified professional engineer with appropriate experience, which would include an evaluation as to whether blasting would be needed to accomplish the earth re-grading/excavation plan.

**14.2.3** The Commission may require the submission of such additional information, including data on soil conditions, location and depth of rock ledge and ground water conditions that it deems necessary to make a reasonable review of the application. The Commission may waive in whole or in part the requirements for submission of a plan of existing and proposed contours in cases where the contours are not deemed necessary for reasonable review of the application.

### ***Section 14.3 – Approval of Major Re-grading/Excavation***

The Commission, after public hearing on due notice, may grant a Special Exception, subject to appropriate conditions and safeguards, to permit the proposed excavation, earth removal or filling of property in conjunction with the preparation of land in accordance with an approved site plan or subdivision, subject to the following conditions:

- 14.3.1** That the plan provides for proper drainage of the area both during and after the excavation.
- 14.3.2** No sharp declivities, pits, depressions or soil erosion problems will be created. All areas that have been disturbed by re-grading or other means shall be regarded to a slope necessary to maintain stability, with a maximum finished slope of 2:1 (2 feet horizontal to 1 foot vertical), except areas in which exposed solid rock is left exposed to the surface, in which case, the maximum permitted slope shall be 1:4 (1 foot horizontal to 4 feet vertical).
- 14.3.3** That the proposed excavation will not impair the future use of the property in accordance with the Regulations in Zoning and that the slopes and banks will not impair good development and safe use of the property after the excavation.
- 14.3.4** That the proposed excavation will not depress land values or adversely affect surrounding property in the neighborhood.
- 14.3.5** That there shall be no excavation or removal within 50' of a property or street line except to an elevation equal with or above the grade of the adjoining street, or when done in conjunction with the re-grading of an adjoining property, and determined by the Commission. The Commission may permit excavation within 50' of a property or street line for property within the Commercial, Industrial, High Technology Industrial or Corporate Business Park District if it determines that such excavation will have no detrimental impacts upon the orderly use and development of the adjacent property.
- 14.3.6** There shall be no excavation that degrades or adversely disrupts the flow of groundwater.
- 14.3.7** That the top layer of arable soil for a depth of 6" shall be set aside and retained on the premises and for re-spreading over the excavated area upon completion of the excavation or removal, in accordance with proposed site plans, and seeded with a suitable cover crop.

- 14.3.8** That no fixed machinery shall be erected or maintained on the premises.
- 14.3.9** That proper provision will be made for control of dust.
- 14.3.10** That the proposed truck passage will not create safety or traffic hazards.
- 14.3.11** That the applicant shall post surety with the Selectmen of Oxford in a form satisfactory to Town Counsel and in an amount approved by the Commission to guarantee faithful performance of the work, in accordance with plans as approved and condition of approval, including processing operation, if any, which bond shall cover a period of time not less than 2 months beyond the period during which the Special Exception permit is effective.
- 14.3.12** That the plan provides for proper fencing or barriers to discourage outside access to any part of the premises in which removal or storage of materials or terrain factors may cause danger.
- 14.3.13** Major re-grading shall only be permitted in conjunction with the preparation of the land for development in accordance with an approved site plan or subdivision. Where permitted in conjunction with the preparation of the land for an approved site plan or subdivision, the Commission must find that the degree of re-grading, including the amount of earth material to be removed, is the minimum necessary to facilitate the development of the land as permitted in a feasible manner, except the Commission may grant a Special Exception for major re-grading for properties in the Commercial, Industrial, or Corporate Business Park districts, when done for the preparation for land development. In such circumstances, the applicant shall submit a Conceptual Site Plan that shows the proposed location of buildings and preliminary grading plans.
- 14.3.14** That a soil erosion and sediment control plan for the excavation has been submitted and certified in accordance with Article 12.
- 14.3.15** That the relevant conditions of Article 10 have been complied with.
- 14.3.16** If the application is approved in phases, the Commission may impose additional conditions for subsequent phases as determined by factors discovered during previous phase work.
- 14.3.17** All excavation and fill activities shall be conducted between 8:00 AM and 4:00 PM, Monday through Friday.
- 14.3.18** No stumps, large branches or foreign materials shall be buried or otherwise deposited.
- 14.3.19** All fill brought onto the site shall be earth materials classified as clean fill by the Department of Environmental Protection, State of Connecticut, and shall not include garbage, debris, waste or any other foreign material that would require any permit to fill from the Department of Environmental Protection.
- 14.3.20** The Commission may grant a Special Exception for Major Re-grading/Excavation for a period of up to 2 years. At its discretion, the Commission may grant a Special Exception for Major

Re-grading/Excavation done in conjunction with an approved site plan or subdivision for a period of time permitted by state statute or local regulation for the activity associated with the Major Re-grading/Excavation. The Commission may grant a maximum of two, 2 year extensions for Major Re-grading/Excavation activities legally approved and in operation at the time of this amendment.

## **Section 14.4 – Enforcement**

**14.4.1** The applicant shall submit reports at intervals not exceeding once every 6 months, or the completion of each phase as designated on the approved plan, whichever is more frequent, that shows the progress of the earth excavation/removal. Such report, including a certified plan, shall be prepared by a licensed engineer or land surveyor and shall include the following information:

- Existing contours, which shall include a comparison with the proposed grades approved within the plan.
- The existing grades at 2 foot contours in locations required by the Commission, which shall include a comparison with the proposed grades within the plan.
- Sedimentation and erosion control features in place.
- Estimate of the amount of material which has been removed.

The Commission or the ZEO may require a report which contains the information required above at any time in which the Commission or the ZEO have reason to question the conformance of the earth re-grading/removal operation with the approved plan, or if unforeseen problems or issues arise.

**14.4.2** All costs incurred by the Town of Oxford in monitoring the applicant's compliance with any earth removal approval, including the cost and services of, but not limited to, the ZEO, Town Engineer, Town Planner and any others as determined appropriate by the Commission shall be paid by the applicant within 30 days after billing applicant for same. Failure to provide such payment shall void any approval under this Section.

## **Section 14.5**

No excavation or removal of earth materials shall occur or be allowed from any site for which a non-conforming earth materials removal or excavation use is claimed until the following has been complied with:

**14.5.1** The owner of the site shall, upon request of the Commission, provide with all facts and data which indicate a legal non-conforming use does exist. If the Commission shall agree that a legal non-conforming use does exist, it may request that the owner of the site indicate specifically and in writing, what the owner's removal plans or intentions are. The Commission may request that the owner supply the Commission with information set forth in Section 14.2 of this Article. The Commission may request such information annually or at any time it appears said plans, intentions or information has been changed.

**14.5.2** The Commission may require that one or more of the conditions set forth in Section 14.3 of this Article, (except for and not including Section 14.3.11 or 14.3.13), be satisfied prior to any continued removal or excavation if the Commission shall conclude that the health, welfare, safety or environmental factors requires the imposition of such conditions. Specifically and without limitations,

“health, welfare, safety or environmental factors” shall include such matters as noise and dust, soil stability, traffic, pollution of streams and rivers, effect of removal operation upon neighbors’ septic tanks and wells, blasting effects, if any, prevention of erosion and avoidance of dangers due to sharp cliffs and declivities during and after removal operations.

- 14.5.3** The Commission may require a performance bond from the owner of the site to be filed with the Selectmen of the Town of Oxford in an amount approved by the Commission as recommended by the Town Engineer, and in a form approved by Town Counsel, to guarantee faithful performance of the conditions, if any, imposed upon the removal or excavation. The permit period shall not exceed 2 years. If the project is in phases, the bond shall be set for the first phase and the Commission shall set the bond for each other phase after the previous phases have been completed. A written request for extension must be submitted in writing if the applicant wishes to apply for an extension which shall not exceed 2 additional years.
- 14.5.4** If the site contains any fixed machinery which has legal, non-conforming use status, or manmade pits or holes, the Commission may require that the machinery, pits or holes be enclosed during non-working hours to prevent injury to outsiders.
- 14.5.5** If the above conditions are not satisfactorily complied with, the Commission may order removal or excavation operations be stopped.

### ***Section 14.6 – Approval of Temporary Use of Processing Machinery for Site Improvement***

The Commission, after public hearing with due notice, may grant a Special Exception, subject to appropriate conditions and safeguards, to permit the temporary use of a portable, self contained, enclosed, single stage or two stage reduction, with spray bar, stone crushing machine and/or other related support machinery necessary for the operation of the stone crushing machine and/or other related support machinery necessary for the operation of the stone crushing machine to further the removal of earth, sand, gravel, clay, stone or other earthen material for site improvement for a limited period of time, not to exceed 2 years, except as provided for in Section 14.6.20.

The use of such machinery shall be limited to Monday through Friday, inclusive, between the hours of 8:00 AM and 4:00 PM. Such a Special Exception may be granted in the Commission finds that the following conditions and requirements have been met:

- 14.6.1** That the site must be a minimum size of 2 ½ acres, except as provided for in Section 14.6.20.
- 14.6.2** That such Special Exception may be granted only when in conjunction with a bona fide earth excavation proposal which has been submitted and is in conformance with Article 14 and other applicable Regulations.
- 14.6.3** That such a Special Exception may be granted only when such machinery is necessary to further a site plan approval or other approved use of the subject premises.

- 14.6.4** The Commission may impose such conditions and safeguards as are necessary for the control of noise, drainage, dust, erosion and sedimentation, blasting, fuel spillage and cleanup.
- 14.6.5** That the crushing machinery may be directed to be located at a particular specified location on the premises so as not to adversely impact the public health, safety and welfare.
- 14.6.6** That no machinery, equipment or structures covered by this Special Exception shall be operated or located outside of the area for which this Special Exception is granted.
- 14.6.7** That such machinery shall be removed from the premises immediately upon termination of the Special Exception or upon revocation of same. Failure to do so shall result in forfeiture of security in an amount of \$2,500.00 per day.
- 14.6.8** That all other conditions and requirements of this Article shall be met regarding earth excavation at the subject premises.
- 14.6.9** That the relevant conditions and requirements of Article 10 have been complied with.
- 14.6.10** That the Commission may grant extensions not longer than 2 years upon application, which extension may be granted within the sole discretion of the Commission.
- 14.6.11** Such machinery may be used only for processing materials excavated from the same site as originally approved.
- 14.6.12** No such machinery shall be located on the site within less than 150' of any property or street line or within less than 300' of an existing residential building or on any other lot, or 500' from any adjoining Town line, except as provided for in Section 14.6.20.
- 14.6.13** Applicant to provide copy of suitable insurance policy to the Town. The policy shall provide levels of protection satisfactory to Town Counsel. Said policy shall name the Town as co-insured on the policy.
- 14.6.14** The area open to the work at any given time shall be no more than 6 acres. Every attempt to stabilize any excavated area shall be made prior to October 15<sup>th</sup> of any given year. No security reductions will be granted prior to the actual stabilization should work on that section be done after October 15<sup>th</sup>. This reduction comment shall apply to the amount of security designated for such purpose.
- 14.6.15** Those areas not stabilized by October 15<sup>th</sup> shall require additional sedimentation and erosion control measures until the next growing season.
- 14.6.16** A condition of approval at this time is that any substantial deviation from this approval will be in accordance with Article 19 of the Oxford Zoning Regulations and in accordance with standard procedures as established by the Oxford Planning & Zoning Commission.

- 14.6.17** Any and all costs associated with the enforcement of these Regulations may be billed to the applicant and/or owner and/or operator of the property involved.
- 14.6.18** The Commission may consider allowing the addition of other processing equipment to the site if it feels the completion of the work will be hastened. The removal of this additional processing equipment must be made immediately after the completion of the work or if/when the Commission feels it has exhausted its use.
- 14.6.19** The manufacturer and model of the specific machinery to be used shall be presented to the Commission for their review and approval. All machinery used shall be designed to generate a minimum amount of dust and noise.
- 14.6.20** The Commission may permit the temporary use of processing machinery on a site less than 2 ½ acres in size that is located at least 50' from all property boundaries and at least 200' from the nearest residential building for a period of up to 1 month. The Commission may extend the period of time for up to 1 additional month if it finds that delays in the processing were a result of weather or other conditions beyond the control of the contractor. Such extension may be granted without an additional public hearing based upon testimony presented at the original hearing, and additional information requested by the Commission. The Commission shall only permit the use of processing machinery that generates a minimum amount of dust and noise.

## **ARTICLE 15 – FLOOD PLAIN DISTRICT**

All other provisions of these Regulations may apply to the Flood Plain District and, in addition, the following:

### ***Section 15.1***

The Flood Plain District consists of all areas of special flood hazard within the Town of Oxford identified by the Federal Emergency Management Agency (FEMA) in its Flood Plain Insurance Study (FIS) for New Haven County, dated December 17, 2010 accompanying Flood Insurance Rate Maps (FIRM), dated December 17, 2010, and other supporting data applicable to the Town of Oxford, and any subsequent revisions thereto, are adopted by reference and declared to be a part of these regulations. Since mapping is legally adopted by reference into these regulations it must take precedence when more restrictive until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A and AE, including areas designated as a floodway on a FIRM. All of the maps herein before referred to as the Flood Insurance Study are on file with the Oxford Town Sanitarian in the Oxford Town Hall, Oxford, Connecticut. (Updated per FEMA 2010)

### ***Section 15.2***

No structure or land in a special flood hazard area of the Flood Plain District shall hereafter be developed, constructed, located, extended, converted or altered without full compliance with all of the applicable Oxford Regulations, zoning and otherwise, and with all of the terms of a certain Town Ordinance entitled, "Flood Plain Management Ordinance" passed at an Oxford Town Meeting on November 8, 1979, which Town Ordinance is fully incorporated herein by reference and made a part hereof. The requirements of said Flood Plain Management includes, but are not limited to, the requirements to obtain a Flood Hazard Area Permit from the Oxford Planning and Zoning Commission before beginning any construction or development in an area of special flood hazard in a Flood Plain District.

### ***Section 15.3***

The fee for an application for a Flood Hazard Area Permit shall be \$10.00. The application shall be made on a form supplied by the Oxford Planning & Zoning Commission in accordance with the requirements of the "Flood Plain Management Ordinance" hereinbefore referred to. The procedure for the approval or denial of an application for a Flood Hazard Area Permit shall be in accordance with the provisions of Article 11, Section 3 of these Regulations.

## **ARTICLE 16 – SIGNS**

### ***Section 16.1 – Intent and Purpose***

It is the intent of this section to regulate the height, size, location and character of all signs within the Town of Oxford. No sign shall be established, constructed, enlarged, moved or structurally altered unless approved by the Planning & Zoning Commission or is exempt from this article. All signs not expressly permitted by this article are prohibited.

### ***Section 16.2 – Definitions***

- 16.2.1** The term sign shall include every sign, illustration, insignia, lettering, picture, display, banner, pennant, flag or other device intended for use for the purpose of advertisement, identification, publicity, notice or attracting attention when visible from any lot other than the one on which the sign is located and either 1) located out of doors, or 2) located indoors and intended to be viewed from the outside of the building. The term sign shall not include any flag, pennant or insignia of any governmental unit or non-profit organization nor any traffic or similar regulatory devices or legal notices of any governmental unit.
- 16.2.2 Detached Sign** – A sign that is freestanding and is attached to or resting on the ground.
- 16.2.3 Attached Sign** – A sign which is attached directly to a building or wall or is hung from the ceiling of a covered arcade walkway.
- 16.2.4 Sign Area** – The area of the smallest triangle, rectangle or circle which can wholly enclose the surface of the sign. All visible faces of a multi-faced sign shall be counted separately and then totaled in calculating sign area.
- 16.2.5 Complex Sign** – A sign consisting of one or more parcels stating the names of a business or industrial complex and the name and/or location of each business or industry located in the complex.
- 16.2.6 Ground Sign** – A sign placed on the ground within a landscaped area with no space between the bottom of the sign and the ground.
- 16.2.7 Window Sign** – A sign located within the window of a business establishment intended for viewing by people outside of the establishment, whether affixed to the window or not.



## **Section 16.3 – Prohibited Signs**

- 16.3.1 Billboards & Similar Signs** – Any sign which does not identify, advertise or otherwise directly relate to the property on which it is located, or which calls attention to or advertises an activity conducted elsewhere is prohibited unless expressly permitted elsewhere in this article.
- 16.3.2 Hazardous Signs** – Signs which are either within or hang over a public or private street, right of way, or adjacent property and signs which are otherwise located or maintained in such a manner as to be a hazard to pedestrians or vehicles are prohibited.
- 16.3.3 Roof Signs** – Signs that are located on the roof of a building are prohibited.
- 16.3.4 Animated & Improperly Lighted Signs** – Signs that are flashing, revolving, oscillating, pulsating or otherwise animated, or in the judgment of the Commission are not required to identify the use to which it relates and signs that cast unshielded light directly upon an adjacent street or property are prohibited. Standard time and temperature signs not exceeding 10 square feet in area are permitted.
- 16.3.5 Minimum Setback** – Signs that are located less than 10 feet from a street or property line are prohibited.
- 16.3.6 Off-Site Signs** – Signs located on private property not owned or leased by the advertiser unless written permission has been obtained from the owner(s).
- 16.3.7 Sandwich Signs** – Moveable or portable signs, including those which may be attached to a parked vehicle when such vehicle is being used for the purpose of advertising and not in conjunction with its designed use and sandwich type signs are prohibited.

## **Section 16.4 – Exemptions**

- 16.4.1 Name & Address Signs** – Signs not exceeding 2 square feet in area bearing only occupant's name and street address.
- 16.4.2 Regulatory Signs** – No trespassing, no hunting or other such regulatory signs not exceeding 2 square feet in area in residential districts and not exceeding 5 square feet in other zoning districts.
- 16.4.3 Bulletin Boards** – Bulletin boards for public or religious use that do not exceed 15 square feet in area or 8 feet in height.
- 16.4.4 Memorial Signs** – Memorial signs and tablets stating historic data relative to a building or site when attached to the building or located on the site.
- 16.4.5 Contractor's Signs** – One sign per contractor identifying the person or firm constructing or repairing a building is allowed while active construction is in progress and provided that such sign does not exceed 6 square feet in area. Upon completion of the job, signs must be removed.

**16.4.6 Temporary Signs** – Temporary signs for public service or charity events and banners or pennants used in conjunction with grand openings or seasonal sales are permitted without zoning approval. Use shall be limited to a 30 day period in any 9 month period and shall be removed within 72 hours after the conclusion of the event. An application for all temporary signs shall be filed with the Zoning Enforcement Officer and shall describe the proposed general locations of the signs and a contact telephone number for the person responsible for placing the sign.

**16.4.7 Tag Sale & Farm Product Signs** – Temporary signs advertising household goods or farm products for sale on the premises are permitted. Such signs shall not exceed 10 square feet in area and shall not be displayed for more than 4 days in any 12 month period. All signs for tag sales shall include a contact telephone number for the person responsible for placing the tag sale sign, or the telephone number should be submitted to the ZEO. All signs for tag sales shall be removed within 24 hours from the completion of the tag sale. No signs shall be affixed to any public utility poles in accordance with all applicable statutes of the State of Connecticut.

**16.4.8 Traffic Control & Directional Signs** – Signs directing and guiding traffic flow, parking or other functional activities on private property which bear no advertising.

**16.4.9 Repair & Maintenance** – Operations which do not change the height, size, location or basic character of a sign such as repair and maintenance of change of copy may be made without zoning approval.

## ***Section 16.5 – Residential & Route 67 Office Professional District***

### **16.5.1 Exempt from Zoning Approval**

- A) **All signs exempt by Section 4, above.**
- B) **For Sale or For Rent Signs** – Signs advertising the sale or rental of land or buildings on which they are located and that do not exceed 6 square feet in area are permitted without zoning approval. All signs advertising property shall be placed on the subject property and removed after the close of the sale of the property. Temporary signs advertising a short-term temporary sales event, such as an open house, may be placed in front of the other properties for the purpose of guiding prospective buyers to the property, providing that: 1) the maximum size shall be 4 square feet, 2) All signs shall be removed within one hour of the end of the advertised event, 3) the signs shall not pose a public safety hazard by interfering with site lines along roads, at intersections or for vehicles entering or exiting a private driveway, 4) all signs shall be located a minimum of 5 feet from the edge of the roadway pavement and 5) there shall be no other advertising devices attached to the signs, such as balloons or streamers and 6) all signs shall be metal bi-fold or its equivalent.

### **16.5.2 Permitted by Zoning Approval**

- A) **Home Occupation Signs** – One sign not to exceed 4 square feet in area if single faced or 8 square feet if double faced for each home occupation as specified in the Residence District A Section of these Regulations. The sign shall have no illumination.
- B) **Subdivision Signs** – Signs advertising or identifying lots for sale in an approved subdivision are not to exceed 32 square feet in area. There shall only be 1 sign per subdivision. A sign on each lot identifying the lot by developer's lot numbers is also permitted.

- C) **Golf Course/Recreational Facility** – Signs identifying a golf course or other recreational facility as shown on a site plan approved by the Commission. Such signs shall not exceed 16 square feet in area and shall bear no advertising.
- D) **Site Plan/Special Exception Applications** – Signs associated with any use requiring Special Exception or Site plan approval by the Commission, provided that such signs are shown on the approved plans, including professional offices as specified in the Residential/Professional Office District of these Regulations. One such sign per use, not to exceed 24 square feet in area is permitted, except for uses within the Oxford Center District.
- E) The following signs shall be permitted in the Oxford Center District providing that all signs shall be consistent with the historic character of the area in size, colors and style.
- 1) One attached sign per business or industry relating to the use of the building is permitted. Attached signs shall not extend above or beyond the wall. No single attached sign shall exceed 6 square feet in area.
  - 2) One detached or free-standing sign per lot, not to exceed 8 square feet in height.
  - 3) No internally illuminated signs are permitted

For all non-residential uses within the Route 67 Office Professional District, there shall be a maximum of one detached sign, with a maximum size of 8 square feet, with no internal illumination. In addition, on wall signs shall be permitted with a maximum of 6 square feet.

	Res. A	Res. Golf	Com.	Planned Com	Rt. 67 Cor. Zone	Ox. Center	Ind.	Corp BP
I Family Res	P	P	N	N	P		N	N
Multi-Fam. Res.	SE	N	N	N	SE	N	N	N
Accessory Apts.	P	N	N	N	P	P	N	N
Age Restricted Housing	SE	SE	N	N	SE	N	N	N
Leasing of Rooms to not more than 2 persons	A	N	N	N	NA	A	N	N
Bed & Breakfast	SE	SE	SE	SE	SE	SE	SE	SE

**16.5.3 Height** – No free standing sign shall exceed 6’ in height.

## **Section 16.6 – Commercial & Industrial Districts**

### **16.6.1 Exempt from Zoning Approval**

- A) Signs specified in Section 16.4, above.
- B) **For Sale or Rent Signs** – Signs advertising the sale or rental of the property on which they are located.

- C) **Informational Signs** – One sign per establishment not to exceed 3 square feet in area, identifying the hours of operation, credit card uses, menus, emergency phone numbers and other such information is permitted without zoning approval.
- D) Temporary signs placed in windows of business establishments that announce or advertise a non-profit event provided that they are removed after the time of occurrence of the event.

### 16.6.2 Signs Permitted by Zoning Approval

- A) **Advertising & Identification Signs** – Signs advertising, identifying or otherwise directly related to the business or industry on the premises.
- B) **Complex Signs** – Signs giving the name and/or location of individual buildings in a multi-building complex.
- C) **Window Signs** – Window signs which advertise products or services offered within the establishment shall be permitted. Illuminated signs with neon are permitted subject to the conditions of Section 16.6.3.

### 16.6.3 Number, Size & Location

- A) One attached sign per business or industry relating to the use of the building is permitted. If buildings are detached, one such sign per building is permitted. For attached buildings such as a shopping plaza, or if more than one firm occupies a building, one such sign for each occupant is permitted. Attached signs shall not extend above or beyond the wall. No single attached sign shall exceed 30 square feet in area or 30% of the area of the wall, whichever is less. Attached signs shall extend no more than 5' out from the wall to which they are attached.
- B) If a business or industrial building has more than one public entrance, one attached sign per entrance is allowed, not to exceed 6 square feet in area, in addition to the signs permitted by 16.6.3 (A), above.
- C) Except as provided by 16.6.3 (D) and 16.6.3 (E), below, there shall be no more than one detached sign per lot. Such sign shall not exceed 8' in height or 45 square feet in area. For double-faced signs, the total area shall be the combined area of both sides of the sign.
- D) A business or industrial lot having 3 or more establishments shall submit a unified sign design for its directory sign, not to exceed 15' in height or 45 square feet in area. For double-faced signs, the total area shall be the combined area of both sides of the sign. Free standing signs shall be adequately landscaped at ground level. Plant material shall consist primarily of low growing evergreen shrubs; however, low growing deciduous shrubs, annual and/or perennial flowering plants and/or ground covers may be used in the planting bed.
  1. The Commission may permit, by Special Exception, Retail Shopping Centers and flex space in industrial complexes that include 5 or more separate establishments and a total minimum building area of 10,000 square feet, one free standing sign not to exceed 15' in height and with an area that is not in excess of what is currently permitted in the Commercial and Industrial Zone. For free standing signs, the total area shall be the combined area of both sides of the sign. Free standing signs shall be within landscaped areas, with plant material consisting of primarily low evergreen and deciduous shrubs, annual and perennial flowering materials and ground covers. The color, design, placement and orientation of such sign shall be suitable for the enhancement of the character and environment of the neighborhood, in the opinion of the Commission.

- E) No sign shall be attached to any tree, fence or utility pole or is permitted to be painted directly onto any building, structure or pavement.
- F) All signs allowed under this Section shall be located within the property lines of the site and in no case shall any part of a sign protrude or project beyond the property line.
- G) Within the Corporate Business Park Zone and High Technology Industrial Zone, one identification sign shall be permitted for each development under a Unified Development Plan at each entrance to the development. Such identification sign shall be a ground sign with a maximum size of 100 square feet. The Commission, at its discretion, may permit additional identification signs with the development if it finds that it will enhance the overall character of the development. One attached sign shall be permitted on the side of a building which faces a street, provided that the area of the sign does not exceed 10% of the area of the wall of the building upon which it is placed. No internally illuminated signs shall be permitted in the Corporate Business Park District. All signs within the Corporate Business Park District and High Technology Districts shall be subject to review by the Commission, as to conformance with the overall architectural design of the proposed development and the intent of this section.
- H) Window signs shall be permitted in the Commercial Zone, subject to the following requirements:
  - a. The total area of all window signs shall not exceed 25% of the area of all the windows within the business establishment, up to a maximum of 20 square feet.
  - b. The placement and use of window signs shall not be detrimental to public safety, in that it shall allow a full view of the interior of the retail establishment from outside the establishment.
  - c. Neon signs and other similar signs that do not block or obscure the window may be permitted by Special Exception provided that they do not exceed 10 square feet in area and total window area covered by all signs does not exceed the requirements of 16.6.3 (H).
  - d. The Commission may permit window signs that exceed 25% of the area of said window or 20 square feet by Special Exception for business establishments that exceed 10,000 square feet in area, if they determine that there are unique circumstances that require the additional window signs for commercial visibility and the larger window signs shall not detract from the character of the neighborhood.
- 1. All signs within a development in the Planned Commercial District shall be consistent in size, color, materials and shape with an overall theme approved with the site plan. One detached ground sign with a maximum area of 50 square feet and a maximum height of 16' shall be permitted. For double-faced signs, the total area shall be the combined area of both sides of the sign. Free-standing signs shall be adequately landscaped at ground level in the opinion of the Commission.

The Commission may permit, 1 additional detached ground sign for individual buildings to clusters of buildings by special permit if they find that it would enhance the village atmosphere of the development, and have a maximum size of 20 square feet.

One attached sign per business or building occupant shall be permitted, with a maximum size equal to 1 square foot per 1 foot of building frontage.

#### **16.6.4 Required Street Number Sign**

All commercial and industrial property shall display a street number on top of their approved signage. The size of the street number sign shall not exceed 12 inches in height or 36 inches in length. The lettering shall have a height of 8 inches.

#### **16.6.5 Off-Site Directional Signs**

Industrial complexes may have directional signage to direct the public to a lawfully approved industrial complex which is not seen from a State highway. Such signs shall have a maximum size of 8 inches by 48 inches. Such signs shall state the name of the complex only. Signs identifying individual industries in the complex are not permitted in the off-site directional signage.

### ***Section 16.7 – Non Conforming Signs***

Signs existing at the time of the enactment of this article and not conforming to its provisions shall be regarded as non-conforming signs and may continue if properly maintained and in conformance with other Town Regulations. No non-conforming signs shall be changed or replaced except to a conforming sign. Signs associated with a non-conforming use shall be considered as non-conforming signs.

### ***Section 16.8 – Administration and Enforcement***

- 16.8.1 Site Plan and Special Exception Applications** – Zoning approval for signs included as part of a site plan or special exception application shall be given by the Planning & Zoning Commission as part of a site plan or special exception approval. All such applications shall include the location, size and character of all proposed signage, including lighting and structural details as required. The Commission may require that structural elements be designed by a Professional Engineer. A scaled illustration shall be provided. Any changes to signs approved as a part of site plan or special exception approval shall require re-approval by the Commission.
- 16.8.2 Other Applications** – Signs associated with development not requiring approval by the Commission shall be approved by the Zoning Enforcement Officer upon a finding on conformity with this article. The application for zoning approval shall be on a form prescribed by the Commission. The location, size and character of the sign including method of illumination shall be shown. A scaled illustration of the sign shall be provided. The Zoning Enforcement Officer may require that structural details be provided and may refer the application to the Building Official for an opinion as to structural soundness and safety.
- 16.8.3 Fees** – Fees shall be established from time to time by resolution of the Commission.
- 16.8.4 Nullification** – Zoning approval for a sign not part of a site plan or special exception application shall become null and void if the work for which the approval was given is not completed within 6 months of the approval.
- 16.8.5 Abandoned Signs** – Signs shall be removed by the owner or lessee of the premises on which the sign is located when the business or industry with which it is associated is no longer conducted on

the premises. The Planning & Zoning Commission may give such owner or lessee 15 days written notice to remove such sign. Failure to comply with this notice shall be deemed a zoning violation. The violator shall be subject to the penalties prescribed herein.

### ***Section 16.9 – Special Exceptions***

Signs which do not meet the requirements of this article may be permitted by special exception approved by the Planning & Zoning Commission after public hearing and upon a finding that:

- 1.) Height, area and number of signs bear a reasonable relationship to the size and scale of the development of which the signs are a part.
- 2.) The location of the sign does not present a hazard to public safety.
- 3.) Such signs do not create a nuisance or cause annoyance to surrounding property.

## **ARTICLE 17 – SALE OF ALCOHOLIC LIQUOR**

### ***Section 17.1***

For the interpretation of this regulations, unless the context indicates a different meaning, “alcoholic liquor” includes the 4 varieties of liquor defined by State Statute, Title 30, Chapter 545 (alcohol, beer, spirits and wine” and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer and capable of being consumed by a human being for a beverage purpose.

“Alcoholic liquor use” is defined as the selling or selling and on-site consumption of alcoholic liquor at a State permitted business or organizational function.

### ***Section 17.2***

- 17.2.1** It shall be unlawful for any individual, partnership, firm or corporation to commence to sell, offer to sell or keep with intent to sell any alcoholic liquor without having been granted an approved Zoning Permit Application; and no such Certificate shall be issued for a location in Residence District A.
- 17.2.2** The Commission shall take into consideration the proximity of churches, schools, libraries, playgrounds or any places frequented by minors when granting location approval for an alcoholic liquor use.
- 17.2.3** The Commission may, except as to a store engaged chiefly in the sale of foodstuffs, refuse to approve any location for the sale of alcoholic liquor if it has reasonable cause to believe that the number of approved locations for all classes of permits in an immediate neighborhood is such that the approval of another location in the locality is detrimental to the public interest. In reaching a conclusion, the Commission may consider the character of, the populations, the number of all approved permit locations in the neighborhood concerned and the effect which a new permit location may have on such neighborhood.

### ***Section 17.3 – Exceptions***

Alcoholic liquor use at any fair, outing, picnic or social gathering by a bona fide non-commercial, non-profit, charitable or municipal affiliated organization shall be exempt from permit requirements.

### ***Section 17.4 – Change of Class of Permits***

No building or premises devoted to a business or use operating under one class of permit may change to a different class of permit without the prior approval of the Commission upon application therefore.



### ***Section 17.5 – Change of Location***

If the holder of any permit issued by the Liquor Control Commission changes the location of the permit, the new location must first be approved as provided under the permit, and the new location must first be approved as provided in these Regulations. If the Liquor Control Commission grants such permit for a new location, the old location shall not again be used for the sale of alcoholic liquor, beer, ale or wine unless approval is obtained.

### ***Section 17.6 – Premises Not Ready for Occupancy***

Any premises not ready for occupancy as a liquor outlet at the time application for approval is filed, shall be complete and occupied not later than 6 months from the date upon which the application is approved.

### ***Section 17.7 – Commercial Complexes***

Each commercial complex shall have no more than 1 package store and shall be exempt from the distance limitations within the defined area of the commercial complex.

## **ARTICLE 18 – AMENDMENTS**

### **Section 18.1**

These Regulations, including the zoning map which is part hereof, may be amended by the Planning & Zoning Commission on its own initiative or when initiated by a petition. Any amendment may be adopted only after due notice and public hearing as prescribed by the General Statutes of the State of Connecticut and a majority vote of the Commission membership. Any petition for amendment shall be accompanied by the following;

- 18.1.1** For petitions concerning the text of these Regulations, 12 copies of the existing and proposed text shall be submitted.
- 18.1.2** For petitions concerning the zoning map, 2 copies of the map shall be submitted, drawn to a scale of not less than 200 feet to the inch, covering the area of the proposed change and all area in the Town within 500' of the proposed change, and showing for such area the existing and proposed zoning district boundary lines, the existing property lines and a list of the names of the current property owners as indicated in the Oxford Assessor's records.
- 18.1.3** The applicant shall notify the owners of all parcels totally or partially located within 250' of the perimeter of the subject parcel with proof of mailing.
- 18.1.4** A notice of hearing sign shall be posted on any property which is the subject of a public hearing before the Commission. Such signs shall meet the following requirements:
- 1.4.1** Minimum size of 2' x 3'
  - 1.4.2** Such sign shall be posted no more than 5 feet from the street line and shall be clearly visible and readable from the street for the entire time of the required posting.
  - 1.4.3** Such sign shall be posted a minimum of 10 days prior to the date of the hearing.
  - 1.4.4** Such sign shall contain the following information;
    - The statement "Notice of Hearing – Oxford Planning & Zoning Commission"
    - Date of the hearing
    - Time of the hearing.
    - Place of the hearing.
    - The statement "For more information please contact or visit the Oxford Town Hall, 203-888-2543, [www.oxford-ct.gov](http://www.oxford-ct.gov)"

### **Section 18.2 – Environmental Impact Analysis**

The Commission may require that any application for an amendment to the zoning map to submit an Environmental Impact Analysis which includes the following information:

- 18.2.1** How the proposed development is consistent with the objectives and policies of the Town Plan of Conservation and Development.

- 18.2.2** The impact of the proposed use on traffic, including the impact on public roads. For high traffic generators involving the construction of more than 50 dwelling units, 100 parking spaces, or 25,000 square feet of gross floor area, the study should be prepared by a traffic engineer and shall include data and information on existing and projected average daily vehicle trips on nearby roads, peak hour traffic volumes, analysis of the impact upon capacity of impacted intersections, adequacy of road rights-of-ways, adequacy of site lines and recommendations for safe pedestrian and vehicular circulation.
- 18.2.3** The likely impact of the proposed development on the characteristics of the surrounding neighborhood addressing such issues as congestion on public streets, harmony with surrounding development and effect on property values and overall neighborhood stability.
- 18.2.4** The extent to which any sensitive environmental features on the site may be disturbed and what measures shall be taken to mitigate these impacts. Consideration shall be given to steep slopes, groundwater, wetlands, drainage ways, vegetation and any other land feature considered to be significant.
- 18.2.5** The impact of the proposed development on various public services such as police, fire, schools, recreation, public water supply and sanitary sewage disposal.
- 18.2.6** Mitigation proposed for adverse impacts.

## **ARTICLE 19 – ENFORCEMENT**

### **Section 19.1**

The Planning & Zoning Commission and its duly authorized representatives, including, but not limited to, the Zoning Enforcement Officer, P&Z Contracted Planner and any member of the Planning & Zoning Commission duly authorized to act as the Zoning Enforcement Officer, shall be responsible for enforcing these Regulations in accordance with Connecticut General Statutes 8-12 and any other applicable statutes, regulations and ordinances. The Commission and its authorized representatives shall have the right, by consent, to enter upon any land for purpose of inspection and/or enforcement for which the Commission has received an application for zoning action under these Regulations or the Subdivision Regulations of the Town of Oxford. When the Commission or its authorized representatives receive information indicating a reasonable suspicion that a violation of the Zoning or Subdivision Regulations exists or when any other reason occurs to enter onto a premises for purposes of enforcement of these Regulations and such investigation requires entry on the premises without consent, the Commission or its authorized representative shall enter only in accordance with state and federal laws.

### **Section 19.2**

The Commission may revoke or modify any approvals for a Site Plan, Special Exception or Zoning Permit Applications, which are given after March 1, 1986 in the following circumstances in accordance with the following procedures:

If any of the following activities or situations occur related to an approval:

- A. Implementation or use of the approval does not conform to the written application and/or supporting documents upon which the approval is based;
- B. Conditions and requirements of the Commission that were included with the approval have not been performed;
- C. Bond requirements have not been complied with or maintained;
- D. The Zoning Regulations related to said approval are not being complied with, then the Commission may revoke or modify an approval by the following procedure:

The Commission shall notify the applicant (at the mailing address shown on the application for said approval) and owner (at mailing address shown on the assessor's records) of the land on which the approved activity is to take place, in writing, of the alleged activity or situation (see A. – D. above) which may cause revocation of the approval.

Said Notice shall summon the applicant and owner to a hearing before the Commission, at which time the applicant and owner shall have an opportunity to explain the activity or situation.

After such opportunity has been provided, the Commission may:

- E. Take no action if the Commission believes there will be no further occurrences of said activities or situations;
- F. Modify the approval so as to impose requirements that shall lessen the number or severity of future occurrences of said activities or situations;
- G. Revoke the approval, if the Commission believes the activity/situation was the result of negligence or deliberate intent;
- H. Require a bond, in addition to any other bond related to the approval, for the purpose of having bond funds available for the doing of such work as may be necessary to insure that a, b and d, above, are complied with. In the event of non-compliance, the Commission may seek to have retained third party contractors to do such work and to pay such contractors out of bond funds.

### ***Section 19.3***

Fines or other penalties as provided by State Statutes may also be imposed.

## **ARTICLE 20 – PENALTIES**

### ***Section 20.1***

Any violation of these Regulations shall be subject to the remedies and penalties prescribed by law.

**NOTE:** The following is taken from the Rev: September 11, 1991 Fee Schedule Ordinance – **APPENDIX A.**

1. The Commission may waive a fee if they deem it appropriate.
2. The Commission may vote to triple any fee charged that is for any application for work already begun or completed without appropriate permits.

## **ARTICLE 21 – VALIDITY & INTERPRETATION**

### ***Section 21.1***

The invalidity of any section or provision of these Regulations shall not affect the validity of any other section or provision hereof.

### ***Section 21.2***

In the event of any ambiguity or dispute concerning the interpretation of these Regulations, the decision of the Planning & Zoning Commission shall prevail, subject to appeal as provided herein.

### ***Section 21.3***

If any section, paragraph or portion of any provision of this Regulation is, for any reason, adjudicated to be invalid or unconstitutional by a court of proper jurisdiction, such section, paragraph or portion of any provision shall be deemed a separate and independent provision and such ruling by a court of competent jurisdiction shall not affect the validity of the remaining portion of these Regulations.

## ARTICLE 22 – ZONING BOARD OF APPEALS

### **Section 22.1 – Power and Duties**

The Zoning Board of Appeals, as constituted in Chapter 124 of the Connecticut General Statutes, Revision of 1958, as amended, and in accordance with the applicable provisions thereof and the provisions of Connecticut General Statutes, Chapter 250, Section 14-321, and additionally, Chapter 246, Section 14-54, shall have the following duties and powers:

#### **A) Variances**

- 1) To hear, determine and vary the application of the Zoning Regulations in harmony with their general purpose and intent and with due consideration for conserving the public health, safety, convenience, welfare and property values solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of such regulations would result in exceptional difficulty or unusual hardship so that substantial justice will be done and the public safety and welfare secured, provided that the Zoning Regulations may specify the extent to which uses shall not be permitted by variance in districts in which such uses are not otherwise allowed.
- 2) The Zoning Board of Appeals shall not be required to hear any application for the same variance or substantially the same variance for a period of 6 months after a decision by the Zoning Board of Appeals or by a court on an earlier such application.
- 3) Reasonable conditions may be attached to a variance.
- 4) The difficulty or hardship is not a self inflicted hardship or a result of some action taken by the property owner.
- 5) The Zoning Board of Appeals shall not consider financial or economic conditions, including increased costs of construction or development, lower potential return on investment or other similar issues in their determination of a hardship.
- 6) The Zoning Board of Appeals shall not grant a variance for a use which is not otherwise permitted under these Regulations, nor shall any use be permitted in a district in which such use is not otherwise allowed.

**B) Appeals to Board** – To hear and decide appeals where it is alleged that there is an error in any order, requirement, or decision made by the Zoning Enforcement Officer. Appeal to the Board must be taken within 30 days of the Zoning Enforcement Officer's initial written decision.

#### **C) Approval of Location**

- 1) The Zoning Board of Appeals shall, in accordance with Connecticut General Statutes, Chapter 250, Section 14-321, and Chapter 246, Section 14-54, serve not in a zoning capacity, but as an agent of the State to pass upon the suitability of the location of (a) gasoline stations and motor



oil sales establishments, and (b) motor vehicle dealers and repairers establishment locations, after consideration of the following items:

- a) Traffic considerations, width of highway;
  - b) Safety of the public;
  - c) Proximity to schools, churches, theaters, or playhouses, or other places of public gatherings;
  - d) Intersecting streets;
  - e) Effect on public travel;
  - f) Written approval by local chief of police (for dealers and repairers only)
- 2) Such approval of location by the Oxford Zoning Board of Appeals shall be obtained prior to the related application to the Commissioner of Motor Vehicles for the procurement of a license for said activity.

**D) Hearing and Final Suitability**

- 1) All meeting and hearings shall be scheduled, and decisions rendered in accordance with the requirements of Chapter 124, Section 8-7d of the Connecticut General Statutes.
- 2) All notices of Public Hearings and decisions shall be published in accordance with the requirements of Chapter 124, Section 7 of the Connecticut General Statutes.
- 3) The reasons for granting or denying such application shall be stated by the Zoning Board of Appeals in its meeting minutes. Notice of the decision shall be published in a newspaper having a general circulation in the Town of Oxford and sent by certified mail to the applicant within 15 days after the decision has been rendered. The applicant for the location approval shall pay a fee of \$10.00, together with the costs of publication and the expenses of the hearing to the Town of Oxford. No approval shall be issued unless the Board finds the location suitable in regard to Section C.1 and C.2.
- 4) If it is ascertained that location approval was procured by misrepresentation or fraud by the applicant, the Zoning Board of Appeals may, after a hearing, revoke the approval. Upon notice of revocation of the certificate of approval to the Commissioner of Motor Vehicle, the license issued to him pursuant to Connecticut General Statutes Section 14-319 may be revoked.

**E) Appeal from Board** – Any appeal from the Board to court shall be in accordance with Connecticut General Statutes Section’s 8-6a and 8-8.

**F) Fees** – A reasonable fee as authorized by the Connecticut General Statutes in order to cover the cost of advertising, processing and hearing costs may be required and shall accompany all appeals or applications. All fees are established by Town Ordinance in accordance with these Regulations and shall be made payable to the Town of Oxford.

**G)** A variance may only be granted if the special condition that creates the hardship is unique to the subject property and does not affect properties within the zoning district in general.

- H) A variance may only be granted if the proposed use will not be detrimental to the neighborhood.
- I) A variance may only be granted if it is consistent with the purpose and intent of the Zoning Regulations.

**Section 22.2 – Procedures**

The Zoning Board of Appeals shall be governed in its action and procedures by the Connecticut General Statutes, Chapter 124, Revision of 1958, as amended, and by Connecticut General Statutes Chapter 246, Section 14-54-55, and Chapter 250, Section 14-321-324, and other applicable portions of these regulations.

- A) All appeals and applications made to the Board of Appeals shall be in writing, on forms prescribed by the Board, and shall fully set forth the circumstances of the appeal or application, including reference to the specific provisions of the Ordinance involved, the details of the appeal or variance request, and the grounds upon which it is claimed that the same should be granted.
- B) The officer from whom the appeal has been taken shall forthwith transfer to said Board all papers constituting the record upon which the action appealed from was taken.
- C) All appeals and applications shall be accompanied by a scaled descriptive drawing which is applicable to the appeal or application unless formally waived by the Zoning Board of Appeals.
- D) The Zoning Board of Appeals may require, when and/or where necessary, certified plot plan or plans.
- E) The Zoning Board of Appeals, in its discretion, may not be required to accept an appeal or application if it has been determined that said application or appeal is not complete.
- F) Upon filing an application for a variance with the Zoning Board of Appeals, the applicant shall be given a Notice of Application sign, red in color, to be placed immediately on said parcel of land in a conspicuous place, until said application is decided.
- G) **Hearings.**
  - 1) All applications or appeals to the Zoning Board of Appeals shall be subject to a public hearing. Such hearing shall commence within 65 days after receipt of such application or appeal and shall be completed within 30 days after such hearing commences. All decisions on such matters shall be rendered within 65 days after completion of such hearing. The applicant may consent to one or more extensions of any period specified in this section, provided the total extension of any such period shall not be for longer than the original period as specified in this subsection, or may withdraw such application or appeal.
  - 2) The day of receipt of an application or appeal shall be the day of the next regularly scheduled meeting of the Zoning Board of Appeals immediately following the day of submission or filing, whichever is sooner. If the Zoning Board of Appeals does not maintain an office with

regular office hours, the Office of the Town Clerk shall act as the agent for the Board for the receipt of any application or appeal.

- 3) Notice of the time and place of such hearing shall be published in a newspaper having substantial circulation in such municipality at least twice at intervals of not less than 2 days, the first not more than 15 days nor less than ten days and the last not less than 2 days before such hearing.
- 4) The applicant shall be responsible for providing, as part of the application, a list of abutting property owners whose property is located within 500' in any direction of the property line bounding the property in said appeal or application. The applicant shall also provide the Board, at the time of hearing, evidence in the form of the green card from the U.S. Postal Service indicating the receipt by abutting property owners on the above referenced list of notification of said appeal or application. Said notification shall be mailed by the applicant by "Certified Mail/Return Receipt Requested".

#### H) **Decisions.**

- 1) Whenever the Zoning Board of Appeals grants or denies an appeal or application or variance in the Zoning Regulations, applicable to any property or sustains or reverses wholly or partly any order, requirement or decisions appealed from, it shall state upon its record the reason(s) for its decision and the Zoning Regulation which is varied in its application, and when a variance is granted, describe specifically the exceptional difficulty or unusual hardship on which its decision is based.
- 2) The concurring vote of 4 members of the Zoning Board of Appeals shall be necessary to reverse any order, requirement, or decision of the Zoning Enforcement Officer or to decide in favor of the applicant a matter upon which it is required to pass or to vary the application of the Zoning Regulations.
- 3) Notice of the decision of the Board shall be published in a newspaper having a substantial circulation in the Town of Oxford and addressed by certified mail to any person who appeals to the Board, by its secretary or clerk, under their signature in any written, printed, typewritten or stamped form, within 15 days after such decision has been rendered.
- 4) Such variance or application approval shall become effective upon the filing of a copy thereof (a) in the Office of the Town Clerk and (b) in the Land Records of the Town of Oxford in accordance with the provisions of Connecticut General Statutes, Section 8-3d.

## APPENDIX A – Fee Schedule

### A.1 PURPOSE

The purpose of this appendix is to publish reasonable fees established by town ordinance for the processing of land use applications by the Planning and Zoning (P&Z) Commission. Processing of land use applications is defined as the actions of a commission, supported by staff employed by the town, independent contractors, or consultants in receiving, reviewing, and acting upon an application to conduct an activity regulated by the P&Z Commission including both pre-action reviews and post-approval supervision of work and inspection of activities permitted.

### A.2 AUTHORITY

The Town of Oxford pursuant to Connecticut General Statutes (CGS) Section 8-1(c), *Fees for Municipal Land Use Applications*, has by Town of Oxford Ordinance Chapter 157, *Land Usage Fees, Fines, and Citations*; Section 157.60 *Fee Established*; established fee schedules, as revised and as amended from time to time, are incorporated and hereby made a part of these Regulations.

### A.3 GENERAL

All fixed/base fees shall be paid by cash, check, or money order payable to the Town of Oxford at the time of submittal of any application. Failure to submit fees may result in denial of the subject application as incomplete.

If determined by the P&Z Commission that additional professional services are required beyond the fees paid, the applicant shall be responsible to cover those costs. If the applicant fails to pay the fee after receiving an invoice, the P&Z Commission may revoke all approvals of the application and pursue all necessary action to receive payment(s). All fees received as part of a land use application submission are nonrefundable.

#### **The P&Z Commission and/or staff:**

1. May require that the developer reimburse the Town for all costs associated with the inspection or re-inspection of the property that are required as a result of a violation of these regulations or any work, construction or disturbance that does not comply with the approved plan or the requirements of these regulations in accordance with Article 3, Section 19.2.
2. Will determine fees for any applications or uses not covered by any of the fee schedules.
3. Has the ability to waive a fee if they deem appropriate.
4. Vote to triple any fee charged if it is for an application for work already begun or completed without the appropriate permits.

## PLANNING FEES

### RESIDENTIAL:

#### 1. Subdivision/Resubdivision Application:

- **Without roads** are \$325.00 per lot for plan review and \$400 for monitoring fees
- **With roads** (public or private) are the same as above **except** there will be an additional charge of \$12.00 per linear feet for inspections
- Additional \$500.00 for Legal Fees

#### 2. Multi-Family Dwellings / Common Interest Ownership or Equivalent

- **Without roads** are \$325.00 per lot for plan review and \$400 for monitoring fees
- **With roads** (public or private) are the same as above **except** there will be an additional charge of \$12.00 per linear feet for inspections
- Additional \$400.00 for each unit
- Additional \$500.00 for Legal Fees

### COMMERCIAL:

#### 3. Subdivision/Resubdivision Application:

- **Without roads** are \$350 per lot for plan review and \$400 for monitoring fees
- **With road(s)** (public or private) there will be an additional fee of \$15.00 per linear feet for inspections
- Additional \$500.00 for Legal Fees

### INDUSTRIAL / HIGH TECH INDUSTRIAL / PROFESSIONAL OFFICE:

#### 4. Subdivision/Resubdivision Application:

- **Without roads** are \$550 per lot for plan review and \$400 for monitoring fees
- **With road (s)** (public or private) there will be an additional fee of \$20.00 per linear feet for inspections
- Additional \$500.00 for Legal Fees

**MISCELLANEOUS:**

- 5. Public Hearing for Subdivision/Resubdivision..... \$400
- 6. Public Hearing Continuance.....\$200
- 7. Petition to Amend Subdivision Regulations.....\$410
- 8. Mapping GIS Fee..... \$10

**ZONING FEES**

**SPECIAL EXCEPTION:**

- 1. Basic Application .....\$300
- 2. Public Hearing.....\$600
- 3. Public Hearing Continuance. ....\$200
- 4. Review of Building:
  - a. Less than or equal to 5,000 sf.....\$350
  - b. Greater than 5,000 sf. ....\$750

**SITE PLAN:**

- 1. Site Plan.....\$350
- 2. Site Plan Modification.....\$250
- 3. Site Plan with Public Hearing.....\$650

**USE/CHANGE OF USE:**

- 1. Use/Change of Use Permit .....\$210

**PUBLIC HEARING:**

- 1. Public Hearing .....\$400
- 2. Continuance.....\$200

**SIGN PERMIT:**

- 1. Temporary Sign Permit..... \$85

- 2. Sign Permit..... \$110
- 3. Special Exception..... \$450
- 4. Tag Sale Signs.....\$25

**ZONING COMPLIANCE:**

- 1. Certificate of Zoning Compliance (**Residential**) ..... \$85
- 2. Certificate of Zoning Compliance (**Industrial, High Tech, Commercial, OPD , etc.**) ... \$510
- 3. Certificate of Zoning Compliance (Use Permits)..... \$85
- 4. Lot line revision..... \$110
- 5. Letter of determination/Compliance..... \$150
- 6. Re-inspection..... \$100

**EARTH EXCAVATION ACTIVITIES:**

- 1. Minor Re-grading: Less than or equal to 1,000 cy..... \$210
- 2. Major Re-grading: Greater than 1,000 CY, plus \$100 for each additional 1,000 cy.....\$1,210
- 3. Public Hearing ..... \$400
- 4. Inspection & Monitoring ..... \$250

**ZONING MAP OR TEXT AMENDMENT:**

- 1. Petition for Map Amendment ..... \$310
- 2. Petition for Text Amendment ... ..\$310

**FLOOD HAZARD:**

- 1. Flood Hazard Permit .....\$160
- 2. Reinspection fee after initial inspection ..... \$100

**NEW RESIDENCE OR ADDITION:**

- 1. New Residence.....\$300
- 2. Attached Addition to Primary Residence..... \$200
- 3. Accessory Buildings & Structures:

- a. Decks ..... \$50
- b. Detached Buildings/structures less than or equal to 200 sf ..... \$50
- c. Detached Buildings/structures greater than 200 sf..... \$110
- d. Pools ..... \$110
- e. Temporary Buildings & Structures..... \$110
- 4. Accessory Apartment..... \$200

**COMMERCIAL / INDUSTRIAL STRUCTURES:**

- 1. Inspection Fees..... \$2,500
- Plus:
- a. 1 to 2,500 sf .....\$2,500
- b. 2501 to 7500 sf..... \$5,000
- c. Greater than 7500 sf.....\$5,000 plus .10 per sf over 7500 sf

**ADMINISTRATIVE:**

- 1. Plan of Conservation & Development..... \$50
- 2. Zoning Regulations. .... \$25
- 3. Subdivision Regulations .....\$25
- 4. Copy Fee (per page)..... \$.50
- 5. Map Copy (per page)..... \$5
- 6. Scanning.....\$1.50 per page

**STATE SURCHARGE:**

- 1. State Land Use Surcharge Fee per Application (CGS Section 22a-22 as revised and amended).....\$60

**MAPPING GIS:**

- 1. Mapping GIS Fee.....\$10



- a. Decks ..... \$50
- b. Detached Buildings/structures less than or equal to 200 sf ..... \$50
- c. Detached Buildings/structures greater than 200 sf..... \$110
- d. Pools ..... \$110
- e. Temporary Buildings & Structures..... \$110
- 4. Accessory Apartment..... \$200

**COMMERCIAL / INDUSTRIAL STRUCTURES:**

- 1. Inspection Fees..... \$2,500
- Plus:
  - a. 1 to 2,500 sf .....\$2,500
  - b. 2501 to 7500 sf..... \$5,000
  - c. Greater than 7500 sf.....\$5,000 plus .10 per sf over 7500 sf

**ADMINISTRATIVE:**

- 1. Plan of Conservation & Development..... \$50
- 2. Zoning Regulations. .... \$25
- 3. Subdivision Regulations .....\$25
- 4. Copy Fee (per page)..... \$.50
- 5. Map Copy (per page)..... \$5
- 6. Scanning.....\$1.50 per page

**STATE SURCHARGE:**

- 1. State Land Use Surcharge Fee per Application (CGS Section 22a-22 as revised and amended).....\$60

**MAPPING GIS:**

- 1. Mapping GIS Fee.....\$10

**OTHER:**

**RESIDENTIAL**

1. Other applications / uses not covered by the above including but not limited to..... \$110

**COMMERCIAL, INDUSTRIAL, POD, CORPORATE, ETC**

2. Other applications / uses not covered by the above including but not limited to.....\$TBD by P&Z

**PLEASE NOTE:**

- Any applications or uses not covered by any of the above will be determined by the Oxford Planning & Zoning Commission.
- If determined by the Planning & Zoning Commission that additional professional / expert services are required, the applicant shall be responsible to cover those costs.
- If the applicant fails or refuses to deposit the actual or estimated fee, the application shall be considered incomplete as of the next regularly scheduled meeting of the Commission which shall be grounds for denial of the application with or without prejudice as circumstances warrant, or any permit may be revoked by the Planning & Zoning Commission after notice to the applicant and opportunity to be heard.
- Any expert/technical review, inspection and monitoring costs incurred by the Town in excess of the amount deposited shall be billed to the applicant.
- The Planning & Zoning Commission has the ability to waive a fee if they vote and deem appropriate.
- The Planning & Zoning Commission may vote to triple any fee charged if it is for an application for work already begun or completed without securing the necessary and appropriate permits.