

SECTION 3 DEFINITIONS

- 3.1 General: The words used in these Regulations shall have the meaning commonly attributed to them. Doubts as to their precise meaning shall be determined by the Commission in accordance with the purpose and intent of these Regulations.

Special Definitions: Certain words used in these Regulations are defined and explained as follows:

3.2 “A”

3.2.1 Access Strip: A wholly owned strip on which the driveway is constructed.

3.2.2 Accessory Apartment: A set of rooms fitted out especially with housekeeping facilities, used as a dwelling (for one family), and which is a subordinate use of the main use of the building.

3.2.4 Accessory Building: A building located on the same lot as a principal building and devoted or intended to be devoted to an accessory use. Any portion of a principal building devoted or intended to be devoted to an accessory use is not an accessory building.

3.2.5 Accessory Structure: A structure located on the same lot as a principal building or structure and devoted or intended to be devoted to an accessory use. Any portion of a principal structure devoted or intended to be devoted to an accessory use is not an accessory structure.

3.2.6 Accessory Use: A use of a lot, building or other structure which is subordinate to and customarily incidental to the principal use of such lot, building or other structure and which is conducted on the same lot as the principal use. (See also Section 26.)

3.2.7 Apartment Unit: One or more rooms with private bath and kitchen facilities comprising an independent self-contained dwelling unit in a building containing more than two dwelling units.

3.2.8 Area of Special Flood Hazard: The land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. (See Section 17 for related definitions.)

3.2.9 Assisted Living Facility: Housing or living arrangements for the elderly, infirm or disabled, in which housekeeping, meals and other assistance is available to residents as needed, but does not include nursing staff.

3.3 **“B”**

3.3.1 Bed and Breakfast: A room or rooms for overnight accommodation of visitors in a dwelling, including service of breakfast to such visitors, and the use is subject to the special standards in Section 10 of these Regulations.

3.3.2 Bedroom: A private room planned and intended for sleeping, separate from other rooms by a door and accessible to a bathroom without crossing another bedroom or living area.

3.3.3 Boarding Home for Sheltered Care: A profit or non-profit boarding or other home for the sheltered care of adult persons, which in addition to providing food and shelter to four or more persons unrelated to the proprietor, also provides any personal care or service beyond food, shelter and laundry.

3.3.4 Buffer: Land area, whether or not protected as conservation easement or deeded open space, to adequately, as determined by the Commission, visually and physically separate one (1) use from another or from a boundary line or to block noise, lights or other nuisances, generally through the use of landscaping, structures, and/or vegetation, unless buffer is otherwise specifically defined.

3.3.5 Building: A roofed structure, whether or not permanently affixed to the ground, whether by foundation or other anchors, and which is used or intended for the shelter, support or enclosure of persons, animals or property of any kind.

3.3.6 Building Coverage: The percentage of the lot area that is covered by the maximum horizontal cross section of a building or other buildings, together with all covered porches and other roofed portions. Structures which are completely below the finished lot grade, including shelters for nuclear fallout, but excluding swimming pools, shall not be included in building coverage.

3.3.7 Building Footprint: See “Footprint”.

3.3.8 Building Height: The vertical distance from the average finished grade within ten feet (10') of the walls of the building to the highest point of flat or mansard roofs, including the top of a parapet, or to the mean level between eaves and ridge for gable, hip or gambrel roofs. In R-10

and R-15 zones south of Route 1, the maximum height as defined as above, shall be measured within ten feet (10') of the walls of the building shall be thirty-five feet (35') from the existing grade shown on the March 16, 1987 Town of Clinton Topographic Survey, located in the Office of the Zoning Enforcement Office.

3.3.9 Building Line: A line parallel to a street at a distance equal to the front setback line set forth in the Schedules, or at a greater distance when required by the Commission.

3.4 "C"

3.4.1 Camp: An area of one (1) acre or more, with temporary or permanent structures designed or used to accommodate ten (10) or more individuals for educational, recreational, political, charitable or social uses. (Does not include public parks.)

3.4.2 Camper and Camp Trailers: Any recreational vehicle primarily equipped, designed or converted as a temporary dwelling for camping, recreational and vacation uses. Such vehicle shall be eligible for registration, licensing and insuring for general use on the public highways. This definition shall include reference to travel trailer, pickup camper, motorized camper or tent trailer.

3.4.3 CGS: Connecticut General Statutes.

3.4.4 Clinic: An establishment where patients are admitted for examination and treatment by one or more physicians, dentists, psychologists or social workers and where patients are not usually lodged overnight.

3.4.5 Club: A non-profit association or membership corporation whose object is the health and recreation of its members and which restricts the use of its premises, building or other facilities to its members and bona fide guests.

3.4.6 Commission: Clinton Planning and Zoning Commission

3.4.7 Congregate Housing: A dwelling providing shelter and services for the elderly that may include meals, housekeeping, and personal care assistance.

3.4.8 Corner Lot: A lot having lot lines formed by the intersection of two streets, whether public or private, and where the interior angle of intersection is one hundred thirty-five degrees (135°) or less.

3.5 “D”

- 3.5.1 Dwelling: A building containing one or more dwelling units. The residential building, together with no more than one (1) accessory building may be considered to constitute a single dwelling if designated for occupancy, and so occupied by members of the same family.
- (a) Dwelling, Single-Family: A building having only one (1) dwelling unit.
 - (b) Dwelling, Two-Family: A building having two (2) independent dwelling units.
 - (c) Dwelling, Multiple Unit: A building containing three (3) or more independent dwelling units.
 - (d) Dwelling Unit: A dwelling, or part of a dwelling, which includes both kitchen and bathroom, occupied or intended to be occupied by one family for residential purposes, with independent outside access. Accommodations for transient lodging in a hotel or motel shall not be considered a dwelling unit.

3.6 “E”

- 3.6.1 Efficiency Unit: A dwelling unit consisting of not more than one habitable room together with kitchen or kitchenette and sanitary facilities.
- 3.6.2 Elderly Housing: Housing that is designed, intended and operated for older persons where at least 80% of the occupied units are occupied by at least one person who is fifty-five (55) years of age or older provided that all permanent residents are over the age of twenty-one (21); where the housing facility or community publishes and adheres to policies and procedures that demonstrate the intent too operate as housing for older persons; and complies with rules issued by the U.S. Secretary of Housing and Urban Development for verification of occupancy. Age restrictions must be included in the property deeds.
- 3.6.3 Extended Care Facility: A long-term care facility or a distinct part of a facility licensed or approved as a nursing home or a governmental medical unit.

3.7 “F”

- 3.7.1 Family: One (1) or more persons related by blood or marriage or a group of not more than five (5) persons who need not be related, plus

domestic servants, who are living together as a single housekeeping unit and maintaining a common household. A roomer or boarder shall not be considered a member of a family for the purpose of this definition.

3.7.2 Farm: A lot or lots of contiguous land containing at least three (3) acres on which the land and buildings are devoted to farming and such other uses as are accessory thereto and may include adjacent pastures, wooded land, natural drainage access and other open space.

3.7.3 Farm Stands: A booth or stall located on a farm from which produce and farm products are sold to the general public.

3.7.4 Farming: The cultivation of land for the growing of vegetables, grains, trees, herbs, fruit or horticulture or the raising of livestock, poultry, or bees or the producing of milk, commercial floriculture or other similar pursuits, as determined by the Commission, excluding commercial piggeries, livery stables and the raising of fur-bearing animals for their pelts.

3.7.5 Floor Area: The sum of the gross horizontal areas of the several stories of a building or other structure measured from the exterior faces of the exterior walls or from the center line of party walls, excluding garages, terraces, bay windows, utility rooms for heating apparatus, earth floor cellars, attics, open porches, unheated enclosed porches and other horizontal areas not accessible by a permanent inside stairway.

3.7.6 Footprint (also known as Building Footprint): The total horizontal projected surface of a building, measured from the outside of the exterior walls, together with the area of all attached covered or roofed areas, including canopies, arcades, porches and covered storage areas, but excluding uncovered steps, porches and terraces.

3.8 "G"

3.8.1 Greenhouse: A building whose roof and sides are made largely of glass and other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of plants, vegetables, flowers and similar materials are grown for personal enjoyment.

3.8.2 Greenhouse, Commercial: A structure in which plants, vegetables, flowers and similar materials are grown for sale.

3.8.3 Guest Unit: A room providing sleeping accommodations within a bed and breakfast, hotel or motel, typically for double occupancy.

3.9 “H”

3.9.1 Home Occupation: Business or professional offices and home industries or service occupations which are carried on within the walls of a dwelling or existing accessory building, which use is clearly incidental and secondary to the use of the building for dwelling purposes and does not change the character or appearance thereof or have an adverse impact on surrounding properties. Such use shall be in conformance with the standards established in Section 26 of these Regulations.

3.9.2 Hotel: A building designed as the more or less temporary abiding place for more than twelve (12) persons or providing six (6) or more sleeping rooms in which lodging is provided for compensation with or without meals.

3.9.3 Hospital: An institution providing health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including, as an integral part of the institution, related facilities such as laboratories, outpatient facilities or training facilities.

3.10 “I”

3.10.1 Impervious Surface: Any material which reduces and prevents absorption of stormwater into previously undeveloped land.

3.10.2 Improvements: See Work.

3.10.3 Inland Wetlands: “Land, including submerged land, not regulated pursuant to Section 22a-28 to 22a-35, inclusive, which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial, and flood plain, by the National Cooperative Soils Survey, as may be amended from time to time, of the Soil Conservation Service of the United States Department of Agriculture;” (CGS Section 22a-38(15)).

3.10.4 Intermediate Care Facility: A facility which provides, on a regular basis, health-related care and services to individuals who do not require the degree of care and treatment which a hospital or skilled nursing facility is designated to provide, but who, because of their mental or physical condition, require care and services (above room and board) which

can be made available to them only through institutional facilities such as these.

3.11 “J”

3.12 “K”

3.12.1 Kennel, Commercial: Any kennel maintained as a business for boarding or grooming of cats and dogs as defined in C.G.S. Section 22-327.

3.13 “L”

3.13.1 Lawfully Existing: Existing or operating in fact and not merely contemplated, as of the date of adoption of the Clinton Zoning Regulations or Subdivision Regulations, or, if rendered non-conforming pursuant to any amendment of the foregoing Regulations, existing or operating in fact on the date of adoption of such amendment.

3.13.2 Leasing of Rooms: The leasing of rooms in a dwelling shall not be construed to include the provision of cooking facilities for such rooms but may include table board or sharing of the cooking facilities of the dwelling.

3.13.3 Livestock: Domestic animals such as horses, sheep, cattle and poultry, kept for use or profit excluding mink, fox, and other animals raised for their pelts.

3.13.4 Long-Term Care Facility: An institution or a distinct part of an institution which is licensed or approved to provide health care under medical supervision for 24 or more consecutive hours to two or more patients who are not related to the governing authority or its members by marriage, blood or adoption.

3.13.5 Lot:

- (a) A parcel of land meeting the requirements of these Regulations (Effective as of June 15, 1965 or as amended)
- (b) A parcel of land which is owned separately from any adjoining lot or lots as evidenced by deed or deeds recorded in the Clinton Land Records of the Town of Clinton, or
- (c) A building lot shown on a subdivision map approved by the Commission and recorded in the Clinton Land Records.

3.13.6 Lot Lines:

- (a) Front: All dividing lines between a street and a lot shall be considered front lines, except that on a corner lot the front line shall be the street lines.
- (b) Side: The lines bounding a lot which extend from the street toward the rear in a direction approximately perpendicular to the street.
- (c) Rear: The line bounding a lot which is neither a front nor a side line. On a corner lot there shall be no rear line.

3.13.7 Lot Line Revision: Relocation of a boundary line so as not to create a building lot which was not previously approved by the Commission. Lots so modified must receive approval for Zoning Compliance from the ZEO.

3.14 “M”

3.14.1 Maximum Ground Coverage: The percent of total lot area that may be covered by buildings, outside storage areas, decks measuring under six feet (6') in height from the ground to the top of the deck, parking and other paved areas. For business, marine, and industrial zones, to be calculated as a percentage of lot area net of inland wetlands, tidal wetland, and watercourses.

3.14.2 Marina: A dock or basin providing secure moorings for waterborne vessels and often offering supplies, repair and other facilities.

3.14.3 Marine Facility: A dock, wharf, slip, basin or similar landing facility for waterborne vessels and/or open yard for the building, storing, repairing or servicing of such vessels, together with any accessory buildings or other structures necessary for the operation of the foregoing.

3.14.4 Mobile Home (Trailer): A vehicular portable structure built to be moved on wheels and designed for living accommodations, principally of a permanent nature, and shall be so considered whether or not it is actually on wheels.

3.14.5 Motel: A building or group of buildings intended for use on a temporary or transient basis containing one or more guest rooms having separate outside entrances for each such room or suite of rooms and for each of which rooms or suites of rooms, motor vehicle parking space is provided on the premises. “Motel” shall also include “Motor Hotel”,

“Tourist Court”, and may include a common eating facility and/or other public facilities such as meeting rooms.

3.15 “N”

3.15.1 Non-Conformity: A non-conforming use, lot, building or other structure which lawfully existed on (as defined above) the date of adoption of these Regulations or any amendment thereto and which fails to conform to one or more of the requirements of these Regulations. (See also Section 27).

(a) Non-Conforming Building: A building or structure which contains a permitted use, but does not meet the setback, height, floor area, projection or story requirements of these Regulations for the District in which it is located.

(b) Non-Conforming Lot: A lot which does not comply with the requirements of these Regulations, or any amendment thereto, as to area, shape and/or frontage and which, on June 15, 1965, or the effective date of any amendment to these Regulation if rendered non-conforming thereby, was owned separately from any contiguous parcel as evidenced by deed or deeds recorded in the Clinton Land Records.

(c) Non-Conforming Use: The use of a lot, building or structure which does not conform to the requirements of these Regulations for the District in which such use is made.

3.15.2 Nursing Home: An extended or intermediate care facility licensed or approved to provide full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.

3.15.3 Nursery: Any place where hardy trees, shrubs and vines are propagated or grown out of doors for commercial purposes. Such stock shall be regarded as “nursery stock”.

3.16 “O”

3.17 “P”

3.17.1 Pavement: 1) Brick, stone, concrete or asphalt placed on the surface of the land; 2) That part of a street having an improved surface.

3.17.2 Personal Services: Establishments primarily engaged in providing services involving the care of a person or his or her apparel, including

but not limited to cleaning services, garment pressing, linen supply, diaper service, photographic studios, beauty shops, barber shops, shoe repair, hat cleaning, funeral services, steam baths, reducing salons and health clubs, clothing rental, etc.

3.17.3 Principal Activity: A use accounting for more than twenty percent (20%) of a business' stock in trade, display space, or floor space or movie display time per month.

3.17.4 Professional Office: An office of recognized professions with or without staff, including, but not limited to doctors, dentists, lawyers, architects, engineers, planners, landscape architects, artists, musicians, designers, teachers, and other similar professions which are qualified to perform services of a professional nature.

3.17.5 Projection: Any structure attached to a principal or accessory building and extending beyond the face of a building foundation wall, including roofs, cornices, chimneys, bay windows, shading devices, areaways, balconies, fire escapes, outside stairways, steps and open porches. (See Section 25).

3.18 "Q"

3.19 "R"

3.19.1 Rest Home: See Nursing Home.

3.19.2 Restaurant: An establishment where food and drink is prepared, served and consumed primarily within the principle building.

3.19.3 Restaurant, Carry-out: An establishment which by design of physical facilities or by service or packaging procedures permits or encourages the purchase of prepared ready-to-eat foods intended primarily to be consumed off the premises, and where the consumption of food in motor vehicles on the premises is not permitted.

3.19.4 Restaurant, Fast-food: An establishment whose principle business is the sale of pre-prepared or rapidly prepared food directly to the customer in a ready-to-consume state for consumption within the restaurant building or off premises.

3.19.5 Retaining Wall: A structure constructed to hold back or support an earthen bank.

3.20 "S"

- 3.20.1 Sanatorium: A hospital used for treating chronic and usually long-term illnesses.
- 3.20.2 Satellite Dish Antenna: A device incorporating a reflective surface that is solid, open mesh, or bar configured and is in the shape of a shallow dish, cone, horn, or cornucopia. Such device shall be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based uses. This definition is meant to include but not be limited to what are commonly referred to as satellite earth stations, TVROs and satellite microwave antennas. For the purposes of these Regulations a satellite dish shall be considered a structure and an accessory use and shall be subject to the setback standards of Section 8 of the district in which it is located.
- 3.20.3 Setbacks: The distance that buildings and/or structures are set back from front, rear or side property lines.
- 3.20.4 Skateboard Park: A building, structure or open area containing or developed with slopes, hills, passageways and other challenges where people using skateboards may practice the sport.
- 3.20.5 Story: That portion of a building between the surface of any floor and the surface of the floor, ceiling or roof next above. Attics not designed or arranged for human occupancy shall not be considered a story. When the ceiling of a basement or cellar is five feet or more above the average ground level within ten feet (10') of the building or other structure, the basement or cellar shall be considered a story.
- 3.20.6 Street: The term "street" shall include "road" and shall be any street accepted by the Town of Clinton, any State Highway except a limited access State Highway, or any street shown on a Record Subdivision Map approved by the Commission and recorded in the Clinton Land Records.
- 3.20.7 Street Line: The right-of-way easement or taking line of any public or private street, except limited access State Highway, or of any easement of access or private right-of-way twenty-five feet (25') or more in width.
- 3.20.8 Streetscape Rendering: A drawing of the proposed project with the primary visual focus of the site being the view of the building drawn in perspective as seen from the street. The drawing, at a minimum vertical scale of 1" = 10' at the nearest point, shall be sufficient to provide the Commission with a ready comparison of the scale of the new building(s) with the existing structures on the lot and adjacent lots.

3.20.9 Structure: Anything constructed or erected, including a dwelling, which is placed on a lot, or anything attached to something having a permanent location on or beneath the ground, including swimming pools and retaining walls greater than three feet (3') in height, but excluding walls or fences less than six feet (6') in height.

3.20.10 Swimming Pool: A swimming pool, above-ground or below-ground, with a gross water surface area of greater than eighty square feet (80 sq. ft.), or a depth at any point of twenty-four inches (24") or more of water, shall, for the purposes of these Regulations, be considered a structure and an accessory use and shall be subject to the setback standards of Section 8 for the District in which such swimming pool is located. (See also Section 26: Accessory Uses.)

3.21 "T"

3.21.1 Temporary Structure: A structure that is not permanently affixed to the property, including membrane structures which include, but are not limited to, hoop houses and tents. Temporary structures shall be permitted for a period of time not to exceed 60 days from the date of issuance of a building permit. Structures which are not permanently affixed but which are to remain more than 60 days are considered permanent.

3.21.2 Tidal Wetlands: Those areas which border on or lie beneath tidal waters, such as, but not limited to banks, bogs, salt marshes, swamps, meadows, flats or other low lands subject to tidal waters, and whose surface is at or below an elevation of one foot above local extreme high water; and upon which may grow or be capable of growing some, but not all, of those specific plant species listed in CGS Section 22a-29(2), as may be amended.

3.21.3 Travel Trailer/Camper: See "Camper and Camp Trailers"

3.21.4 Towers, Communication: A structure erected and used for the receipt, relay or transmission of communications signals which may include a control building required for the facility. See Section 10 for further definitions pertinent to communication towers.

3.21.5 Towers, Wind Generators: A structure erected and used for the generation of electricity by means of a windmill, which may include a control building required for the facility.

3.21.6 Trailer Park or Mobile Home Park: Any lot on which two or more "trailers" or "mobile homes" are parked for use as living quarters.

3.22 “U”

3.23 “V”

3.24 “W”

3.24.1 Wetlands (Inland): See “Inland Wetlands”.

3.24.2 Wetlands (Tidal): See “Tidal Wetlands”.

3.24.3 Water Courses: “Rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs and all other bodies of water, natural or artificial, public or private, which are contained within, flow through or border upon this state or any portion thereof, not regulated pursuant to Sections 22a-28 to 22a-35, inclusive. (CGS Section 22a-38(16)).

3.24.4 Work, or Improvement(s): All physical improvements required by an approved Site Plan or Special Exception, and includes but is not limited to, the construction of roads or driveways, storm drainage facilities, and water and sewer lines, installation of telephone and electric services, planting of trees or other landscaping and installation of retaining walls or other structures. “Improvements” and “work” are used interchangeably in these Regulations.

3.25 X

3.26 Y

3.27 Z

2.27.1 ZEO: Zoning Enforcement Officer.