

Planning & Zoning Commission
Zoning Regulation
Revisions

The following revisions are to the April 1, 2018 Zoning Regulations received by the Town Clerk on January 11, 2019.

Zoning Regulation Text Amendment – Contractor’s Home Enterprise

Approved: June 4, 2019
Effective: July 1, 2019

- 19.3 Definitions
- 10.28 Supplementary Regulations
- 13.9 Parking Area Requirements

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TOWN OF LISBON

Anna Brocchi

Planning and Zoning Commission – Regulations Text Amendment

Effective Date: July 1, 2019

Approved: June 4, 2019

SECTION 19 – DEFINITIONS

19.3 Definitions

Contractor's Home Enterprise. Certain activities and facilities for contractors, when carried on as an accessory use to a residential dwelling or agricultural use, upon meeting the special criteria and standards of Section 10.28, inclusive, of these regulations. Those uses that are expressly prohibited are those in sections 2.3.4 and 10.5.12, and trucking, moving, hauling and express operations based on potential adverse impacts cited in the preamble of said section 2.3.4.

SECTION 4 – R-40, R-60 and R-80 RESIDENTIAL DISTRICTS

Section 4.2 Special Permits

4.2.22 Contractor's Home Enterprise per Section 10.28

SECTION 10 - SUPPLEMENTARY REGULATIONS

10.28 Contractor's Home Enterprise. The Commission may issue a special permit for a Contractor's Home Enterprise provided that the proposed uses meet the criteria and standards set forth in this section 10.28, as well as all other criteria applicable to the issuance of a special permit.

10.28.1 In order to avoid undue congestion and limit potential impacts to abutting property owners, a Contractor's Home Enterprise may only be approved upon properties having a minimum size of 35 acres, subject to setback and other requirements provided herein.

10.28.2 To ensure adequate vehicular access and allow for free flow of traffic, and to accommodate special traffic characteristics of the use, a Contractor's Home Enterprise may only be approved upon properties having frontage on an arterial classified road (State numbered routes) as per the recommended Lisbon road classifications in the Plan of Conservation and Development.

10.28.3 The Contractor's Home Enterprise must be co-located on the same property as a residential dwelling or agricultural use. Up to 500 square feet of a residential dwelling, or 25% of the dwelling's gross floor area, whichever is less, may be utilized for office. Nothing shall preclude the provision of up to 900 square feet of an eligible outbuilding from being used as office associated with the Contractor's Home Enterprise in lieu of space in the residential dwelling.

10.28.4 Only a maximum of two (2) accessory outbuildings may be utilized as part of the Contractor's Home Enterprise. Therefore up to two (2) existing accessory outbuildings may be utilized as part of the Contractor's Home Enterprise, provided such existing outbuildings are at least 75' (minimum) distant from a property line and 150' from any existing residential dwelling, including that which is on the same property, at the date of approval of the special permit. In the case of new outbuildings, no more than two (2) outbuildings that the total gross floor area of which do not exceed twice the maximum gross floor area

of the principal residential structure may be constructed and utilized as part of the Contractor's Home Enterprise, provided such proposed outbuildings are at least 100' (minimum) distant from any property line and 150' from any existing residential dwelling at the date of approval of the special permit. Any reconstructed or relocated residential dwelling, as the case may be, must also be located a minimum of 150' from outbuildings used as part of the Contractor's Home Enterprise. In cases where it is necessary to satisfy the special permit location criteria in sections 11.1.1 through 11.1.5, and 11.3 and 11.4, the commission may require greater separating distances and/or setbacks deemed necessary to protect the public health and welfare.

- 10.28.5 The Contractor's Home Enterprise activity shall be conducted by the full-time resident who is a record owner/member of the Contractor's Home Enterprise. Other than: (a) the full-time resident(s) of the dwelling; (b) other owner/members of the enterprise; and (c) not more than 5 office personnel, no employees shall be allowed to work on site. Loading/unloading of equipment, appliances and materials to/from business vehicles and occasional upkeep and maintenance of the facilities by employees of the enterprise are permissible.
- 10.28.6 There shall be no outdoor storage of products, appliances or raw materials associated with the Contractor's Home Enterprise. All products, appliances and materials shall be stored within buildings at all times and adequately shielded from public view.
- 10.28.7 There shall be no outdoor storage of equipment associated with the Contractor's Home Enterprise. All equipment shall be stored within buildings at all times and adequately shielded from public view. Examples of equipment that may be stored on-site as part of a Contractor's Home Enterprise may include, but is not limited to: skid steers; mini excavators; mowers; trimmers; blowers; lifts; lights; generators; forms; scaffolding; ladders; however, only equipment specifically associated with the home enterprise, disclosed during the special permit proceeding and authorized by the Commission as part of the application, shall be permitted as part of the home enterprise.
- 10.28.8 The parking/storage of one (1) contractor's construction or commercial vehicle or truck not to exceed 10,000 lb Gross Vehicle Weight (GVW) is permitted outside a building, provided it is screened from view. There shall be no other outdoor parking/storage of vehicles or trailers associated with the Contractor's Home Enterprise, except as permitted in section 10.28.9. All vehicles and trailers shall be registered with the Connecticut Department of Motor Vehicles, none of which shall exceed 26,000 lb GVW. Outdoor idling of vehicles shall not be permitted. Vehicles owned by the full-time resident(s) of the dwelling and used solely for residential purposes are not subject to this section.
- 10.28.9 If employees are reporting to the property and leaving their personal vehicles, all employee vehicles shall be parked in a manner and location that adequately screens them from public view. Notwithstanding the first sentence of section 14.2.1 a, the buffer and landscape modification requirements of Section 14.2.1, 2 shall apply to contractor home enterprise operations. The number of anticipated employee vehicles shall be disclosed, and a feasible location for their parking shall be demonstrated to the Commission during the Special Permit proceeding. No more than fifteen (15) parking spaces may be allowed on the site for use in conjunction with a Contractor's Home Enterprise. All applicable

parking and loading standards in Section 13 shall be met to assure proper supply, design and maintenance of parking areas.

- 10.28.10 There shall be no retail and/or wholesale sales of products or services allowed on the property, and there shall be no visits by customers and/or clients to the property.
- 10.28.11 There shall be no outdoor, exposed storage of recyclable materials or waste materials associated with the Contractor's Home Enterprise. Any such non-hazardous solid waste storage shall take place within a building, structure or individual container or dumpster. Containers or dumpsters shall be located on concrete pads and be designed to prevent the generation of contaminated runoff or leachate and be leak-tight with tight fitted lids and doors.
- 10.28.12 The Contractor's Home Enterprise activity shall not generate traffic detrimental to the character of the district and shall not adversely affect the capacity of adjacent streets to accommodate peak and average traffic volumes. All anticipated traffic trips and vehicle types shall be disclosed to the Commission during the Special Permit proceeding, and limitations on vehicle trips and vehicle types may be included as a condition on said Special Permit.
- 10.28.13 All deliveries of products and materials to the property shall be made by a single-unit (SU) type truck, not to exceed forty (40) feet in overall length and shall be scheduled between the hours of 7AM and 5PM, Monday through Friday. No deliveries shall be made outside of the herein stated hours, on weekends or on legal holidays. A maximum of five (5) deliveries shall be made on a weekly basis.
- 10.28.14 The applicant shall submit a written request to the Uncas Health District for comment on the compliance of the proposed use with all pertinent provisions of the Connecticut Public Health Code. A copy of such written request shall be submitted to the Commission as part of the Special Permit application.
- 10.28.15 The Contractor's Home Enterprise shall not result in objectionable noise, dust, smoke, odors, vibrations, obnoxious or unsightly conditions noticeable from off the premises, or interfere with radio or television reception.
- 10.28.16 Consistent with "Home Occupation and Bed and Breakfast" signs per section 15.8.4 of these Regulations, not more than one (1) identification sign identifying the Contractor's Home Enterprise, totaling not more than six (6) square feet, and having a height not greater than five (5) feet above ground, is permitted to be displayed. The intent of this sign shall be for property identification and way-finding only.

SECTION 13.9 PARKING AREA REQUIREMENTS

13.9.4.y Contractor's Home Enterprise. 1 space per employee on the maximum shift + 1 space per 300 sq. ft. of dedicated office area