

# **ZONING REGULATIONS OF THE TOWN OF MORRIS CONNECTICUT**

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## ARTICLE I

### GENERAL PROVISIONS

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## SECTION 1 - PURPOSE

Purpose: The purpose of these Zoning Regulations is to guide the growth and development of the Town of Morris and promote beneficial and convenient relationships among residential, agricultural, commercial, industrial, and public areas within the Town. In addition, these Zoning Regulations are designed to achieve the following more particularly described purposes:

1. To provide adequate light, air, and privacy;
2. To prevent the overcrowding of land and undue concentration of population;
3. To provide for the safe and convenient circulation of traffic throughout the town and to avoid traffic congestion;
4. To secure the population and property from fire, panic, flood, and other dangers;
5. To protect and conserve the existing and planned character of all parts of the town, and thereby aid in maintaining property stability and value, and to encourage the orderly development of all parts of the town;
6. To provide a guide for public policy and action concerning public facilities and services, and building development;
7. To minimize conflicts among uses of land and buildings and to bring about the gradual conformity of uses of land and buildings with the comprehensive plan herein set forth;
8. Protect the natural aquatic resources in the Town of Morris from the adverse impacts of stormwater runoff and non-point source pollutants;
9. To protect the water quality and usefulness of Bantam Lake.

## SECTION 2 - JURISDICTION

Jurisdiction: Within the Town of Morris, no land, building, or other structure shall be used; and no building or other structure shall be constructed, reconstructed, enlarged, extended, moved, or structurally altered except in conformity with these Regulations.

This shall include, but is not limited to the following:

No lot or land shall be subdivided, conveyed, or encumbered; nor shall any use, building, or structure be used, changed, or altered to:

1. Make said lot or land nonconforming or more nonconforming to these Regulations;
2. Make any use, building, or other structure nonconforming or more nonconforming;
3. Reduce any setback, open space, or off-street parking and loading space to less than is required by these Regulations, or;
4. Make any nonconforming setback, open space, or off-street parking and loading space more nonconforming.
5. All new development and redevelopment projects in all zones proposed in the Town of Morris are required to comply with the requirements found in the Town of Morris Low Impact Sustainable Development Design Manual.

Nonconforming: Any use, building, or other structure or any lot which existed lawfully on the date these Regulations, or any amendment hereto became effective, and which fails to conform to one or more of the provisions of these Regulations or such amendment hereto, may be continued subject to the provisions and limitations of Section 10.

### **SECTION 3 - ZONING PERMIT AND CERTIFICATE OF ZONING COMPLIANCE**

Zoning Permit: No building or other structure, or part thereof, shall be constructed, reconstructed, enlarged, extended, moved, or structurally altered until a Zoning Permit has been approved by the Zoning Enforcement Officer. However, no Zoning Permit shall be required for structural alterations (such as the installation of interior partitions) which do not involve the enlargement of a building or structure beyond its existing perimeter or height unless such structural alteration involves a change of use.

No land, building, or other structure, or part thereof, permitted in these regulations, shall be used or occupied, or changed in use, until a Zoning Permit has been approved by the Zoning Enforcement Officer.

Certificate of Zoning Compliance: No Certificate of Occupancy shall be issued by the Building Official until a Certificate of Zoning Compliance has been issued by the Zoning Enforcement Officer certifying conformity with these Regulations.

No Zoning Permit or Certificate of Zoning Compliance is required for Agriculture as a primary use, See **Article VI, Section 68.**

All applications for a Zoning Permit shall be submitted and approved in accordance with the provisions of Section 72; all Zoning Permits shall be issued in accordance with such Section.

Expiration of Zoning Permit: A Zoning Permit shall be void one year after the date of approval, unless the use has begun or actual construction has begun and is being diligently pursued to completion. Actual construction is the excavation and construction of a basement, cellar, or foundation and the actual placing of construction materials in their permanent position and fastened in a permanent manner.

An applicant may request one or more extension(s) of the Zoning Permit date of expiration, provided the total time of the extension(s) shall be no longer than one year.

## SECTION 4 - DISTRICTS

Districts: For the purpose of these Regulations, the Town of Morris is hereby divided into the following classes of districts:

| <u>District</u>            | <u>Map Code</u> |
|----------------------------|-----------------|
| Residence District 40      | R - 40          |
| Residence District 60      | R – 60          |
| Residence District 80      | R – 80          |
| Residence District 160     | R – 160         |
| Lake Residential District  | L.R.            |
| Deer Island District       | D.I.D.          |
| Commercial District A      | C.A.            |
| Commercial District B      | C.B.            |
| Lake Commercial District   | L.C.D.          |
| Lake Recreational District | L.R.D.          |
| Light Industrial District  | LI – 80         |

Special Districts: The following are additional classes of districts established in accordance with Article V:

Flood Plain District

Planned Development District



## SECTION 5 - ZONING MAP

Map: The boundaries of the districts specified in Section 4 are hereby established as shown on a map entitled "Zoning Map, Town of Morris, Connecticut" as amended, including any special maps and boundary descriptions supplementary thereto and any amendments thereof, which map is hereby declared to be a part of these Regulations and is herein referred to as "Zoning Map."

Interpretation of Map: Where a question arises as to exact boundaries of a district shown on the Zoning Map, the Planning and Zoning Commission shall by resolution determine the location of the boundary, giving due consideration, among other factors, to the indicated location of the boundary on the Zoning Map, the scale of the Zoning Map, the location of property lines, and the expressed intent and purposes of these Regulations.

Where district boundaries are so indicated that they approximately follow the edges of lakes, ponds, reservoirs, or other bodies of water, the mean high water lines thereof shall be construed to be the district boundaries.

Where the boundary of a district divides a lot and the lot existed on the effective date of the Regulation establishing the district boundary as evidenced by deed or deeds recorded in the Town Land Records, the Planning and Zoning Commission, in accordance with the provisions of Section 52, may grant a Special Exception authorizing the use of land, buildings, and other structures permitted in one district to be extended into the other district for a distance of not more than 30 feet.

## **SECTION 6 - PERMITTED USES**

Uses: Land, buildings, and other structures in any district may be used for one or more of the uses listed as permitted in the district under Articles II, III, and IV. Uses listed as Special Exception Uses are permitted in the district subject to the approval of the Commission in accordance with the provisions of Section 52.

**Any use not specified as permitted in a district is prohibited.**

The following uses are specifically prohibited in all districts:

1. The use, occupancy, parking, or storage of a trailer (See **Section 9** for definitions) on any lot except in accordance with the provisions of **Section 64**.
2. The outdoor storage on any lot in a Residence District of more than one (1) unregistered motor vehicle, excluding operable farm vehicles.
3. Carousel, roller coaster, whirligig, merry-go-round, Ferris wheel, or similar amusement devices, unless sponsored by a local charitable or non-profit organization, and then for a period not to exceed six (6) days.

Parking and Loading: As specified in **Section 61**, parking and loading spaces shall be provided off the street in connection with all uses of land, buildings, and other structures. All off-street parking and loading spaces shall conform to the requirements of **Section 61**.

## SECTION 7 - AREA, LOCATION, AND BULK STANDARDS

General: The following regulations shall apply to the area, shape, and frontage of lots and the location and bulk of buildings and other structures in each district under Articles II, III, and IV.

Lot Area, Shape, and Frontage: Each lot shall have at least the minimum area as specified for the District. In determining compliance with minimum lot area and shape requirements of these Regulations, land subject to easements for drainage facilities and underground public utilities may be included, but no street or highway, easement for vehicular access, private right-of-way for vehicles or easement for above ground public utility transmission lines may be included.

The area consisting of ponds, lakes, swamps, or marshes shall not be used for compliance with more than 25% of the minimum lot area requirements.

Land in a Residence District shall not be used to satisfy a lot area requirement in any non-Residential Zoning District.

A lot with land in two or more Zoning Districts may include land from each district to satisfy the minimum lot area requirement which shall be that of the Zoning District with the greatest lot area requirement.

Each lot to be used for a dwelling containing more than one (1) dwelling unit shall have at least the minimum additional lot area for each dwelling unit, except that this requirement shall not apply to an application for an accessory apartment.

Each lot shall have the minimum frontage on a Street for the District in which it is located as specified in these Regulations. (See also Minimum Access and Interior Lots.)

### Height:

1. Except as provide for below, no building or other structure shall exceed the number of stories and/or the maximum height, whichever is less, as specified for the District. Height shall be measured in accordance with the definition of "Height of a Building" (see section 9).
2. Exceptions to maximum height limits. The above maximum height limits shall not apply to following buildings and structures subject to the following conditions.
  - Churches, Town buildings or structures and farm silos.
  - Flag poles.
  - Ornamental cupolas or belfries, roof chimneys.
  - Wind turbines
  - Heating, ventilating, air-conditioning and similar equipment or bulkheads located on a roof of a building provided the total area of all such equipment or fixtures does not occupy more than 25% of the total area of the building roof(s).

Additional Side Yard Setback Required. Building or structures which exceed the maximum height limitations as provided above shall be setback from the required side yards by an additional minimum setback distance equal to the height of said building or structure.

Setbacks: No building or other structure shall extend within less than the minimum distances of any street line, rear property line, other property line or Residence District boundary line as specified in the district, subject to the following exceptions and additional limitations:

1. Signs: Certain permitted signs, as specified in Section 62, may extend within lesser distances of a property or street line.
2. Projections: Cornices, eaves, entrance canopies, and roof line projections, including gutters, may extend into any required setback area by a maximum of not more than three (3) feet, unless otherwise specifically provided for in the District, provided there is no encroachment on required setback areas by supporting walls or columns.

Fire escapes, chimneys, unenclosed entrance porticoes, window or meter boxes and cooling equipment may extend into any required setback area by a maximum of not more than three (3) feet unless otherwise specifically provided for in the District, subject to the requirement that the aggregate length of such features does not exceed 25% of the length of the building wall to which it is attached.

3. Fences, Walls, and Terraces: The required setback distances shall not apply to fences or walls six (6) feet or less in height nor to necessary retaining walls or to unroofed terraces, but no fence, wall, or terrace shall be located within the right-of-way of any street.
4. Accessory Buildings and Structures in Residential Districts: The setback requirements for accessory buildings and structures in Residential Districts shall not apply to detached accessory buildings or structures which are less than five (5) feet in height and 26 square feet in floor area. Such accessory buildings or structures shall not require a Zoning Permit.

5. Handicapped Access

Nothing in these Regulations shall prohibit the projection of an addition to an existing building into the required front, side or rear setback area where the addition is clearly designed to function solely for the purpose of a handicapped access provided:

- a. Such access is necessary or required according to federal or State codes or laws, and
- b. The applicant shall provide an evaluation of other reasonable and feasible alternatives that would meet zoning setback requirements or reduce the proposed projection into the required setback, and
- c. The dimensions of the handicap access do not exceed the minimum necessary to meet code requirements.

In an emergency the Zoning Enforcement Officer may approve a 90 day temporary handicapped access pending submission of an application meeting the requirements of this regulation.

6. Other: Other sections of these Regulations provide for the specific setback exceptions for certain buildings or structures, such as temporary farm stands and structures for horses or ponies.

Lot Coverage: "Lot Coverage" requirements as set forth under each zoning district sets maximum limits on two factors relating to the coverage of buildings and other structures on a lot.

"Maximum Floor Area Ratio" is the total floor area (including all stories) of the buildings on a lot as a percentage (or ratio) of the total lot area.

**“Maximum Coverage by Buildings and Structures”** is the maximum footprint coverage of all buildings and structures on a lot, except detached accessory buildings or structures as defined in Article I, Section 7, and certain other structures as specifically provided for in these Regulations.

## SECTION 8 - ADDITIONAL STANDARDS

General: The requirements hereinafter specified are supplementary to and in addition to standards set forth elsewhere in these Regulations.

Plan Requirements: Site plans, when required, shall conform to the following standards as well as the Provisions of **Section 51**:

1. Site Plan: A site plan shall be prepared and stamped/sealed by a CT licensed land surveyor, Professional Engineer, and/or landscape architect. A site plan shall be drawn to a scale of not less than forty (40) feet to the inch and shall show the following information (when applicable to determine compliance):
  - Properties lines and the applicable property line setbacks
  - Contours at an interval not exceeding two (2) feet or equivalents ground elevations
  - Location(s) of buildings/structures (existing and proposed), including docks wharfs, retaining walls, parking, fencing, driveways, and other property improvements
  - Signs and outdoor illumination (see **Section 67**)
  - Site access such as adjacent public right-of-ways or private drives
  - Outside storage areas
  - Sanitary systems
  - A calculation of all paved and impervious surface areas
  - Watercourses, wetlands, and/or waterbodies
  - Stormwater management systems (see **Section 51**)
  - Landscaping and landscaping features including natural terrain
2. Architectural Plans: Architectural plans may be submitted in connection with the establishment of certain uses of land, and/or the construction of buildings and other structures.
3. Stormwater Pollution Prevention Plan (SWPPP): A SWPPP, also known as an Erosion & Sedimentation Control Plan, shall be submitted with any application for development in any district when the disturbed area is cumulatively more than one-half acre (See **Section 51**).
4. Indoor Restaurants: Indoor restaurants and other food and beverage service establishments shall be located within an enclosed building and may include a food take-out service incidental to the primary permitted use but shall not include establishments where customers are served in motor vehicles.

Outdoor dining may be considered as an accessory use to a food establishment that is licensed or permitted to operate pursuant to section 19a-36i of the Connecticut General Statutes (a "Food Establishment"), provided that:

1. A Zoning Permit application shall be required. A sketched plot plan or site plan shall accompany the Zoning Permit to show the proposed limits of the outdoor dining patron area, the distance from the closest property line(s) and the location of structural elements (such as the number of tables and chairs), landscaping, and other features, and a well-defined boundary of the dining patron area.
2. The outdoor dining area shall not operate earlier than 7 AM or later than 10 PM.

3. All alcohol service shall be incidental and related to the dining service. Applications shall demonstrate compliance with alcohol service requirements of the State of Connecticut.

4. The Zoning Permit for outdoor dining as an accessory use may be subject to review and approval by the local area health district, such as Torrington Area Health.

5. No advertising or promotional features shall be permitted in the outdoor dining area including on umbrellas and canopies.

Accessory Uses: Accessory uses shall not include uses which are otherwise not permitted or specifically prohibited in the District. In Residence Districts, accessory uses shall conform to the following additional standards and conditions:

1. The accessory uses shall be located on the same lot with the use to which it is accessory or to an adjoining lot.  
For the purpose of these Regulations, adjoining lots so used shall be considered part of the lot to which the use is accessory until the accessory use is discontinued.
2. Accessory uses may include off-street parking spaces and private garages, but, except in connection with a farm or a Special Exception use, there shall be no more than one (1) commercial vehicle parked on any lot, and such vehicle shall not exceed 3 (three) tons capacity.

Accessory Apartments: Accessory apartments, “accessory dwelling units”, may be permitted with administrative review and the issuance of a Zoning Permit, subject to the General Standards of the Regulations, dimensional requirements within the applicable zoning district, and the following provisions:

1. Pursuant to Public Act 21-29 and as amended over time, an accessory apartment is defined as a separate dwelling unit that is (a) located on the same lot as the principal dwelling unit of greater square footage, (b) has cooking facilities, and (c) complies with or is otherwise exempt from any applicable building code, fire code, and health and safety regulations.
2. No more than one (1) accessory apartment shall be permitted on a lot in either Residential or Commercial Districts
3. The maximum floor area of an accessory apartment shall be no more than 40% of the total floor area of the principal dwelling. In no case shall an accessory apartment contain more than 1,000 sf and/or more than two (2) bedrooms.
4. One (1) parking space shall be required for the accessory apartment.
5. The sanitary facilities serving the accessory apartment shall be subject to the approval of the local area health district, such as Torrington Area Health District.
6. The as-of-right permit application and review process shall require a decision on any such application be rendered no later than sixty-five (65) days after the receipt of such application, except the applicant may consent to one (1) or more extensions of not more than an additional sixty-five (65) days or may withdraw such application.

Accessory Solar Energy Systems: Solar energy systems for on-site energy generation shall be permitted by zoning permit as an accessory in all zoning districts subject to the following requirements:

1. General Requirements

- A. A system is considered an accessory solar energy system only if a primary use exists or will exist on the subject-site and the solar energy system is clearly ancillary to the primary use of the property. An accessory solar energy system is only permissible if the system is to generate on-site energy.
- B. A solar energy system as a primary use is subject to a Special Exception approval (**See Section 52**) and must be installed and operated on Town-owned property. A solar energy system as a primary use is only permissible if it is to generate energy for use within the Town of Morris and/or to be purchased for use off-site.
- C. Any upgrades or modifications of an existing solar energy system shall comply with all the provisions of this section.
- D. A zoning permit for any solar energy system shall not be issued until a remediation plan has been submitted with the permit application. A remediation plan must accompany any solar energy system proposal and must specify the expected lifespan of the system as well as detail the construction sequence necessary for its removal at the end of its use. The site must be restored and stabilized to its pre-existing state.

2. Specific Requirements

- A. Accessory solar energy systems shall be designed and located to prevent off-site glare and/or minimize other adverse impacts.
- B. An accessory solar energy system shall not be located within the required setbacks. This includes the extension of the panels of any pole/ground mounted solar array.
- C. The square footage of the panels of solar energy systems shall count towards the building coverage and the impervious surface coverage.
- D. Ground or pole mounted solar energy systems shall not be installed in flood prone areas or where the soil is classified as wetlands and/or prime agricultural soils.
- E. Roof, ground, or pole mounted solar energy systems shall not exceed the maximum height allowed in any zoning district, which is thirty-five (35) feet.

Access Through a Residential District: No part of a lot located in any of the Residence Districts shall be used for access to a use not permitted in such District.

Home Office of Convenience: A home office of convenience is permitted as a matter of right with no Zoning Permit required where the office use meets the following criteria:

- 1. No business is conducted from the home office, except by the telephone or by mail.
- 2. There are no outside persons employed. Only members of the family residing in the dwelling shall be employed in the home office use.



3. The home office use must be clearly incidental to the use of the dwelling as a residence.
4. There is no outdoor display or storage of materials, goods, supplies, or equipment.
5. There is no change in the exterior of the dwelling, or any visible evidence of the home office use, nor any sign identifying a business use.
6. There is no additional traffic, parking space, noise, or electrical interference over that which is typical for the residential use without a home office use.
7. There is no Hazardous Material stored, used, or displayed in association with a home office use, other than that related to on-site heating associated with a residence.

Minimum Access and Interior Lots: Proposed building lots shall be of such shape, size, location, topography, and character that buildings can be constructed reasonably and that they can be occupied and used for building purposes.

In addition, each lot shall have the minimum frontage required by these Regulations on a STREET or, if approved as a Special Exception according to the standards of Article V, an interior lot may be permitted in residential districts R-40, R-60 and R-80 serving a single family residence subject to the following specific requirements:

1. The lot shall be served by an accessway which intersects with an existing or proposed public street and such accessway is not less than 40 feet in width at all points.
2. The minimum lot area shall be 100,000 square feet. (In no case shall the area of the accessway be included in the calculation of the required minimum lot area.)
3. The accessway shall be owned in fee simple by the owner of the interior lot.
4. The interior lot shall meet all of the setback requirements of these Regulations. However, the minimum frontage requirements shall be measured along the lot line of the interior lot which intersects the accessway and is most parallel to the street line.
5. The Commission shall require a driveway construction and stormwater management plan for any new residential or commercial driveway.
6. No two accessways to interior lots shall be closer to each other than the minimum frontage measured along the street line, except as permitted in 7, below.
7. Two accessways may be closer to each other than the minimum frontage requirement only if the two lots have a common driveway entrance within all or part of the street right-of-way and at the intersection with the Town street or State highway. The common driveway intersection shall be maintained by the owners of the interior lots. A common driveway maintenance requirement shall be stipulated in the deeds of both interior lots and presented as part of the application for a Special Exception.

Outside of the Street right-of-way two interior lots may be served by a common driveway only where the common portion of the driveway is located entirely on one or the two lots and the accessway is not less than 40 feet in width at all points and where a deed provision is established

permitting owner of one lot to pass and re-pass over the common portion of the driveway located on the other lot.

8. The number of interior lots permitted in a subdivision shall be as follows:
  1. A maximum of 20% of the total lots in a subdivision may be interior lots.
  2. The above maximum may be increased to allow not more than 50% of the lots in a subdivision to be interior lots only where the following conditions are met: The applicant must clearly demonstrate that the increased number of interior lots will result in the permanent preservation of a natural resource feature or other significant land feature, view, or vista that would not be so protected under the standard requirement. The applicant's presentation shall clearly identify the land, water, historic, and/or other cultural feature that will be so preserved and shall provide legal documentation assuring its permanent protection.

Corner Visibility: On any corner lot, there shall be no building structure, fence, wall, or planting, located within a triangular space on the lot bounded by the two intersecting street lines and a straight line connecting a point on the street line 25 feet from the intersection with a point on the street line 25 feet from the intersection, so as to obstruct a clear line of sight anywhere across such triangle between an observer's eye at an elevation 3.5 feet above one street line and an object one (1) foot above the other street line.

Any fence, wall, or planting which so obstructs such sight shall not be considered a non-conformity authorized to continue under the provisions of Section 10, titled Nonconforming Situations.

## SECTION 9 - DEFINITIONS

The paragraphs which follow define and explain certain words used in these Regulations. Other words used in these Regulations shall have the meanings commonly attributed to them. Words in the present tense include the future, the singular number includes the plural, and the opposite shall apply. The word “person” includes a partnership, corporation, or other entity. The word “lot” includes the word “plot.” The word “building” includes the word “structure.”

Where a question arises as to the precise meaning of a word, the Commission shall by resolution determine the meaning of the word, using the definition set forth in Webster’s latest unabridged dictionary, giving due consideration to the express purpose and intent of these Regulations.

1. **“ACCESSORY USE/ACCESSORY BUILDING”** An “accessory use” or “accessory building” is a use or building subordinate to the principal building on a lot and used for purposes customarily incidental to those of the principal use or building.
2. **“ACCESSORY BUILDING OR STRUCTURE, DETACHED”** An accessory building or structure separated from the principal building by a distance of not less than five feet.
3. **“AGRICULTURE”** As defined by CGS 1-1 (q): Cultivation of the soil, dairying, forestry, raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock, including horses, bees, poultry, fur-bearing animals and wildlife; the operation, management, conservation, improvement or maintenance of a farm and its buildings, tools and equipment.

Accessory uses shall include salvaging timber or clearing land of brush or debris left by a storm, as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming operations or the harvesting of mushrooms, the hatching of poultry, or the construction, operation or maintenance of ditches, canals, reservoirs or waterways used exclusively for farming purposes; handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market, or to a carrier for transportation to market, or for direct sale of any agricultural or horticultural commodity as an incident to ordinary farming operations, or, in the case of fruits and vegetables, as an incident to the preparation of such fruits and vegetables for market or for direct sale.

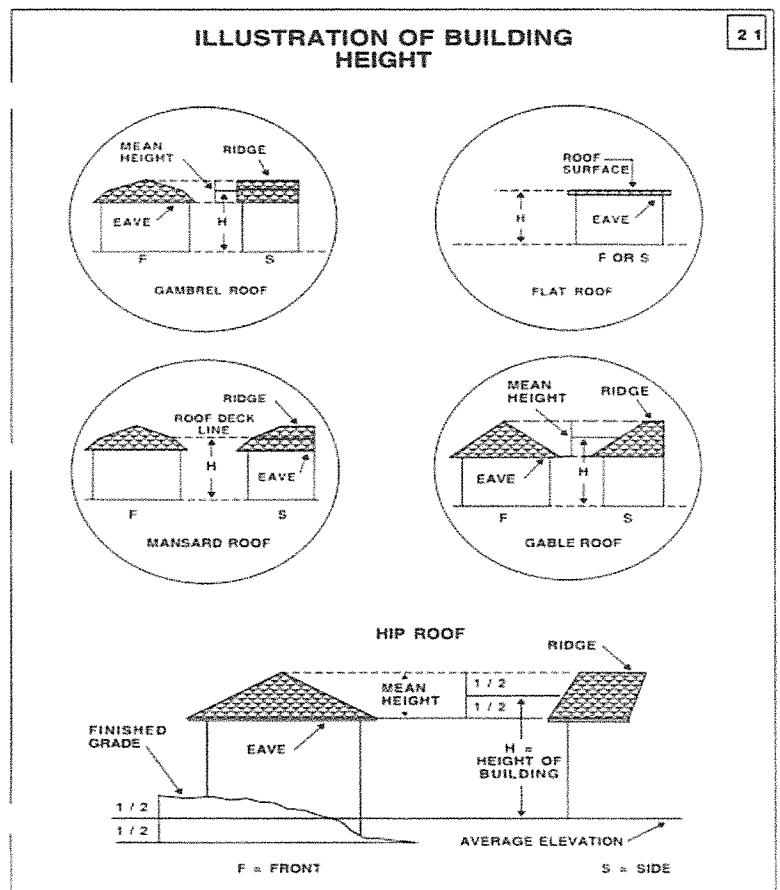
The term “farm” includes farm buildings, and accessory buildings thereto, nurseries, orchards, greenhouses, hoop houses and other temporary structures or other structures used primarily for the raising and, as an incident to ordinary farming operations, the sale of agricultural and horticultural commodities. The terms “agriculture” and “farming” do not include the cultivation of cannabis. See also **Article VI, Section 68**.

4. **“ADULT RECREATIONAL CANNABIS PRODUCTION”** This use includes the production, cultivation, micro-cultivation, food and beverage manufacturing, and/or product packaging of cannabis, subject to Art V, Section 52. This definition does not provide for a retailer, hybrid retailer, and/or a dispensary facility.
5. **“BEST MANAGEMENT PRACTICES”** Guidelines designed by a Federal, State, or other qualified public agency which describe methods of building or operating a facility or of using land so as to minimize or eliminate pollution of ground or surface water drinking supplies.

6. "BUILDING" Any structure having a roof supported by columns or walls and intended for shelter, housing, or enclosure of persons or animals.
7. 11. "BUILDING IMPERVIOUS COVERAGE" The percentage of a parcel which is covered by all buildings and structure, not including:
  - building steps, or
  - detached decks provided the deck is not connected to the principal building and is located a minimum of five (5) feet from the principal building.
8. "BUILDING, PRINCIPAL" The building where the primary use on a lot is conducted.
9. "CLUB" An organization catering exclusively to members and their guests, provided that the purpose of the club is not conducted primarily for gain and that there are not conducted any commercial activities except as required generally for the membership and purpose of the club.
10. "COMMISSION" The Planning and Zoning Commission of the Town of Morris.
11. "COMMERCIAL TRAILER" a trailer used for commercially related purposes (eg transportation, supply or equipment storage) in association with a permissible commercial use.
12. "CONSTRUCTION TRAILER" used for construction-related purposes such equipment and supply storage and/or an office as a temporary accessory structure associated with an approved construction project.
13. "CONVALESCENT HOME" Any establishment, other than a hospital, where three or more persons suffering from or afflicted with or convalescing from, any infirmity, disease, or ailment are habitually kept, boarded, or housed for remuneration.
14. "DAY CARE" (See "FAMILY CHILDCARE HOME")
15. "DOCK" An uncovered walkway, either fixed or removable, extending into a lake.
16. "DWELLING" A building or portion thereof, designed exclusively for residential occupancy, including one family, two family, and multiple dwellings, but not including hotels, motels, or boarding houses. (See also "SEASONAL DWELLING".)
17. "FAMILY" One or more persons occupying a single housekeeping unit and using a common cooking facility, provided that unless all members are related by blood or marriage, no such family shall contain more than five persons.
18. "FAMILY CHILD CARE HOME" (also "Group Child Care Home") A day care facility within a single family residential dwelling which facility meets the criteria of Public Act 23-142 of the Connecticut General Statutes and which is subject to the approval of the State of Connecticut. As provided for in the Connecticut General Statutes, a "family day care home" provides day care, for not more than six (6) children, including the day care provider's own children who are not in school full time, where the children are cared for not less than three (3) nor more than twelve (12) hours during a 24-hour period and where care is given on a regularly recurring basis. This use shall be regulated in the same manner as a single-family dwelling.

19. **"FLOOR AREA"** For the purposes of these Regulations the term "floor area" shall be defined as the sum of the horizontal area of the several floors of a dwelling(s) measured from the outside, excluding cellar floor areas, basement rooms, open attics, or unfinished rooms which are not designed or intended for use as living space and garages, unenclosed porches, or decks.
20. **"GARAGE, PRIVATE"** A detached or accessory building or portion of a main building for the parking and storage only of automobiles belonging to the occupants of the premises.
21. **"GARAGE, PUBLIC"** A building or use, other than a private garage, used for maintenance, repair, and storage of automobiles.
22. **"PERMEABLE GRAVEL DRIVEWAY"** A driveway constructed with washed crushed aggregate which contains no fines or stone dust that is constructed in accordance with the specifications found in the Town of Morris Low Impact Sustainable Development Design Manual.
23. **"GROUNDWATER"** All the water beneath the surface of the ground.
24. **"HAZARDOUS MATERIALS"** Substances or combinations of substances including waste products which present an actual or potential hazard to human health or to private or public drinking water supplies if discharged to the ground or surface waters, including:
- Substances which are toxic, flammable, corrosive, explosive, radioactive, or infectious;
  - Substances listed in the U.S. Environmental Protection Agency's "Title III List of Lists – Chemicals Subject to Reporting Under Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986" (which is on file in the Town Clerk's office) and which are used for other than normal household purposes or in quantities exceeding those identified in SARA;
  - Acids and alkaloids outside the pH range of 2 to 10;
  - Petroleum products, including fuels and waste oils;
  - Synthetic organic solvents;
  - Any solid material which, if exposed to water, will leach or dissolve to form a hazardous material as defined above.

25. **"HEIGHT OF BUILDING"** The vertical distance from the average elevation of the finished grade within 10 feet of the walls of the building to the highest point of a flat roof (including parapet), to the roof deck line for a mansard roof, or to the mean height between the eaves and ridge of the roof for a gable, hip, or gambrel roof. Average elevation of finished grade shall be



determined by measuring finished ground elevations equally spaced (maximum 10 feet apart) in a continuum around the perimeter of the building or structure, and dividing their sum by the total number of such elevations. (See Illustration of Building Height)

26. "HOSPITAL" Any establishment for the diagnosis, treatment, or other care of human ailments.
27. "HOTEL" A building containing rooms intended or designed to be used or which are used, rented, or hired out to be occupied or which are occupied for sleeping purposes by guests and where only a general kitchen and dining room are provided within the building or in an accessory building. The term "hotel" shall be deemed to include the term "motel."
28. "IMPERVIOUS SURFACE" An impervious surface is any of the following surfaces which minimize or prevent the infiltration of rainfall into the soil: Any Building Roofs, Pools, Tennis Courts, Other athletic courts, Concrete or stone patios, and walkways, road and driveways consisting of bituminous concrete, concrete, compacted soils, compacted bank run sand and gravel and compacted processed stone material, permeable pavement, porous concrete or permeable interlocking concrete pavers.
29. "JUNKYARD" The term "junkyard" shall be construed to include any junkyard, motor vehicle junk business, and motor vehicle junkyard as defined in the General Statutes of the State of Connecticut. The term shall also include any place for storage or deposit, whether in connection with a business or not, for two or more unregistered, used motor vehicles which are either no longer intended or in condition for legal use on the public highways, and shall also include any place of storage or deposit of used parts of motor vehicles and old metals, iron, glass, paper, cordage, and other waste materials which on any lot have an aggregate bulk equal to one automobile.
30. "KENNEL, COMMERCIAL" Any operation on any premises in which six (6) or more dogs, six (6) months of age or older, are raised, quartered, and groomed, boarded, or otherwise provided care or services for the benefit of dog owners not residing on the premises, whether or not a State kennel license is required.
31. NON-POINT SOURCE RUNOFF: Non-point source (NPS) pollution is caused by rainfall or snowmelt moving over and through the ground. As the runoff moves, it picks up and carries away natural and human-made pollutants, finally depositing them into lakes, rivers, wetlands, coastal waters, and even our underground sources of drinking water. These pollutants include: Total Suspended Solids, Phosphorous, Nitrogen, Metals and Hydrocarbons.
32. "LAKE SHORE" Shore of Bantam Lake, 894 feet above sea level.
33. "LOT" A "lot" is defined as a parcel of land which is either (1) owned separately from any contiguous parcel as evidenced by fee conveyance recorded in the Land Records of the Town, or (2) is a building lot shown on a subdivision map approved by the Planning Commission and filed in the Office of the Town Clerk.
34. "LOT, CORNER" A lot located at the intersection of two or more streets.
35. "LOT DEPTH" The mean horizontal distance between the front and rear lot lines, measured in the general direction of side lot lines. In determining the required depth of a lot, any portion of said lot which is in excess of the minimum lot area need not be included.

36. "LOT LINE" The property lines bounding a lot as defined herein.
37. "LOT LINE, FRONT AND MINIMUM LOT FRONTAGE" In the case of a lot abutting upon only one street, the line separating the lot from the street; in the case of any other lot, the owner shall, for the purpose of these Regulations, have the privilege of electing any street line as the front lot line.
38. "LOT LINE, REAR" The lot line which is generally opposite the front lot line; if the rear lot line is less than ten (10) feet in length, or if the lot comes to a point at the rear, the rear lot line shall be deemed to be a line parallel to the front line not less than 10 feet long, lying wholly within the lot and farthest from the front lot line.
39. "LOT LINE, SIDE" Any lot line which is not a front lot line or a rear lot line, as defined herein.
40. "LOT, REAR" A lot of which the buildable area is located generally to the rear of other lots having frontage on the same street as said lot and having access to the street via a private right-of-way.
41. "LOT WIDTH" The horizontal distance, measured at right angles and in the center of the depth of the lot. In determining the required width of a lot, any portion of the lot which is in excess of the minimum lot area need not be included.
42. "LOW IMPACT SUSTAINABLE DEVELOPMENT" An ecologically friendly approach to site development and stormwater management that aims to mitigate development impacts to land, water, and air. The approach emphasizes the integration of site design and planning techniques that converse sensitive natural systems and hydrologic functions on a site.
43. "MIXED- USE" A building or group of buildings on a lot which includes a mixture of two or more uses such as, but not limited to, residential, retail, office, manufacturing, civic, and other. The uses are functionally integrated for the shared use of parking, utilities, access, etc.
44. "MOBILE HOME" (*factory-built housing, pre-fab/modular housing*) a residential building which is either wholly or substantially manufactured at an off-site location and transported to a building site and placed on a permanent foundation. A recreational vehicle (which is presumably moveable) is not a mobile home.
45. "MOTEL" A building or group of buildings having units containing sleeping accommodations which are available for temporary occupancy by automobile transients.
46. "MULTI-FAMILY DWELLING" A building or group of building as on one lot containing three (3) or more separate livings units.
47. "PROFESSIONAL OFFICE" The office of recognized professionals, such as doctors, lawyers, dentists, architects, engineers, artists, musicians, designers, teachers, and others who, through training or experience, are qualified to perform services of a professional as distinguished from a business nature.
48. "RECREATIONAL TRAILER" (*travel trailer, camper trailer, pick-up coach, motorized camper, and/or tent trailer*) A moveable structure mounted on wheels with sufficient equipment to render it suitable for use as a temporary dwelling during the process of travel, recreation, and vacation uses.

49. "SEASONAL DWELLING" A dwelling not used for permanent dwelling and not occupied for more than six months in each year.
50. "STORY" That portion of a building which is between the surface of a floor and the surface of the next floor above, or, in its absence, the next ceiling above. A basement shall be counted as a story if the ceiling is more than five feet above the level from which the height of the building is measured or if it is used for business or residential purposes by other than a janitor or watchman.
51. "SETBACK" An open space on the same lot with a structure which lies between said structure and the nearest lot line and which is unoccupied except as may be specifically authorized in this ordinance. In measuring a setback, as hereinafter provided, the line of structure shall be deemed to mean a line parallel to the nearest lot line, drawn from a point of a structure nearest to such lot line. Such measurement shall be taken at right angle from the line of the structure, as defined herein, to the nearest lot line.
52. "SETBACK, FRONT" The open unoccupied space required across the full width of a lot from the front lot line to the nearest edge of the principal building or any covered porch, garage, or addition which extends from the principal building.
53. "SETBACK, REAR" An open unoccupied space extending across the full width of the lot and lying between the rear lot line and the nearest line of the building.
54. "SETBACK, SIDE" An open unoccupied space between the side lot line and the nearest line of the building and extending from the front setback to the rear setback, or, in the absence of either such yards, to the front or rear lot line, as the case may be.
55. "STREET" Any way which is an existing Town or State highway or any way shown on a recorded subdivision map duly approved by the Planning and Zoning Commission, recorded and approved prior to the adoption of subdivision, or certain private streets as identified and delineated on the Town Zoning Map.
56. "STREET LINE" A line separating a parcel of land from a street.
57. "STRUCTURE" Anything constructed or erected, including a building, the use of which requires location on or under the ground or attachment to something having location on the ground, specifically not including an improved or graded area located on the ground with no structural supports other than the subsurface base material and retaining walls. A terrace or patio, a paved or gravel driveway, a parking area, or similar improved surfaced area designed for parking, drainage or erosion stabilization purposes is not a structure within the meaning of these Regulations.
58. "STRUCTURE, ACCESSORY" A structure which is subordinate to the principal building or structure on a lot and used for purposes which are customarily incidental to those of the principal use or building.
59. "STRUCTURE, DETACHED ACCESSORY" An accessory structure separated from the principal building or structure by a distance of five feet or more.
60. "SOLAR ENERGY SYSTEM" a system that uses radiant light and heat from the sun to convert energy into power.



61. "TEMPORARY NON-RESIDENTIAL RESTAURANT TRAILER" (*food truck*) A wheeled trailer used for a permitted outdoor restaurant use. Temporary non-residential restaurant trailers can be used for storage, restaurant facilities, and/or food preparation.
62. "TOTAL IMPERVIOUS COVERAGE" The total percentage of a lot or parcel covered by buildings, accessory structures, pools, patios, driveways, tennis courts or any other hard surface which does not infiltrate rainfall.
63. "TOWN" The Town of Morris, Connecticut.
64. "UNDERGROUND" A structure or structure component which is below the surface of the ground or is not fully visible for inspection.
65. "UTILITY TRAILER" A small box, boat, horse, or flat trailer designed to be towed by a vehicle and considered by right in all zoning districts.
66. "WATER POLLUTION" An activity having a harmful thermal effect on, or contamination, or rendering unclean or impure any waters, including groundwaters of the State by reason of any waste or other materials discarded or deposited therein by any public or private sewer or otherwise so as directly or indirectly come in contact with any waters.
67. "WIND TURBINE" A device that converts wind energy to electricity and not regulated by the Connecticut Siting Council.

## SECTION 10 - NONCONFORMING SITUATIONS

### Non-Conforming Situations – Definitions:

A non-conforming situation is any use, building, structure, or lot or any use of any building, structure or lot, lawfully existing at the time of the adoption of these Regulations or any relevant amendment thereto which does not conform to the requirements of these Regulations or such amendment. Non-conforming situations are as follows:

1. Non-conforming lots:

A non-conforming lot is a lot of record that:

- a. existed prior to the original effective date of these Regulations (January 15, 1979) or prior to an amendment to these regulations, and
- b. does not conform to the lot area or lot frontage requirements of these Regulations as established on the original effective date or an amendment to these Regulations.

2. Non-conforming building or structure: A non-conforming building or structure is one which does not meet one or more of the requirements for building or structure location or dimensions on a lot.

3. Non-conforming use: A non-conforming use is a use of a lot, building or structure which has legally existed since before the adoption of these Regulations, or any relevant amendment thereto, that does not meet the use requirements for the zone district in which the building, structure, or lot exists. A non-conforming use may be a non-conforming use of land only, of a building or structure only, or a building, structure, and land in combination.

Non-conforming Situations – Statement of Intent: As required by Connecticut General Statutes, Section 8-2, these Regulations do not prohibit the continuance of any non-conforming use, lot, building, or structure legally existing at the time of the adoption of these Regulations, or any relevant amendment thereto. It is the public policy of the Town of Morris and the intent of these Regulations, that the degree of non-conformity in any non-conforming situation be reduced, and any non-conforming situations be eliminated, as quickly as possible.

### General Rule Concerning Change from Non-Conforming to Conforming:

Once a non-conforming situation, or any portion thereof, has been changed to conform to these Regulations, that situation or portion thereof shall not be permitted to revert or again become non-conforming.

Non-Conforming Use of Land: Where no structure is involved, the non-conforming use of land may be continued, provided, however:

1. That no non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than that occupied by such use at the time of the adoption of the Zoning Regulations, or any relevant amendment thereto, unless specifically allowed by other provisions of these Regulations.
2. That no non-conforming use be moved in whole or in part to any other portion of the lot or parcel of land occupied by such non-conforming use at the time of the adoption of these Regulations, or any relevant amendment thereto.

### Non-Conforming Use of Structures:

1. Unless specifically provided for under another section of these Regulations, a structure, the use of which does not conform to the use Regulations for the district in which it is situated, shall not be enlarged or extended, nor shall it be structurally altered or reconstructed unless such alterations are required by law; provided, however, that such maintenance and repair work as is required to keep a non-conforming structure in sound condition shall be permitted.
2. A non-conforming use may be extended throughout any parts of the structure which were manifestly arranged or designed for such use at the time of the adoption of these Regulations provided such extension was made within one year after the date of adoption of these Regulations or any relevant amendment thereto.

### Change in Non-Conforming Use:

1. In determining whether an activity represents a change in non-conforming use, the Commission shall consider three factors: (1) the extent to which the new use reflects the nature and purpose of the original non-conforming use; (2) any difference in the character, nature, and kind of use involved; and (3) any substantial difference in effect upon the neighborhood resulting from the differences in the activities conducted on the property.

Where a change of non-conforming use is proposed, the Commission may require the applicant to submit a Site Plan prepared in accordance with the requirements of Section 51.

The Commission may approve such change of use where it finds that the proposed non-conforming use will not have an adverse effect on the district, the neighborhood and surrounding properties greater than that of current non-conforming use.

In reaching the determination of adverse effect, the Commission shall consider, but not be limited to the following factors – traffic (both type and volume), number of uses permitted, noise, lighting, parking, external alterations to the building and lot, and factors relating to environmental pollution.

The Commission may attach appropriate conditions and safeguards to the approval of such change of non-conforming use where such conditions are determined necessary to ensure that the proposed non-conforming use will not have a greater adverse effect upon the district, the neighborhood and surrounding properties than that of the current non-conforming use. Such conversion may be allowed only pursuant to a Certificate of Use issued by the Commission or its Zoning Enforcement Officer.

2. If any non-conforming use of a structure is changed to a conforming use, or if the structure in which such use is conducted or maintained is moved for any distance, then any future use of such structure shall be in conformity with the standards specified by the Zoning Regulations for the district in which such structure is located.
3. If any structure in which any non-conforming uses are conducted or maintained is removed, the subsequent use of the land on which such structure was located, and the subsequent use of any structure thereon, shall be in conformity with the standards specified by the Zoning Regulations for the district in which such land or structure is located.

Non-Conforming Building or Structure: A building or structure or any portion thereof that is non-conforming in terms of the location or dimension requirements of these Regulations shall not be

enlarged or extended in any way that increases the existing non-conformity. This includes non-conforming vertical expansions, such as a second story addition over that portion of a one story building located within a required setback from a property line.

Location and dimension requirements include the building setback requirement from a street line or other property line, maximum percentage of building coverage on a lot ("lot coverage"), and any other building or structure location or dimension requirement of these Regulations.

Non-Conforming Accessory Building Located in a Commercial or Industrial Zoning District – Change of Use: An accessory building which is located in any Commercial District or Industrial District (L.R. District, L.C.D. District, CA District, CB District, LI-80 District) and which does not conform to the front, side or rear setback area requirements of the District shall not be approved for conversion to any primary or principal Permitted Use or Special Exception use.

Extension of Non-Conforming Use in a Building or Structure: A building or a structure containing a non-conforming use may be enlarged or extended up to 25% of the original total floor area of the building or structure devoted to the non-conforming use subject to the following:

1. An application for enlargement or extension of a building or structure containing a non-conforming use shall require submission of a Site Plan. The Site Plan and application shall clearly show the floor area of the building and the area of the lot devoted to the non-conforming use as it existed at the time such use became non-conforming, the area of any previous enlargements or extensions to the building or structure, and the area proposed for expansion.
2. The Commission may approve the enlargement or extension if it finds that the proposed enlargement or extension will not have an adverse effect on the district, the neighborhood and surrounding properties greater than that of the current non-conforming use.

The Commission may attach appropriate conditions and safeguards to the approval of such enlargement or extension where such conditions are determined necessary to ensure that the proposed enlargement or extension will not have a greater adverse effect upon the district, the neighborhood, and surrounding properties than that of the current non-conforming use. Such enlargement or extension may be allowed only pursuant to a Certificate of Use issued by the Commission or its Zoning Enforcement Officer.

3. The applicant shall provide a statement from the Assessor or copies of the assessor's records documenting that the building has not been expanded since the date it became non-conforming or that any such expansion was approved by the Commission and does not exceed 25% of the total floor area of the building which is devoted to the non-conforming use.
4. The total floor area of the enlargement shall not exceed 25% of the total floor area legally dedicated to the non-conforming use at the time it became non-conforming, including any previously granted approval for expansion.
5. Enlargements shall be allowed only to an existing building containing a non-conforming use. No new building or structure containing a non-conforming use shall be permitted.
6. The total maximum building coverage of the lot with the expansion shall not exceed 25% of the total lot area.

7. The location and dimensions of the enlargement shall conform to the requirements of these Regulations.
8. Off-street parking spaces meeting the requirements of these Regulations shall be provided on the lot.

Restoration of Damaged Structures: A non-conforming building or structure damaged by fire or other casualty may be reconstructed or restored subject to approval of a Zoning Permit provided that:

1. The reconstruction or restoration shall not exceed the previous non-conforming dimensions of the building or structure. Where it is necessary to reach this determination, the applicant may be required to provide documentation of the building or structure's size and height prior to the damage and
2. Work shall be started within one year of such damage and is diligently pursued to completion.
3. The Commission may grant an extension(s) of the date to start work, provided:
  - a. The owner submits a request for the extension in writing, stating the reasons for the request, and
  - b. The request is received prior to expiration of the one year deadline, and
  - c. The total of all extensions do not exceed one year.

Abandonment of a Non-Conforming Use: No non-conforming use once changed to a more conforming use shall revert back or be changed to a less conforming use.

Building On Vacant or Unimproved Non-Conforming Lots:

1. A non-conforming lot is a lot of record that:
  - a. existed prior to the original effective date of these Regulations (January 15, 1979) or prior to an amendment to these Regulations, and
  - b. does not conform to the lot area or lot frontage requirements of these Regulations as established on the original effective date of an amendment to these Regulations.
2. A permit may be issued for construction of a permitted structure or for a permitted use on a vacant or unimproved non-conforming lot provided:
  - a. the applicant provides an affidavit certifying that: the lot was owned separately and distinctly from any other adjoining lot having a common boundary line as evidenced by a deed recorded in the Town land records on or before the effective date of these Regulations or any amendment thereto which made the lot non-conforming, and the lot has been continuously thereafter owned as a separately distinct lot from any other adjoining lot, and
  - b. all setback and lot coverage requirements of the Regulations can be met.
3. Where based upon the affidavit required in 1.a. above, or where the Commission determines that the current or a prior owner of the non-conforming lot also owned an adjoining lot, no Zoning Permit for

construction or use of a non-conforming lot shall be issued until the Commission approves a Special Exception application.

a. As a part of the Special Exception application, the Commission shall consider all factual evidence relating to the lot and the adjoining land. Based upon this information and in consultation with its attorney, the Commission shall decide whether to require the merger of the non-conforming lot with adjoining land in order to make the non-conforming lot more conforming with lot area or frontage requirements of these Regulations.

## ARTICLE II

### RESIDENTIAL DISTRICTS

|              |                                |
|--------------|--------------------------------|
| SECTION 21 - | RESIDENCE R-40 DISTRICT        |
| SECTION 22 - | RESIDENCE R-60 DISTRICT        |
| SECTION 23 - | RESIDENCE R-80 DISTRICT        |
| SECTION 24 - | RESIDENCE R-160 DISTRICT       |
| SECTION 25 - | LAKE RESIDENTIAL L.R. DISTRICT |
| SECTION 26 - | DEER ISLAND D.I.D. DISTRICT    |

## **S8CTION 21 - RESIDENCE R-40 DISTRICT**

### Permitted Uses:

1. Single-family dwellings.
2. Home office of convenience, subject to the provisions of **Section 8**.
3. Schools, parks, playgrounds, and open space lands of the Town of Morris.
4. Agricultural uses, subject to the provisions of **Article VI, Section 68**
5. Family child care home and group child care homes, in accordance with PA 23-142
6. Signs, as provided in **Section 62**.
7. An accessory apartment or accessory dwelling unit
8. Accessory uses customary with and incidental to any aforesaid permitted use, subject to the provisions of Section 8.

Special Exception Uses: All Special Exception uses shall be subject to the general and specific requirements of **Section 52**.

1. Multi-family dwellings
2. Convalescent homes, private hospitals, and sanitariums, licensed by the State of Connecticut.
3. The following uses when conducted by a non-profit corporation and not as a business for profit: churches and places of worship, parish halls, educational, religious, philanthropic, and charitable institutions subject to the following requirements:
  - a. Minimum lot size five (5) acres not including inland wetlands and watercourses.
  - b. Access to all buildings and facilities on the lot shall be from a State Highway.
  - c. Minimum setback for all buildings and parking areas on a lot shall be 100' from the street line and 75 feet from all other lot lines.
4. Schools, libraries, and cemeteries.
5. Buildings, uses, and facilities of the Town of Morris, except a town dump which is not permitted.
6. Home occupation.
7. Shop and Storage Use by Contracting and Building Tradesmen.
8. Bed and Breakfast.
9. Conversion of an Existing Residence or Accessory Building for Antique Sales.



10. Summer day camps provided there is no furnishing of rooms.
11. The following uses when not conducted as a business or for profit: membership clubs; lodges, community houses, nature preserves and wildlife sanctuaries; golf, tennis, swimming, boating, and similar clubs.
12. Public utility substations and telephone equipment buildings provided that there is no outside service yard or outside storage of supplies.
13. Water supply reservoirs, towers, treatment facilities, and pump stations.
14. Railroad rights-of-way and passenger stations, including customary accessory services therein but not including switching, storage sidings, freight yards, or terminals.
15. Town Sponsored Multi-Family Housing and Related Community Facilities.
16. Solar Energy Systems designed to produce electric power to be used off-site only if constructed upon Town- owned property.
17. Accessory uses customary with and incidental to any aforesaid Special Exception use.
18. Adult Recreational Cannabis Production, subject to the requirements of **Art V, Section 52**

Lot Area, Shape, and Frontage:

- |                     |                    |
|---------------------|--------------------|
| 1. Minimum Lot Area | 40,000 square feet |
| 2. Minimum Frontage | 150 feet           |

Height:

- |                              |            |
|------------------------------|------------|
| 1. Maximum Number of Stories | 2½ stories |
| 2. Maximum Height            | 35 feet    |

Setbacks:

- |                                                                                         |         |
|-----------------------------------------------------------------------------------------|---------|
| 1. Minimum setback – principal building* from street line                               | 35 feet |
| 2. Minimum setback – principal building* from all other property lines                  | 20 feet |
| 3. Maximum projection of principal or accessory building or structure into setback area | 3 feet  |
| 4. Minimum setback for all detached accessory buildings and structures:                 |         |
| a. from the street line                                                                 | 50 feet |
| b. from all other property lines                                                        | 20 feet |

\* An accessory building or structure attached to or located within five feet of the principal building shall be subject to the minimum setback requirements for principal building.

Lot Coverage:

- |                                                 |     |
|-------------------------------------------------|-----|
| 1. Maximum Coverage by Buildings and Structures | 15% |
| 2. Total Impervious Coverage                    | 35% |

**SECTION 22 - RESIDENCE R-60 DISTRICT**

Permitted Uses: Any permitted use in **Section 21**

Special Exception Uses: Any Special Exception use permitted in **Section 21**

Lot Area, Shape, and Frontage:

- |                     |                    |
|---------------------|--------------------|
| 1. Minimum Lot Area | 60,000 square feet |
| 2. Minimum Frontage | 175 feet           |

Height:

- |                              |            |
|------------------------------|------------|
| 1. Maximum Number of Stories | 2½ stories |
| 2. Maximum Height            | 35 feet    |

Setbacks:

- |                                                                                         |         |
|-----------------------------------------------------------------------------------------|---------|
| 1. Minimum setback – principal building* from Street line                               | 35 feet |
| 2. Minimum setback – principal building* from all other property lines                  | 30 feet |
| 3. Maximum projection of principal or accessory building or structure into setback area | 3 feet  |
| 4. Minimum setback for all detached accessory buildings and structures:                 |         |
| a. from the street line                                                                 | 50 feet |
| b. from all other property lines                                                        | 20 feet |

\* An accessory building or structure which is attached to or located within five feet of the principal building shall be subject to the minimum setback requirements for principal building.

Lot Coverage:

- |                                                 |     |
|-------------------------------------------------|-----|
| 1. Maximum Coverage by Buildings and Structures | 15% |
| 2. Total Impervious Coverage                    | 30% |

## SECTION 23 - RESIDENCE R-80 DISTRICT

Permitted Uses: Any Permitted Use in **Section 21**

Special Exception Uses: Any Special Exception use permitted in **Section 21**

Lot Area, Shape, and Frontage:

- |                     |                    |
|---------------------|--------------------|
| 1. Minimum Lot Area | 80,000 square feet |
| 2. Minimum Frontage | 175 feet           |

Height:

- |                              |            |
|------------------------------|------------|
| 1. Maximum Number of Stories | 2½ stories |
| 2. Maximum Height            | 35 feet    |

Setbacks:

- |                                                                                         |         |
|-----------------------------------------------------------------------------------------|---------|
| 1. Minimum setback - principal building* from Street line                               | 35 feet |
| 2. Minimum setback - principal building* from all other property lines                  | 30 feet |
| 3. Maximum projection of principal or accessory building or structure into setback area | 3 feet  |
| 4. Minimum setback for all detached accessory buildings and structures:                 |         |
| a. from the Street line                                                                 | 50 feet |
| b. from all other property lines                                                        | 20 feet |

\*An accessory building or structure which is attached to or located within five feet of the principal building shall be subject to the minimum setback requirements for principal building.

Lot Coverage:

- |                                                 |     |
|-------------------------------------------------|-----|
| 1. Maximum Coverage by Buildings and Structures | 10% |
| 2. Total Impervious Coverage                    | 25% |

## SECTION 24 - RESIDENCE R-160 DISTRICT

### Permitted Uses:

1. Single-family dwellings
2. Home office of convenience, subject to the provisions of **Section 8**.
3. Family childcare home and group childcare homes in accordance with PA 23-142
4. Parks, playgrounds and open space lands of the Town of Morris.
5. Agricultural uses, subject to the provisions of **Article VI, Section 68**
6. Signs as provided in **Section 62**.
7. Accessory apartments or accessory dwelling units
8. Accessory uses customary with and incidental to any aforesaid permitted use, subject to the provisions of **Section 8**.

Special Exception Uses: All Special Exception uses shall be subject to the general and specific requirements of **Section 52**.

1. Home occupation.
2. Bed and Breakfast.

### Lot, Area, Shape and Frontage:

- |                     |                     |
|---------------------|---------------------|
| 1. Minimum Lot Area | 160,000 square feet |
| 2. Minimum Frontage | 175 feet            |

### Height:

- |                              |            |
|------------------------------|------------|
| 1. Maximum Number of Stories | 2½ stories |
| 2. Maximum Height            | 35 feet    |

### Setbacks:

- |                                                                                         |         |
|-----------------------------------------------------------------------------------------|---------|
| 1. Minimum setback - principal building* from Street line                               | 35 feet |
| 2. Minimum setback - principal building* from all other property lines                  | 30 feet |
| 3. Maximum projection of principal or accessory building or structure into setback area | 3 feet  |
| 4. Minimum setback for all detached accessory buildings and structures:                 |         |
| a. from the street line                                                                 | 50 feet |

b. from all other property lines

20 feet

\*An accessory building or structure which is attached to or located within five feet of the principal building shall be subject to the minimum setback requirements for principal building.

Lot Coverage:

- |                                                 |     |
|-------------------------------------------------|-----|
| 1. Maximum Coverage by Buildings and Structures | 10% |
| 2. Total Impervious Coverage                    | 25% |

**SECTION 25 - LAKE RESIDENTIAL DISTRICT L.R.**

Permitted Uses:

1. Single-family dwellings
2. Home office of convenience in a dwelling unit, subject to the provisions of **Section 8**.
3. Schools, parks, playgrounds, and open space lands of the Town of Morris.
4. Family childcare home and group childcare homes in accordance with PA 23-142
5. Signs as provided in **Section 62**.
6. An Accessory Apartment or an accessory dwelling unit
7. Accessory uses customary with and incidental to any aforesaid permitted use, subject to the provisions of Section 8.

Special Exception Uses: All Special Exception uses shall be subject to the general and specific requirements of **Section 52**.

1. Buildings, uses, and facilities of the Town of Morris, except a town dump is not permitted.
2. Summer day camps, provided there is no furnishing of rooms.
3. The following uses, when not conducted as a business or for profit: membership clubs, nature preserves and wildlife sanctuaries, swimming and boating clubs.
4. Home occupation.
5. Bed and Breakfast.
6. Multi-family dwellings

Lot Area, Shape, and Frontage:

1. Minimum Lot Area 40,000 square feet
2. Minimum Frontage 150 feet

Height:

- |                              |            |
|------------------------------|------------|
| 1. Maximum Number of Stories | 2½ stories |
| 2. Maximum Height            | 35 feet    |

Setbacks:

1. Minimum setback - principal building\* from all property lines 15 feet

2. Minimum setback - detached accessory buildings and structures from all property lines 10 feet
3. Maximum projection of principal or accessory building or structure into setback areas 3 feet

\* An accessory building or structure which is attached to or located within five feet of the principal building shall be subject to the minimum setback requirements.

Lot Coverage:

1. Maximum Coverage by Buildings and Structures 15%
2. Total Impervious Coverage 30%



## **SECTION 26 - DEER ISLAND DISTRICT D.I.D.**

### Permitted Uses:

1. Single-family dwellings
2. Family childcare home and group child care homes in accordance with PA 23-142
3. Private bath houses, lockers, and dressing areas.
4. Swimming facilities.
5. Boat houses, boat docks, and boat launching facilities.
6. Accessory Apartment or Accessory Dwelling Unit
7. Accessory uses customary with and incidental to any aforesaid permitted use.
8. Home office of convenience, subject to **Section 8**.

Special Exception Uses: All Special Exception uses shall be subject to the general and specific requirements of **Section 52**, and, where applicable, the requirements of **Section 67**.

1. The following uses when not conducted as a business or for profit: membership clubs limited to members of the Deer Island Association, nature preserves and wildlife sanctuaries, tennis, swimming, boating, and similar clubs.
2. Water systems including towers, treatment facilities, and pump stations.
3. Accessory uses customary with and incidental to any aforesaid Special Exception use.

Procedure for Special Exception in the Deer Island District: A Site Plan shall be required. At the public hearing, the applicant shall present to the Commission receipts from a return receipt requested letter sent to all property owners within fifty (50) feet of the boundaries of the lot and to each member of the Board of Directors of the Deer Island Association. The letter shall include a "Statement of Proposed Use," the date, time, and place of the public hearing on the application, and shall be mailed ten (10) days in advance of the public hearing.

### Prohibited Uses:

1. No house trailer or truck trailer shall be parked or occupied for any purpose, either temporarily or permanently, or be affixed to the real estate in any manner whatsoever.
2. No tent shall be erected or used other than a child's play tent.

Lot Area, Shape, and Frontage:

- |                              |                    |
|------------------------------|--------------------|
| 1. Minimum Lot Area          | 40,000 square feet |
| 2. Minimum Lot Line Frontage | 150 feet           |

Height:

- |                              |            |
|------------------------------|------------|
| 1. Maximum Number of Stories | 2½ stories |
| 2. Maximum Height            | 35 feet    |

Setbacks:

- |                                                                                                              |         |
|--------------------------------------------------------------------------------------------------------------|---------|
| 1. Minimum setback - principal and detached accessory buildings and structures from street line:             | 25 feet |
| 2. Minimum setback - principal and detached accessory buildings and structures from all other property lines | 12 feet |
| 3. Maximum projection of principal or accessory building or structure into setback area                      | 2 feet  |
| 4. Boat houses:                                                                                              |         |
| a. from street line                                                                                          | 40 feet |
| b. from all property lines excluding lake shore of Bantam Lake                                               | 12 feet |
| c. projection into Bantam Lake                                                                               | 30 feet |

Lot Coverage:

- |                                                 |     |
|-------------------------------------------------|-----|
| 1. Maximum Coverage by Buildings and Structures | 15% |
| 2. Total Impervious Coverage                    | 25% |

ARTICLE III  
COMMERCIAL DISTRICTS

SECTION 31 - COMMERCIAL DISTRICT CA

SECTION 32 - COMMERCIAL DISTRICT CB

SECTION 33 - LAKE COMMERCIAL DISTRICT L.C.D.

SECTION 34 - LAKE RECREATIONAL DISTRICT L.R.D.

## SECTION 31 - COMMERCIAL DISTRICT CA

### Permitted Uses:

1. Any Permitted Use in a Residential District.
2. A hotel or attached tourist unit or motel providing that the lot area is equal to not less than two-thousand (2,000) square feet for each guest sleeping accommodation, but not less than forty-thousand (40,000) square feet total area.
3. Indoor restaurants and other indoor food and beverage service establishments, with take-out service and outdoor dining as an accessory and incidental use subject to the provisions of **Art. I, Section 8**.
4. A retail business or retail service occupation.
5. Business and professional offices, banks and other financial institutions, medical and dental clinics.
6. Theaters for indoor motion picture projection or dramatic or musical productions.
7. Business, commercial, or vocational schools, whether operated for profit or not.
8. Family childcare home and group child care homes in accordance with PA 23-142.
9. A newspaper office or job printing plant.
10. Mortuary.
11. Off-street parking facilities, whether accessory to a permitted use or not.
12. Signs as provided in **Section 62**.
13. Accessory uses customary with and incidental to any aforesaid permitted use

Special Exception Uses: The following Special Exception uses shall be subject to the general and specific requirements of **Section 52**, and where applicable, requirements of **Section 67**.

1. Bed and Breakfast use.
2. Mixed-Use
3. Self-Storage Facility subject to the requirements of **Art. V, Section 52**.
4. Adult Recreational Cannabis Production, subject to the requirements of **Art V, Section 52**.

### 5. Multi-family dwellings

Lot Area, Shape, and Frontage:

1. Minimum Lot Area                      40,000 square feet
2. Minimum Frontage                      125 feet

Height:

1. Maximum Number of Stories      2½ stories
2. Maximum Height                      35 feet

Setbacks:

1. Minimum setback - principal and detached accessory buildings and structures from street line: 50 feet
2. Minimum setback - principal and detached accessory buildings and structures from all other property lines: 20 feet
3. Maximum projection of principal or accessory building or structure into setback area: 3 feet
4. Setback requirements for signs are as provided in Section 62.

Lot Coverage:

1. Maximum Coverage by Buildings and Structures                      25%
2. Total Impervious Coverage                                                      50%
3. Minimum for First Floor Area:
  - 1 story                                              1,000 square feet
  - 1½ stories                                              700 square feet
  - 2 or more stories                                              600 square feet

Site Plan: Prior to approval of any application for a Zoning Permit (other than single dwelling for one family) for a use permitted under this section, a Site Plan shall be submitted and approved in accordance with the provisions of **Section 51**.

Any Site Plan submitted hereunder shall show thereon a strip of land not less than thirty (30) feet wide in all side and rear yards where adjacent to a residence district which strip of land shall be suitably landscaped and not used for parking or for any use prohibited in such adjacent Residential District.

## SECTION 32 - COMMERCIAL DISTRICT CB

### Permitted Uses:

1. Any Permitted Use in a CA District.
2. A commercial kennel, provided that the lot is a minimum of ten acres and dogs shall be kept in buildings, enclosures, or runs located not less than two-hundred (200) feet from any property or street line.
3. A riding academy or boarding stable with ten or more animals, provided that the lot is a minimum of ten acres, and any building in which horses, donkeys, or ponies are kept shall be located not less than one-hundred (100) feet from a property or street line.
4. A veterinary hospital.
5. A cold storage locker plant.
6. Stores and other buildings and structures where goods are sold or services rendered primarily at retail.
7. Bowling alleys and similar recreational establishments.
8. Automobile service stations; public garages; automobile, trailer, and farm equipment sales room; outdoor sales area and public parking lot.
9. Manufacture, processing, or assembling of goods for sale only on the premises and at retail, provided that there are no more than three (3) persons engaged in such manufacture, processing, or assembling.
10. Off-street parking facilities, whether accessory to a permitted use or not.
11. Agricultural and related activities.
12. Signs as provided in **Section 62**.
13. Accessory uses customary with and incidental to any aforesaid permitted use

Special Exception Uses: The following Special Exception uses shall be subject to the general and specific requirements of **Section 52**.

1. Bed and Breakfast use.
2. Mixed-Use
3. Adult Recreational Cannabis Production, subject to the requirements of **Art V, Section 52**.
4. Multi-family dwellings

Lot Area, Shape, and Frontage:

1. Minimum Lot Area 40,000 square feet
2. Minimum Frontage 125 feet

Height:

1. Maximum Number of Stories 2½ stories
2. Maximum Height 35 feet

Setbacks:

1. Minimum setback - principal and detached accessory buildings and structures from street line 50 feet
2. Minimum setback - principal and detached accessory buildings and structures from all other property lines 20 feet
3. Maximum projection of principal or accessory building or structure into setback area 3 feet
4. Setback requirements for signs are as provided in Section 62.

Building and Bulk Coverage:

1. Maximum Ground Coverage 25%
2. Total Impervious Coverage 50%

Site Plan: Prior to approval of any application for a Zoning Permit (other than single dwelling for one family) for a use permitted under this section, a Site Plan shall be submitted and approved in accordance with the provisions of **Section 51**.

Any Site Plan submitted hereunder shall show thereon a strip of land not less than thirty (30) feet wide in all side and rear yards where adjacent to a Residential District, which strip of land shall be suitably landscaped and not used for parking or for any use prohibited in such adjacent Residential District.

## SECTION 33 - LAKE COMMERCIAL DISTRICT L.C.D.

### Permitted Uses:

1. Any Permitted Use in the Lake Residential District.
2. A hotel or attached tourist unit or a motel, provided that the lot area is equal to or not less than two-thousand (2,000) square feet for each guest sleeping accommodation, but not less than forty-thousand (40,000) square feet total area.
3. Indoor restaurants and other indoor food and beverage service establishments, with take-out service and outdoor dining as an accessory and incidental use subject to the provisions of **Art. I, Section 8**.
4. A retail business or retail service occupation.
5. Bowling alleys and similar recreational establishments.
6. Theaters for indoor motion picture projection or dramatic or musical productions.
7. Stores and other buildings and structures where goods are sold or services rendered primarily at retail.
9. Business and professional offices; banks and other financial institutions; medical and dental clinics.
10. Off-street parking facilities whether accessory to a permitted use or not.
11. Signs as provided in **Section 62**.
12. Accessory uses customary with and incidental to any aforesaid permitted use

Special Exception Uses: The following Special Exception uses shall be subject to the general and specific requirements of **Section 52**.

1. Bed and Breakfast
2. Mixed Use
3. Multi-family Dwellings

### Lot Area, Shape, and Frontage:

- |                     |                    |
|---------------------|--------------------|
| 1. Minimum lot area | 40,000 square feet |
| 2. Minimum frontage | 150 feet           |

### Height:

- |                              |            |
|------------------------------|------------|
| 1. Maximum number of stories | 2½ stories |
| 2. Maximum height            | 35 feet    |



Setbacks:

1. Minimum setback - principal building\* from all property lines 15 feet
2. Maximum projection of principal or accessory building or structure into setback area 3 feet
3. Minimum setback for all detached accessory buildings and structures from all property lines 10 feet

\* An accessory building or structure which is attached to or located within five feet of the principal building shall be subject to the minimum setback requirements for the principal building.

Building bulk and coverage:

1. Maximum coverage by buildings and structures: 15%
2. Total Impervious Coverage 25%

Site Plan: Prior to approval of any application for a Zoning Permit (other than single dwelling for one family) for a use permitted under this Section, a Site Plan shall be submitted and approved in accordance with the provisions of **Section 51**.

Any Site Plan submitted hereunder shall show a strip of land not less than 30 feet wide in all side and rear yards where adjacent to a Residential District which strip of land shall be suitably landscaped and not used for parking or for any use prohibited in such adjacent Residential District.

## SECTION 34 - LAKE RECREATIONAL DISTRICT L.R.D.

### Permitted Uses:

1. Any Permitted Use in the Lake Residential District.
2. Administrative offices, public rest rooms.
3. Bath houses, lockers, dressing areas, and rest rooms.
4. Barbeque or clam bake shelter and fireplaces.
5. Picnic shelter with tables and fireplace.
6. Public swimming facilities.
7. Public boat docks and boat launching facilities.
8. Sales of bait.
9. Sales, rentals, service of boats and boat motors and sale of gasoline marine service.
10. Off-street parking facilities.
11. Children's summer camp, defined herein to mean a day or over-night camp designed for children under age 18.
12. The following uses when not conducted as a business or for profit: membership clubs, nature preserves and sanctuaries, swimming and boating clubs.
13. Signs as provided in **Section 62**.
14. Accessory uses customary with and incidental to any aforesaid permitted use, including family day care as an accessory use in a single dwelling for one family and in accordance with the provisions of the Connecticut General Statutes, Section 8-23j.

Special Exception Uses: All Special Exception uses shall be subject to the general and specific requirements of **Section 52**.

1. Home Occupation
2. Bed and Breakfast
3. Multi-Family Dwellings

### Lot Area, Shape, and Frontage:

- |                     |                    |
|---------------------|--------------------|
| 1. Minimum lot area | 40,000 square feet |
| 2. Minimum frontage | 150 feet           |

Height:

1. Maximum number of stories                      2½ stories
2. Maximum height                                      35 feet

Setbacks:

1. Minimum setback - principal building\* from all property lines                      15 feet
2. Maximum projection of principal or accessory building or structure into setback area                      3 feet
3. Minimum setback for all detached accessory buildings and structures from all property lines                      10 feet

\*An accessory building or structure which is attached to or located within five feet of the principal building shall be subject to the minimum setback requirements for the principal building.

Building Bulk and Coverage:

1. Maximum coverage by buildings and structures:                      15%
2. Total Impervious Coverage                                      25%

Site Plan: Prior to approval of any application for a Zoning Permit (other than single dwelling for one family) for a use permitted under this Section, a Site Plan shall be submitted and approved in accordance with the provisions of **Section 51**.

Any Site Plan submitted hereunder shall show a strip of land not less than 30 feet wide in all side and rear yards where adjacent to a Residential District which strip of land shall be suitably landscaped and not used for parking or for any use prohibited in such adjacent Residential District.