

## ARTICLE 8 SITE DEVELOPMENT REGULATIONS

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### Section 8.1 Landscaping and Buffers

#### 8.1.1 General Landscape Standards

- A. Suitable landscaping, including lawns and nursery-grown trees and shrubs, designed to be low-maintenance wherever possible, is required in all areas not covered by impervious surfaces. The Commission may allow existing natural vegetation to be retained as part of the approved landscaped plan.
- B. Invasive plants, as identified by the Connecticut Department of Environmental Protection, are unacceptable.
- C. Stormwater detention basins that are visible from a street (including private streets serving the public) must be attractively designed and landscaped, in accordance the Town of Portland Regulations for Public Improvements.
- D. Large trees and stands of mature trees and shrubs are to remain undisturbed where practical and desirable. Existing healthy trees of 18 inch caliper and greater (to be survey-located either singly or as groups) shall be incorporated into the site plan to the maximum extent possible. Similarly, significant stands (10 or more trees) of related species, or consistent scrub-shrub groupings occurring in front, side or rear yards shall be preserved whenever feasible. When possible, existing trees shall be saved by appropriate welling and mounding.
- E. All trees and shrubs to remain undisturbed shall be tagged, or otherwise identified, in the field prior to commencement of site work, and shall be shown on the landscaping plan.
- F. The Commission may require that the area lying between the front property line and parking areas consist of a landscaped berm, mound, wooden fence or masonry wall which may be planted with shrubs, hedges and/or flowering plants, so as to provide effective screening from the street and to improve the appearance of the site.

#### 8.1.2 Buffers

Buffer areas shall be required as follows:

- A. Except in cases where there is a change in permitted use utilizing an existing building and where there will be no outside storage, a buffer shall be provided in accordance with the following standards when a multifamily use, a commercial use, an industrial use or a special permit use abuts a residential zone or single family dwelling.
  - 1. The buffer area shall be 15 feet in width for lots of 25,000 square feet or less; 20 feet in width for lots greater than 25,000 square feet but less than 40,000 square feet; and 25 feet in width for lots of 40,000 square feet or larger.
  - 2. This area shall not be used for the storage of materials or parking of vehicles.
  - 3. Trees and shrubs shall be planted against the property lines to give a screen at least 15 feet deep using approved, hardy, indigenous plant species.
  - 4. At least 50% of the plantings shall be evergreen of which at least 60% shall be 6 feet in height or taller at time of planting.

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5. The balance of the buffer area shall be planted and maintained as lawn or other suitable ground cover. Existing suitable, natural growth shall be preserved where practicable and supplemented with new planting in accordance with the above standards.
  6. Permanent structures such as fences, walls, and earth berms may be approved in lieu of plantings. (The full width of the buffer as required in Section 8.1.2.A.1 shall still be provided.) Such measures shall be in conformance with Section 9.15 Walls and Fences and in the opinion of the Commission, comply with the intent of these Regulations.
- B. The Commission may require additional buffer width or area or more mature plantings if unusual conditions demand more extensive screening.

### 8.1.3 Maintenance of Landscaping and Buffers

All landscaping elements, including fences and buffer treatments, portrayed on the approved landscaping plan shall be maintained in a manner sufficient to ensure the survival of plantings. Where a maintenance problem arises, upon order of the Zoning Enforcement Officer, said landscaping or fence shall be restored to a satisfactory condition consistent with the approved landscaping plan.

## Section 8.2 Off-Street Parking and Loading

### 8.2.1 General

- A. Off-street parking and loading shall be provided in accordance with this section and shall comply with the provisions for the physically handicapped as cited in the State Building Code for any building or use hereafter erected, established, enlarged, expanded or changed.
- B. For occupancy of an existing building for the same use, or for a change of use that is less intensive as per Section 11.1.1.B, no additional parking is required.
- C. In instances when the proposed number of parking spaces exceeds the requirements of Table 8.2.2 by a factor of 10% or greater, such parking may not be approved unless there is documentation that such additional spaces are required.
- D. Off-street parking facilities shall be provided to serve all buildings erected, established, enlarged, expanded or altered.
- E. In case of more than one use of a building or lot, required parking spaces shall be construed to be the sum of the requirements for all uses computed separately according to the Schedule of Parking Requirements herein cited.
- F. All roadways, drives and off-street parking areas shall be designed so as to facilitate traffic circulation patterns and emergency vehicle movements.
- G. Off street parking and loading areas shall be responsive to existing land contours and drainage patterns where possible, thereby minimizing potential grading and drainage problems.

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### 8.2.2 Schedule of Parking Requirements

<b>Table 8.2.2 Parking Requirements</b>	
<b>Use</b>	<b>Minimum Required Parking Spaces</b>
Bed and Breakfast	1 for each 2 guests
Business Offices, Financial Institutions	1 for each 250 sq. ft. of gross office space
Commercial Stables	1 for each 5 users of the facility or visitors to the property, including spectators for horse shows or similar events
Eating Establishments, Taverns, Cocktail Lounges	1 for each 50 sq. ft. of public floor area
Home Occupations, Professional Office, office in residence	1 for each 150 sq. ft. or fraction thereof of building floor area devoted to such use
Hospital	1 for each 3 beds plus 1 for 2 employees
Hotel, Motel, Tourist Home	1 for every guest room
Housing for Elderly (Public Housing Authority)	1 for each 1 living unit
Industrial and manufacturing	1 for every 2 employees based on the numerically largest shift
Miniature Golf Course without ancillary uses. Maximum usage shall be 3 persons per hole.	1 for every 3 persons based on maximum usage
Multi-Family Dwelling	2 for each dwelling unit
One and Two-Family Dwellings	2 for each dwelling unit
Retail Stores, Personal Service Shops	Floor area under 10,000 sq. ft. - 5 for each 1,000 sq.ft. Floor area 10,001-50,000 sq. ft. - 4 for each 1,000 sq.ft. Floor area over 50,000 sq. ft. - 3.5 for each 1,000 sq.ft. Upper floor and basement - 3 for each 1,000 sq. ft.
Roadside Stands	3 spaces plus dwelling lot requirements
Health Care Institution, Convalescent or Nursing Home	1 for each 3 beds
Theater, Places of Assembly, Amusement, Recreation and Education	1 for each three seats
Undertaking Establishments	1 for each 250 sq. ft. of gross floor area
Each Use Not Listed Above	The Commission shall determine the appropriate number of spaces based on similarity to the above uses and/or standards available from recognized authorities.

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### 8.2.3 Location of Parking

- A. In all zones, no off-street parking for properties with a residential dwelling shall be designed and/or located and/or permitted in any required front yard except for the paved/compacted portion of an approved driveway which gives access to said property.
- B. In residential zones, parking spaces required for all uses shall be provided on the same lot as the principal use.
- C. In the B-2, I and RI Zones, off-street parking facilities may abut the front property line. However, a landscaped strip in accordance with Section 8.1.2 Buffers of these Regulations shall be provided whenever possible. The Commission may require a wider front landscaped buffer when deemed appropriate by the Commission to facilitate a visual break between the parking area and the street and/or to enhance the visual aesthetics of the B-2, I and RI zones.
- D. In all non-residential zones, required parking facilities shall be located on the same lot as the building they serve or on a lot within 600 feet from such building. If the parking facility is not located on the same lot it is intended to serve, a written affidavit of agreement, binding each participating owner and successor in interest for the life of the joint use of the facility, shall be recorded in the land records prior to endorsement of any Site Plan. A Site Plan of the off-site parking facility prepared in accordance with Section 10.5 of these Regulations indicating those parking spaces devoted to the off-site use, shall be submitted with an application for Site Plan approval. Two or more parking facilities on adjoining lots, if designated for use as a single parking area, may be required to use the same means of access. When located within 1320 linear feet (1/4 mile) of a proposed use, parking spaces within designated Public Parking Facilities may be utilized and counted to meet the minimum parking spaces required.
- E. Any vacant parcel of land in the business and/or industrial zone intended for use as a parking facility in connection with an off-site use shall be designed and improved in accordance with these Regulations.

### 8.2.4 Joint Parking

- A. The Commission may reduce the parking requirements no more than 50% for sites where uses will be generating a demand for parking during periods when other uses are not in operation in accordance with the following:
  - 1. Joint off-street parking facilities provided by another building or use shall be within 600 feet of the property it is intended to serve;
  - 2. A written affidavit of agreement, binding each participating owner and successor in interest for the life of the joint use of the facility, shall be signed by the owners of the properties involved and shall be recorded in the Land Records prior to Commission endorsement of the plan;
  - 3. The use of land in any residential zone for parking in connection with and adjacent to a use in the business and/or industrial zone, shall not be extended into the residential zone more than 30 feet;
  - 4. Any vacant parcel of land in the business and/or industrial zone intended for use as a parking facility in connection with an off-site use shall be designed and improved in accordance with these Regulations;
  - 5. Public parking facilities shall not be used to satisfy parking requirements for residential uses.

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### 8.2.5 Off-Street Loading Requirements

- A. Buildings used for retail trade, retail and wholesale food markets, warehouses, supply houses, wholesale or manufacturing trade, hotels, hospitals, laundry, dry cleaning establishments or other buildings where large amounts of goods are received or shipped; shall provide loading space as follows:
  - 1. At least 1 loading space 10 feet by 40 feet with a 14 feet vertical clearance shall be required for a non-residential building with a gross floor area of 20,000 square feet or more.
  - 2. All loading spaces shall be located at the rear of the building.
  - 3. No such space shall be located closer than 50 feet to any other lots in any residence zone unless wholly within a completely enclosed building or unless enclosed on all sides by a wall or opaque fence not less than six feet in height.
  - 4. Such loading space, maneuvering space and all vehicles using the loading space shall be contained within the lot.
  - 5. The need for loading space and suitability of locations shall be determined, among other things, by expected volume, building use, and the relation of streets and access driveways.
- B. Provision shall be made for the off-street loading and unloading of vehicles without encroachment on required parking spaces.

### 8.2.6 Design Requirements

All off-street parking shall be designed with appropriate means of vehicular access to a street or alley as well as maneuvering areas. The general layout and traffic circulation of parking and loading areas shall be designed so as to avoid unsafe conditions and traffic congestion in the streets upon which the area has access according to the following standards:

- A. Any parking area designed or intended for use by three or more vehicles, which is located and adjacent to any public sidewalk or the planned location of a public sidewalk, shall be separated from such sidewalk by a suitable barrier so placed as to prevent the encroachment or parking of automobiles on such public sidewalk or planned location thereof.
- B. Lighting of parking areas and access driveways shall comply with Section 8.3 Outdoor Lighting.
- C. Landscaping: A landscaped strip 10 feet in width shall be provided between each 2 tiers of parking spaces for uses requiring 25 or more parking spaces. Such landscape strip shall include 1 shade tree 1.5 inches in caliper and 6 feet in height for every 1000 square feet of parking space area. The Commission may reduce the minimum width of the landscaped strip in instances where a 10 foot width is not possible and/or would impede the flow of traffic.
- D. Curb Cuts: The Commission shall review proposed curb cuts in conjunction with the Site Plan approval process. Detailed plans of driveway and curb cuts shall be submitted to the State Highway Department, as required, for approval of all curb cuts or driveway opening involving State roads before a zoning permit is issued.

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- E. Fire Lanes: Where required, fire lanes shall be designated on the Site Plan. Fire lanes shall be at least 8 feet in width and shall be marked "No Parking". No required parking or loading space shall encroach on any required fire lane.
- F. Adjoining Lots: The interconnection of adjoining parking lots shall be encouraged where said connections would result in improved circulation, increased parking spaces, decreased curb cuts and/or signalized access. Parking spaces lost or abandoned due to adjoining parking lots may be exempted from the minimum parking requirements by the Commission.
- G. Drainage: Off-street parking and loading facilities and access roadways/driveways for all Business and industrial uses shall be paved with a durable and dustless surface consisting of a minimum of 3 inches of bituminous concrete over 4 inches of  $\frac{3}{4}$  -  $1\frac{1}{4}$  inch processed aggregate base and 8 inches of rolled gravel base. Proper drainage shall be provided as specified in Section 14 of these Regulations. No surface water from any parking lot shall be permitted to drain directly onto adjoining property without drainage easements and/or rights to drain.
- H. Pavement: Except for one, and two family dwellings, all off-street parking facilities and access roadways/driveways shall be paved with 3 inches of bituminous concrete over four inches of  $\frac{3}{4}$  -  $1\frac{1}{4}$  inch processed aggregate base and 8 inches of rolled gravel base. Proper drainage infrastructure shall be provided as specified in Section 8.6 of these Regulations. No surface water from any parking lot shall be permitted to drain onto adjoining property. Where the following circumstances exist, and if approved or recommended by the Town Engineer, the Commission in its discretion may authorize use of a pervious surface material.
  - 1. Existing drainage problems warrant use of porous material;
  - 2. For groundwater recharge areas (or potential recharge areas) where surfacing and change in drainage patterns will reduce or increase groundwater levels;
  - 3. For areas where surfacing and change in drainage patterns will be detrimental to the hydrology and wildlife of surface water bodies, streams or wetlands;
  - 4. For industrial uses not devoted to employee and/or public parking and only when it is proven that any and all proposed uses will not pollute potential ground and surface water supplies;
  - 5. For sites proposed for recreation activities; or
  - 6. For proposals located within the flood hazard areas and Flood Plain Zone.

Such conditions and/or circumstances shall be documented in a detailed report prepared by a licensed, professional engineer, hydrogeologist and/or biologist, where applicable. Said report shall be subject to review and approval by the Town Engineer, Department of Public Works or any other agency the Commission deems necessary prior to Commission approval.

### 8.2.7 Parking Configuration

- A. All off-street parking shall be laid out with standard size parking spaces. Such standard size spaces shall have a width of 9 feet and a length of 18 feet.
- B. 90 Degree Parking: The overall wall to wall width shall be 60 feet, including a 2 foot allowance for bumper overhang. Aisle width shall be 24 feet for two-way traffic.
- C. 60 Degree Parking: The overall wall to wall width shall be 58 feet, including a 2 foot allowance for bumper overhang. Aisle width shall be 18 feet for one-way traffic.
- D. 45 Degree Parking: The overall wall to wall width shall be 51 feet, including a  $1\frac{1}{2}$  foot allowance for bumper overhang. Aisle width shall be 13 feet for one-way traffic.

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- E. 30 Degree Parking: The overall wall to wall width shall be 45 feet, including a 1 ½ foot allowance for bumper overhang. Aisle width shall be 12 feet for one-way traffic.
- F. Sidewalks: Concrete sidewalks a minimum of 5 feet in width shall be installed on site and along the street frontages to provide walkways between parking areas and building and/or principal or accessory uses when deemed necessary and appropriate for pedestrian safety and convenience. Such walkways shall provide handicapped access ramps in accordance with *Connecticut General Statutes* and the State Building Code.

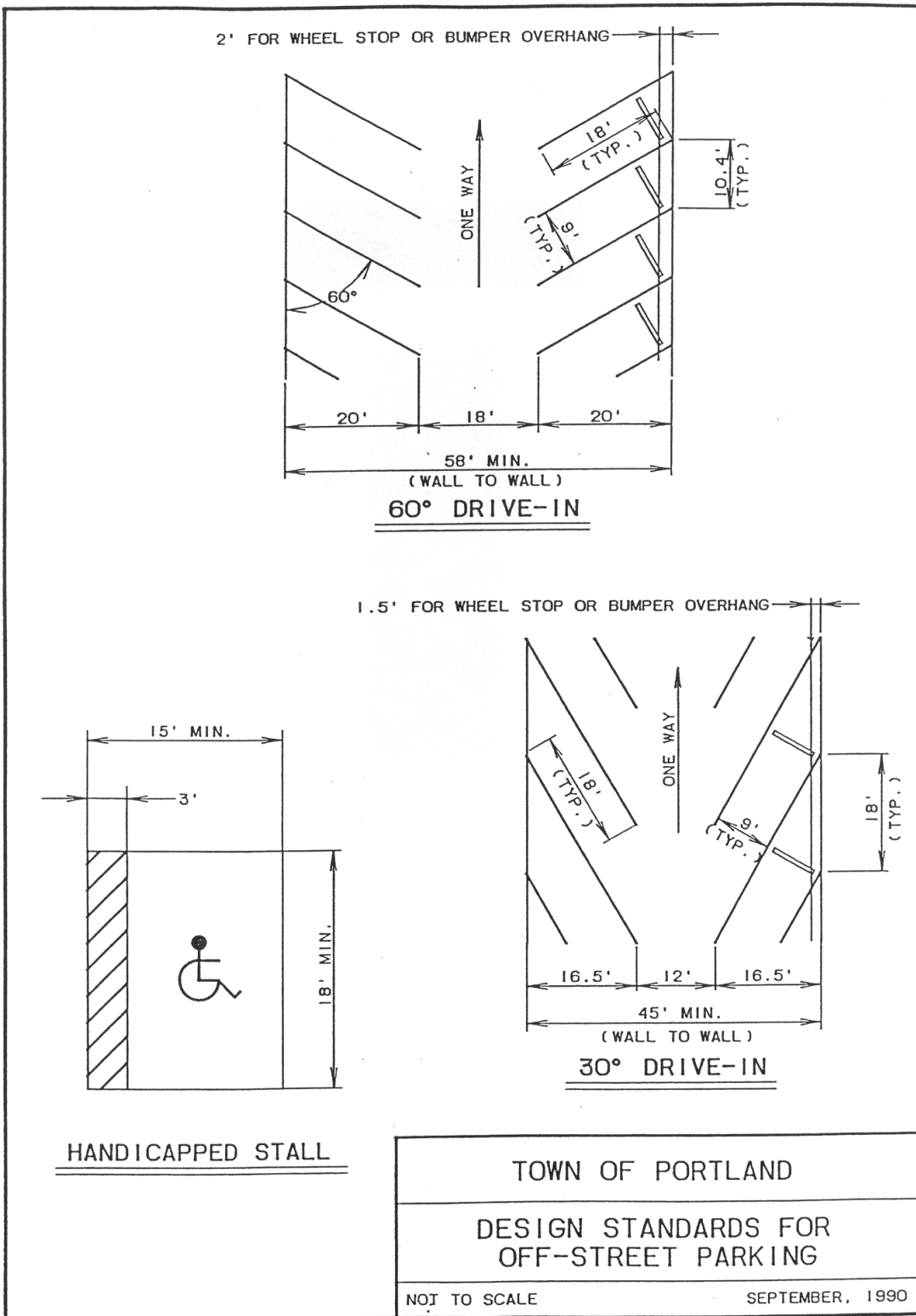
### 8.2.8 Private Access Road Standards

- A. Private driveways serving commercial developments (either principal access drives or limited access drives as defined herein) designed for vehicular traffic shall comply with the following minimum width standards:

<b>Table 8.2.8 Private Driveway Standards</b>	
<b>Driveway Type</b>	<b>Minimum Width</b>
Principal Access Drive <sup>2</sup> (Two-way traffic)	24 feet
Principal Access Drive <sup>3</sup> (One-way traffic)	18 feet
Principal Access Drive <sup>3</sup> (Boulevard)	Two, 18-foot-wide travel ways and at least a 10-foot-wide landscaped median
Principal Access Drive (90° parking)	42 foot overall width (access drive and parking stall) for one-side parking and 60 foot width (access drive and parking stalls) for two-side parking
Limited Access Drive <sup>1</sup>	20 feet
<p><sup>1</sup> When used in an RMD zone, a Limited Access Drive (two-way traffic), shall be defined as any private driveway, serving a limited portion of an entire development that provides access to no more than 12 dwelling units. Such Limited Access Drives shall only be allowed to connect to Principal Access Drives, and shall not be allowed to connect to any other Limited Access Drive. All other private drives, unless otherwise designated, shall be Principal Access Drives.</p> <p><sup>2</sup> Principal access drives that serve uses where access by commercial vehicles and trucks are expected to be infrequent, where no parking occurs on either side, and where the total number of parking spaces served is 12 or less may be reduced to 20 feet in width.</p> <p><sup>3</sup>For uses other than those that require access by tractor trailer, the access drive may be reduced to 15 feet in width.</p>	

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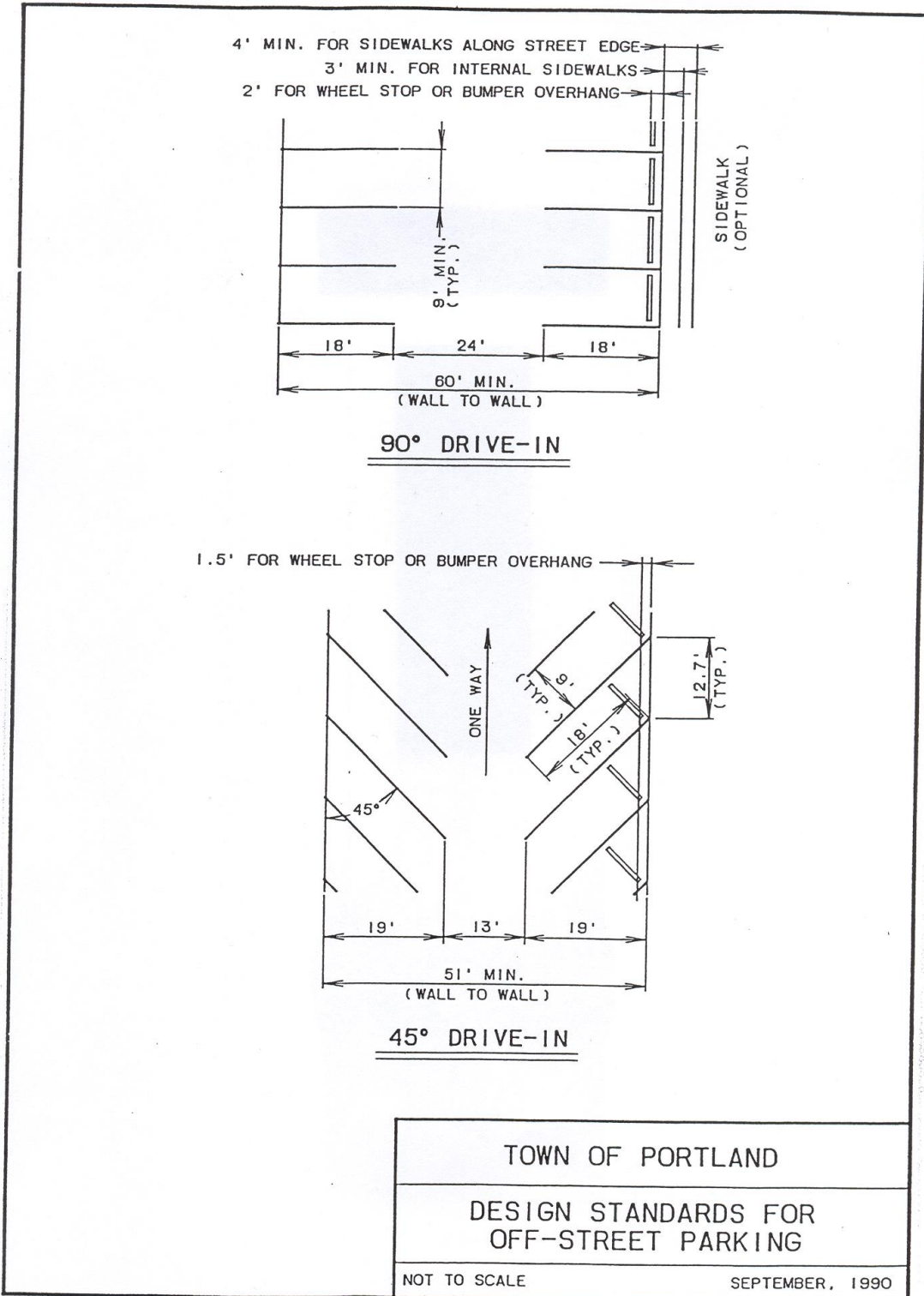
DESIGN STANDARDS





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## DESIGN STANDARDS



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### Section 8.3 Outdoor Lighting

#### 8.3.1 Purpose

These regulations are intended to provide specific standards in regard to lighting, in order to maximize the effectiveness of site lighting to enhance public safety and welfare, to avoid unnecessary upward illumination and illumination of adjacent properties, and to reduce glare.

#### 8.3.2 Illumination Standards

- A. All exterior lights and sign illumination shall be designed, located, installed and directed in such a manner as to:
  - 1. Prevent direct or objectionable glare or light trespass;
  - 2. Be shielded to the extent possible;
  - 3. Be contained to the target area;
  - 4. Maximize energy conservation; and
  - 5. Limit the illumination to the minimum amount adequate for the intended purpose of the lighting.
- B. Adjacent to residential property and in all residential zones, no direct light source shall be visible at the property line at ground level or above.
- C. When more than 4 luminaires are proposed for a site, the Commission may require a report from the manufacturer or from a qualified engineer demonstrating compliance with A and B above.

#### 8.3.3 Fixture Standards

- A. To reduce off-site glare, lighting fixtures for all parking and pedestrian areas shall be:
  - 1. Full cut-off type fixtures; or
  - 2. Fully shielded/recessed fixtures where the lens is recessed or flush with the bottom surface.
- B. Lighting fixtures for building security or aesthetics and any display purposes shall, except as may otherwise be approved, be:
  - 1. Top downward (not upward or sideways);
  - 2. Full cut off; or
  - 3. Fully shielded/recessed.

#### 8.3.4 Prohibited Lighting

- A. The use of laser source light or any similar high intensity light when projected above the horizontal is prohibited.
- B. The operation of search lights is prohibited.
- C. Flashing and blinking lights are prohibited. Traditional seasonal and event lighting, however, is exempt from this prohibition.
- D. Floodlighting is prohibited.

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### 8.3.5 Hours of Operation

Any unnecessary lighting shall be reduced after the close of business. Applicant may be required to control the lighting through timing devices and/or motion detectors.

### 8.3.6 Lighting-Related Definitions

**Direct Light:** Light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire.

**Fixture:** The assembly that houses the lamp or lamps and can include some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens.

**Flood, Search, or Spot Light:** Any light fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.

**Full Cutoff Light:** A luminaire or light fixture that, by design, of the housing, does not allow any light dispersing or direct glare to shine above a 75 degree horizontal plane from the base of the fixture. Full cut-off fixtures must be installed on a horizontal position as designed, or the purpose of the design is defeated, and disability glare will result.

**Fully Shielded Light:** Any light fixture that allows control of light beams in any direction.

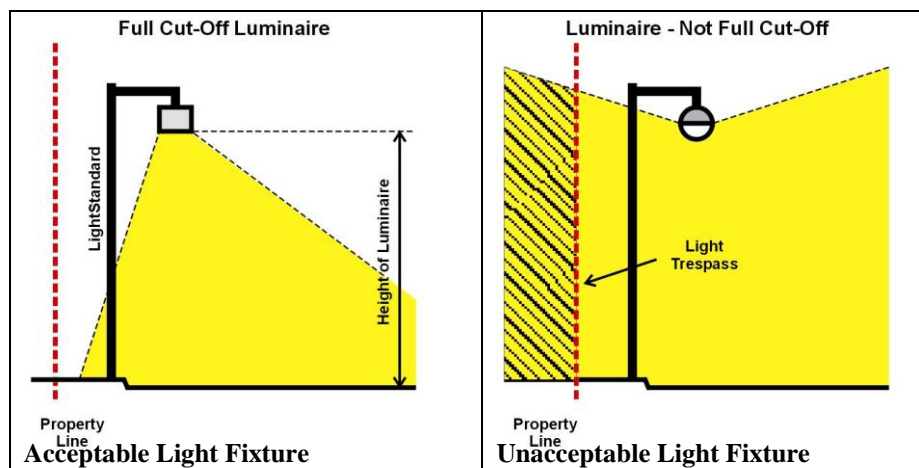
**Glare:** Light emitting from a luminaire with intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness.

**Height of Luminaire:** The vertical distance from the ground directly below the centerline of the luminaire to the lowest direct-light-emitting part of the luminaire.

**Indirect Lighting:** Direct light that has been reflected or has scattered off of other surfaces.

**Luminaire:** A complete lighting system, including a lamp or lamps and a fixture.

**Uplighting:** Any light source that distributes illumination above a 90-degree horizontal plane.



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### Section 8.4 Signs

#### 8.4.1 Definition

- A. A sign is any painted or fabricated medium, or as any structure or part thereof, or any device or representation which is in the nature of, or which is used as an announcement, direction or advertisement, for commercial purposes or otherwise. A sign includes a billboard or outdoor advertising structure, and a neon tube, string of lights, or similar device outlining or hung upon any part of a building, but does not include the flag or insignia of any nation, or unit thereof, or group of nations or of any governmental agency.

#### 8.4.2 General Requirements

The following Regulations and standards are established to assure compatibility of signs with surrounding land usage, to conserve property values in all zones, and to strengthen the economy of the Town. All signs hereinafter erected or maintained, except official, traffic, and street signs shall conform to the provisions of this Section.

##### A. Calculation of Sign Area

1. The sign area shall be the smallest area which encompasses all letters, designs, symbols, logos including the advertising surface. The sign area shall include any background material if such material is designed to be an integral part of the sign because of its texture, color or building material.
2. Only ½ of a double-faced or multi-faced sign shall be used in computing the total area of said double-faced or multi-faced sign.

##### B. Sign Construction

Signs shall be constructed of good material, firmly supported and maintained in good condition and repair.

##### C. Location

1. Excluding public safety signs and other municipal informational signs, no sign shall be erected within or overhang public rights-of-way, except that the Zoning Enforcement Officer may permit exceptions if the sign is installed behind the sidewalk or area where sidewalks would normally be built, and the sign does not overhang the traveled portion of the right-of-way
2. Signs shall be set back at least 15 feet from the edge of any paved roadway, or that portion of a road which is improved, designated or ordinarily intended for vehicular use, except that ingress and egress signs may be located on that portion of the applicant's property immediately adjacent to the road right-of-way.

##### D. Projection

Signs affixed flat or parallel to buildings or other structures shall not project more than 2 feet there from nor project beyond the side of the structure, and shall be located so that the highest part of the sign shall not extend above the highest portion of the main exterior wall nearest the street.

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### E. Dynamic Signs

No sign shall be of the type that moves or rotates mechanically or is illuminated by a light source which visibly flashes, oscillates, pulsates, or otherwise automatically changes in intensity or color except for a traditional red/white/blue rotating barber pole located at a permitted barbershop. (For the purposes of this paragraph, LED signs are not to be considered dynamic signs and are permitted.)

### F. Interference with Traffic

No sign or sign structure shall be permitted at any location where it could interfere with, obstruct the view of traffic or be confused with any authorized traffic sign, signal or device.

### G. Obstruction of Egress

No sign shall be erected or located so that it could prevent free ingress or egress from any window, door or fire escape.

### H. Obstruction of Light or Air

No sign shall be placed in such a position that it could obscure light or air from a building.

### I. Off-Premise Signs

No sign shall advertise or refer to an activity, use, structure or business which does not take place, or which is not located, on the same lot as the sign without prior approval of the Zoning Enforcement Officer. The Zoning Enforcement Officer may allow up to 2 off-premise signs not larger than 6 square feet each which shall meet the following standards:

1. An off-premise sign shall not be located within any residential zone or on a property having a residential use.
2. There shall be a maximum of one (1) off-premise sign on any non-residential zoned property.
3. All off-premise signs shall be located within 2,640 linear feet (1/2 mile) from the closest property line of the off-premise use.
4. A second off-premise sign for the same business use shall be installed no closer than 500 feet from the first off-premise sign.
5. Off-premise signs shall not be illuminated.
6. Off-premise signs located within the Town Center Village District require TCVD Consultant review.
7. Off-premise signage for a home occupation is prohibited.
8. Off-premise signs, whether freestanding or installed on a building, shall not exceed ten (10) feet in height measured from grade.

### J. Temporary Signs

Non-illuminated temporary signs up to 20 square feet in area which pertain to the sale or lease of the premise where displayed, or construction under way, are permitted in Business and Industrial Zones. Such signs shall be removed when the premises is sold, rented or constructed.

### K. Directory Signs

1. Directory signs are intended to direct attention to the various uses within a shopping center or industrial park or to non-residential land uses constructed or offered at a different location on the shopping center site or industrial park.

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2. Directory signs may display a horizontal panel area not to exceed 4 square feet for each land use. Maximum height shall be 12 feet; maximum width shall be 8 feet.

### L. Window Signs

1. Window Signs are permitted in conjunction with commercial establishments.
2. Within the Town Center Village District, such signs shall not exceed more than 20% of the total window area.

### M. Sign Illumination

No flashing, intermittent, or intensity variations of light are permitted. Signs when externally illuminated shall provide that the source of light is shielded from the road and adjacent properties.

### N. Pennants, Flags and Banners

Pennants, flags and banners made of cloth, aluminum or plastic shall not be allowed. This provision does not apply to the display of national or state flags, nor does it apply to the display of flags or banners by a church, club, campaigns, drives, movement or event, providing such flags or banners are not displayed for more than 6 weeks and are removed within 30 days after such event, nor to flags and banners used for the grand opening of a commercial business when displayed for not more than 30 days from issuance of a Certificate of Zoning Compliance, nor to a single flag to indicate that a commercial establishment is opened for business. Pennants are expressly prohibited.

### O. Temporary Off-Premises Signs

Temporary off-premises signs of non-profit organizations may be erected listing the name of the organization, the time and place of meeting or event and other pertinent information and shall be removed within 10 days after the meeting or event.

### P. Non-conforming Signs – See Section 3.12.6.D

## 8.4.3 Portable Signs

### A. Purpose

The purpose of portable signs is to aid in the promotion of economic development by allowing businesses to use portable signs in order to advertise, on a daily basis, their products and services.

### B. Standards

The following standards are based upon vehicle speed limits, pedestrian traffic and the characteristics of the B-1, B-2 and B-3 zones.

#### 1. Size and Height

Calculation of sign area shall include the extreme limits of the actual copy area, as well as all structural and framing elements. Only one face of a double-faced or multi-faced sign shall be used when computing total sign area.

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Zone	Maximum. Square Feet	Maximum Height
B-1 & B-2	12	4'
B-3	6	3'

### 2. Number Permitted

Portable signs shall be allowed in addition to maximum allowable square footage requirements for permanent signs. There shall be allowed one sign per business.

### 3. Location

- a. Portable signs shall be placed on the property on which the business is located, unless as specified in paragraph c) below.
- b. Portable signs shall be set back at least 15 feet from the edge of any paved roadway. Any portable sign located within the State of Connecticut right-of-way may need a Department of Transportation permit. Portable signs within the Town Center Village District Overlay Zone may be located closer to the edge of the paved roadway, as long as they do not encroach upon the public sidewalk.
- c. In the case of plazas with multiple tenants, portable signs shall be permitted immediately in front of the store where the business is located, and shall not be placed along the front of the property as specified in paragraph b) above. Not more than 2 tenant signs shall be displayed simultaneously.
- d. Portable signs shall be placed so as not to obstruct vehicle access/egress, sight lines or pedestrian traffic.
- e. Portable signs shall not be placed on sidewalks so as to obstruct pedestrian traffic or within parking lots or driveways.

### 4. Illumination/Movement

Portable signs shall not be internally or externally illuminated. No portable sign shall be of the type that moves or rotates mechanically or visibly flashes, oscillates, pulsates, or otherwise automatically changes in intensity or color.

### 5. Sign Construction

All portable signs shall be constructed of a firm and rigid material and shall be maintained in good condition and repair.

### 6. Permits

Zoning Permits shall not be required for portable signs.

### 7. Enforcement

The Zoning Enforcement Officer may order the removal of any signs that are not maintained or erected in accordance with the provisions of this Section.

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### 8.4.4 Exceptions

#### A. Public Signs

Signs of a non-commercial nature and in the public interest erected by, or on the order of, a public officer in the performance of public duty, such as safety signs, danger signs, trespassing signs, memorial plaques, signs of historical interest and the like.

#### B. Integral Signs

Names of buildings, dates of erection, monumental citations, commemorative tablets and the like when carved into stone, concrete or similar material or made of bronze, aluminum or other permanent type construction and made an integral part of the structure.

#### C. Regulatory Signs

No trespassing, no hunting or similar signs indicating the private nature of a premise. Such signs shall be no larger than 2 square feet in area. No limitation is placed on the number of such signs on a premise and such signs shall be exempted from the calculation of maximum sign area.

#### D. Private Direction Signs

Signs directing traffic movement onto a premise or within a premises, not exceeding 3 square feet in area for each sign. Horizontal directional signs on and flush with paved areas are exempt from these standards.



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8.4.5 Sign Standards

Table 8.4.5A – Signs in Residential Zones				
Type of Sign	Max. Area	Max. Height	Permit Required	Additional Requirements
Real Estate Sign	10 sq. ft.	8 feet	No	Only 1 such sign is permitted along any given street frontage where that frontage shall be less than 200 feet. Otherwise 2 signs are permitted.  All such signs shall be removed within 7 days following actual sale or lease of property.  Shall advertise only the premises
Home Occupation Sign	2 sq. ft.	4 feet	No	Shall not be illuminated
Subdivision Entrance Sign or Multi Dwelling Development	24 sq. ft.	5 feet	Yes	Shall not be illuminated
Name Plate Sign	2 sq. ft.	N/A	No	Shall not be illuminated
Special Permit Uses	24 sq. ft.	5 feet	Yes	May be double facing May be externally illuminated
	12 sq. ft.	10 feet		

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<b>Table 8.4.5B Signs in Business and Industrial Zones</b>				
<b>Use/Zone</b>	<b>Number Permitted</b>	<b>Maximum Area</b>	<b>Location</b>	<b>Illumination</b>
B-1	1 per business	1.5 sq. ft. per 1 foot of building frontage on street, up to 100 sq. ft. maximum <sup>1</sup>	On building	external/internal
B-1 and B-2	1	24 sq. ft.	Free standing <sup>2</sup>	external/internal
B-2 and B-3	1 per business	2 sq. ft. per 1 foot of building frontage on street up to 200 sq. ft. maximum <sup>1</sup>	On building	external/internal <sup>4</sup>
B-3	1	16 sq. ft.	Free standing <sup>3</sup>	external
I, RI, and IP	1 per business	2 sq. ft. per 1 foot of building frontage on street, up to 300 sq. ft. maximum <sup>1</sup>	On building	external/internal
I, RI, and IP	1	24 sq. ft.	Free standing <sup>2</sup>	external/internal
Farms, outdoor recreational facilities, country clubs, fairgrounds and flood plain users	1 per business	24 sq. ft.	Freestanding <sup>2</sup> or on building	external/internal
<sup>1</sup> Only 1 side of the principal structure shall be used to compute maximum sign size. <sup>2</sup> For each free-standing sign, use 24 sq. ft. if 8 feet or less in height; 12 sq. ft. if higher than 8 feet with maximum height of 10 feet. <sup>3</sup> For each free-standing sign, use 16 sq. ft. if 8 feet or less in height; 12 sq. ft. if higher than 8 feet with maximum height of 10 feet. <sup>4</sup> The only signs with internal illumination allowed in the B-3 Zone are neon signs located on the interior of a window and in compliance with Section 8.4.2.L.2.				

## ARTICLE 8: SITE DEVELOPMENT REGULATIONS

### Section 8.5 Soil Erosion and Sediment Control Regulations

#### 8.5.1 General

A soil erosion and sediment control plan shall be submitted with any application for development when the disturbed area of such development totals more than one-half acre. Only a single-family dwelling that is not a part of a subdivision of land shall be exempt from the submission of a soil erosion and sediment control plan.

#### 8.5.2 Eligibility for Certification

To be eligible for certification, a soil erosion and sediment control plan shall contain provisions to adequately control accelerated erosion and sedimentation and reduce the danger from storm water runoff on the proposed site based on the best available technology. Such principles, methods and practices necessary for certification are found in the 2002 Connecticut Guidelines for Erosion and Sediment Control as amended. Alternative principles, methods and practices may be used with prior approval of the Commission.

#### 8.5.3 Site Plan Requirements

- A. In addition to the requirements of Section 10.5 Site Plan Standards and Procedures, Site Plans shall contain:
1. A narrative describing:
    - a. the development;
    - b. the schedule for grading and construction activities including:
      - i. start and completion dates;
      - ii. sequence of grading and construction activities;
      - iii. sequence for installation and/or application of soil;
      - iv. erosion and sediment control measures; and
      - v. sequence for final stabilization of the project site.
    - c. the design criteria for proposed soil erosion and sediment control measures;
    - d. the construction details for proposed soil erosion and sediment control measures;
    - e. the installation and/or application procedures for proposed soil erosion and sediment control measures; and
    - f. the operation and maintenance program for proposed soil erosion and sediment control measures.
  2. The Site Plan shall also contain:
    - a. the following Certification language:

## ARTICLE 8: SITE DEVELOPMENT REGULATIONS

"The Planning and Zoning Commission of Portland, Connecticut certifies that the Soil Erosion and Sedimentation Control Plan complies with the requirements of the Town or Portland Regulations and the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended."

Signature:

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(Commission Chairman)

Date of Approval

- b. The location and design details for all proposed erosion and sedimentation control measures and storm water management facilities;
- c. the sequence of grading and construction activities;
- d. the sequence for the installation and/or application of erosion and sediment control measures;
- e. the sequence for final site stabilization measures;
- f. the stamp and/or signature of a registered engineer, landscape architect or certified soil scientist and shall contain the following verification signature block:

"I hereby certify that this plan is in compliance with the Town of Portland Soil Erosion and Sedimentation Control Regulations and the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended.

Signature:

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(Name)

(Certification Number)

- g. Any other information deemed necessary and appropriate by the Commission or its designated agent.

### 8.5.4 Minimum Acceptable Standards

Plans for soil erosion and sediment control shall be developed in accordance with these Regulations using the principles as outlined in the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended. Soil erosion and sediment control plans shall result in a development that:

1. Minimizes erosion and sedimentation during construction;
2. Is stabilized and protected from erosion when completed; and
3. Does not cause off-site erosion and/or sedimentation.

### 8.5.5 Exceptions

The minimum standards for individual measures are those in the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended. The Commission may grant exceptions when requested by the applicant if technically sound reasons are presented.

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### 8.5.6 Certify/Deny Erosion and Sediment Control Plans

When referrals to the Regional Planning Agency or the Connecticut River Conservation Zone are required, additional copies of plans shall be submitted.

### 8.5.7 Conditions

- A. The estimated cost of measures required to control soil erosion and sedimentation shall be covered in a separate E&S bond in accordance with the provisions specified under Section 11.2 Bonds of the Portland Zoning Regulations. An E&S bond for site restoration may be required if deemed necessary by the Town Engineer or the Commission.
- B. Zoning permits shall not be issued for construction on the site until:
  - 1. The erosion and sediment control plan is certified by the Planning and Zoning Commission or its agent.
  - 2. The specified control measures, as outlined in the plan, are installed properly.
  - 3. The required bond is posted with the Planning Department, Building Department or Public Works Department, as applicable.
  - 4. All required fees have been paid.

### 8.5.8 Inspection

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

### 8.5.9 Enforcement

Enforcement of the Soil Erosion and Sediment Control Regulations shall be the responsibility of the Planning and Zoning Commission or its designated agent. Failure to properly install and/or maintain any erosion and sediment control measure may result in the issuance of a stop work order until the problem is satisfactorily corrected.

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### **Section 8.6 Storm Water Management**

- A. All development shall provide for the proper design and construction of storm water management systems including, but not limited to, the interception and conveyance of surface runoff to an acceptable discharge point.
- B. Surface, subsurface, and roof drainage systems shall not be discharged onto or across sidewalks, parking areas, loading areas, driveways, or roadways.
- C. When required by the Commission, storm water runoff control measures shall be incorporated into the design to attenuate the increase in peak discharge resulting from the development.
- D. Storm water management systems shall be visually compatible with the surrounding landscape.
- E. All stormwater management systems shall be maintained by the owners so that they do not become nuisances. A Plan of Operation and Management, including requirements for inspection, operation and maintenance, shall be prepared by the owners to ensure that all components function properly. Such plan shall be included as part of the application for any proposed development.
- F. Design criteria and construction standards shall conform to the applicable requirements outlined in Sections 90 and 100 in the Town of Portland “Regulations for Public Improvements.”