

Section 8.0 Use of Terms**A**

For the purposes of these Regulations, the following terms, phrases, words, and their derivations shall have the meaning defined in this Section of these Regulations, unless otherwise clearly qualified by the context. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural.

Article II contains regulatory language that is integral to these Regulations. Those terms not defined in Article II shall be accorded their common accepted meanings (See Section 2.2). In the event of conflicts between these definitions and those of the Existing Local Codes, these Regulations shall take precedence. Where in conflict, numerical metrics shall take precedence over graphic metrics.

Section 8.1 Specific Terms

In the interpretation and enforcement of these Regulations, certain words contained herein shall be interpreted as follows:

- a. The word “shall” is always mandatory.
- b. The word “should” is recommended.
- c. The word “may” is optional.
- d. The words “occupied” or “used” include the words “designed, arranged or intended to be occupied or used”.
- e. The words “zone”, “zoning district”, and “district” have the same meaning.
- f. The word “person” also includes a partnership, association, trust, corporation or other legal entity.
- g. The word “lot” includes the words “plot” or “parcel”.
- h. The words “arranged,” “intended,” “designated,” “used”, and “occupied” shall be synonymous in these Regulations.

Section 8.2 Undefined Terms

In the interpretation and enforcement of these Regulations, the Commission after consulting one or more of the following shall interpret words not defined in this Article:

- a. The State Building Code, as amended;
- b. The Connecticut General Statutes, as amended;
- c. The Illustrated Book of Development Definitions (Rutgers University, Center for Urban Policy Research (Piscataway, NJ), as amended;
- d. Black’s Law Dictionary; and
- e. A comprehensive general dictionary

Section 8.3 Defined Terms**A****A**

A-2 Survey:

A-2 / T-2 Survey:

A-Frame Sign: A portable, self-supporting, double-faced sign on any upright, rigid supporting frame in the form of a triangle or an inverted V.

Abut: To physically touch or border upon; or to share a common property line;

Accessory Structure: A structure detached from a principal building located on the same lot and customarily incidental and subordinate to the principal building or use.

Accessory Unit: An apartment not greater than 600 square feet sharing ownership and utility connections with a principal building.

Acre, (Zoning): 40,000 square feet.

Advertising Sign: A sign for the display of advertisements of a business, product, service or activity not conducted, sold, or offered on the premises where such advertising sign is located.

Adult Day Care: An establishment having facilities and all necessary personnel for the care, guidance and/or supervision of adults on a regular basis for a part of the 24 hours in one or more days of the week.

Adult-Oriented Establishment: See Section 6.4 Definitions.

Agriculture: The business, science and art of cultivating and managing the soil, growing, harvesting and selling sod, crops and livestock and the products of forestry, horticulture and hydroponics; breeding or raising livestock, **poultry, fish, game and fur-bearing animals**, dairying, beekeeping and similar activities.

Allee: A regularly spaced and aligned row of trees usually planted along a thoroughfare or path.

Alley: A service way providing a secondary means of public access to abutting property and not intended for general traffic circulation.

Animal Day Care: A commercial service for the care of dogs or other household pets for periods of less than 24 consecutive hours.

Animal Grooming Establishment: An establishment in which dogs and cats are bathed and groomed. The animals are not boarded overnight.

Animated, Flashing or Moving Sign: Any sign or source of light or part thereof that flashes, rotates, moves, or in any way simulates motion, exclusive of any portion used for relating time and temperature information.

Apartment: A residential unit sharing a building and a lot with other units and/or uses; it may be for rent, or for sale as a condominium.

Apartment, Accessory: A dwelling unit that is an integral part of a principal one-family dwelling but subordinate in terms of size and location.

Applicant: An individual, firm, association, syndicate, partnership, corporation or the official agent thereof having recorded title to the land or building, or sufficient proprietary interest to seek development or use of the premises.

Aquifer Protection Regulations: See separate Aquifer Protection Regulations

Arcade: A private frontage conventional for retail use wherein the façade is a colonnade supporting habitable space that overlaps the sidewalk, while the façade at sidewalk level remains at the frontage line.

Arcade Frontage: A building that overlaps the sidewalk such that the first floor facade is a colonnade. The arcade frontage designation may be combined with a shopfront designation.

Area of Special Flood Hazard: The land in the flood plain within a community subject to a 1% or greater change of flooding in any given year.

As Built: See Improvement Location Survey

Assisted Living Services: Nursing services and assistance with activities of daily living provided to clients living within a managed residential community having supportive services that encourage clients primarily age 55 or older to maintain a maximum level of independence. Assisted Living Services are provided by Assisted Living Services Agencies, licensed by the State of Connecticut.

Attic: The interior part of a building contained within its roof structure.

Avenue (AV): A thoroughfare of high vehicular capacity and low to moderate speed, acting as a short distance connector between urban centers, and usually equipped with a landscaped median.

B

Back-building: A single-story structure connecting a principle building to an outbuilding.

Basement: Any area of the building having its floor below ground level on all sides. A story in a building located partly underground, but having less than one-half of its clear floor-to-ceiling height below the average level of finished grade adjoining the exterior walls of the building and having a clear floor-to-ceiling height of not less than 6½ feet.

Bed & Breakfast: An owner-occupied type of lodging offering up to 5 bedrooms, and permitted to serve breakfast to guests.

Bedroom: Any room within a dwelling unit, other than a living room or kitchen, enclosed by four walls and having a livable floor area of at least 60 square feet.

B

Belt Course: A continuous row or layer of stones, tile, brick, shingles, etc. in a wall.

Bicycle Lane (BL): A dedicated lane for cycling within a moderate-speed vehicular thoroughfare, demarcated by striping.

Bicycle Route (BR): A thoroughfare suitable for the shared use of bicycles and automobiles moving at low speeds.

Bicycle Trail (BT): A bicycle way running independently of a vehicular thoroughfare.

Big Box Store: Retail establishments in freestanding industrial-style one-story buildings, with floor areas of approximately 100,000 to 250,000 square feet.

Billboard Sign: A large, commercial sign that directs attention to a business, commodity, service or entertainment conducted, sold or offered, typically overhead and at a location other than the premises on which the sign is located.

Block: The aggregate of private lots, passages, rear alleys and rear lanes, circumscribed by thoroughfares.

Block Face: The aggregate of all the building facades on one side of a block.

Boarder: See Roomer.

Boulevard (BV): A thoroughfare designed for high vehicular capacity and moderate speed, traversing an urbanized area. Boulevards are usually equipped with slip roads buffering sidewalks and buildings.

Brownfield: An area previously used primarily as an industrial site.

Buffer or Buffer Area: A strip of land along a property line which shall be free of any building or use other than landscape materials and/or fencing and which may be a part of the minimum yard requirements.

Buildable Area: That part of a lot on which a principal building or use may be located, as defined by the minimum yard required.

Building: Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any person, animal or material of any kind or nature. Where two or more buildings are connected by covered walkways or by structural features which are not roofed or provide shelter, housing, or enclosures of persons, animals, or material they shall be considered separate buildings.

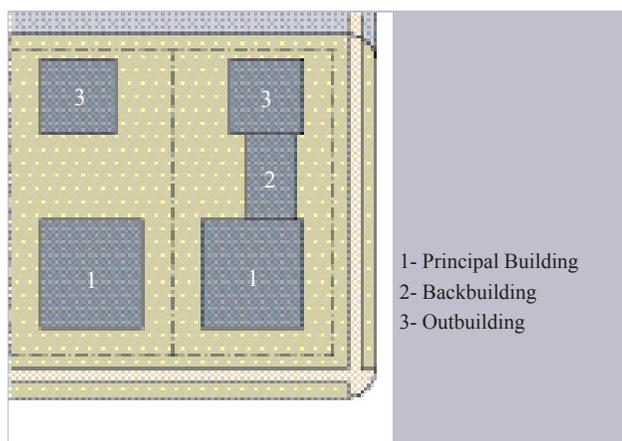
Building, Accessory: Any building which is subordinate, incidental or supplementary to the use of the principal building on the same lot or on a contiguous lot where both lots are under the same ownership in all respects as to title and fractional interest. A detached accessory building is one that is not attached to the principal building by any covered porch, breezeway or other roofed structure.

Building Area: The ground area enclosed by the exterior walls of a building together with the ground area of all covered porches and other roofed portions.

Building Coverage: The ratio of the horizontal area measured from the outer most exterior walls of all principal and accessory buildings, including swimming pools, sheds, garages and tennis courts, to the total lot area.

Building Height: The vertical distance of a building measured from the average elevation of the finished grade adjacent to the exterior walls of the building to the highest point of the roof, including any parapet, in the case of a flat roof, to the top of the lower slope of a mansard roof, and the average height between the eaves and the ridge of a gable, hip or gambrel roof or other roof types. When the finished ground level slopes away from the an exterior wall, the vertical distance will be calculated based on the lowest points within the area between the building and the lot line or, when the lot line is more than ten feet from the building, between the building and a point ten feet from the building.

Building Location:



Building, Principal: A building in which the primary use of the lot is conducted.

Building, Setback Line: The line within a lot defining the minimum required horizontal distance between the principal building or use and an adjacent street or lot line.

Building Square: The area where a building is to be located that is free from wetlands and/or steep slopes in excess of 20% grade and is located within the buildable area.

ADD: Diagram showing building square location and dimensions

Bulk Standards: Standards applying to individual lots that control such items as the placement, intensity and character of development and include the amount of open space on the lot, the height of structures, setbacks from property lines and public rights-of-way, impervious coverage and density.

Bulky Waste: Oversized non-putrescible items including, but not limited to: tires, mattresses, bicycles, large kitchen and laundry appliances and land clearing and demolition debris that require separate handling by virtue of their bulk and weight and tendency to foul compacting and other processing equipment.

Business Sign: A sign advertising a business, profession, use, product, service or activity conducted, sold or offered on the premises where such sign is located.

B
C

C

Camper: A structure that can be mounted on a vehicle, and with sufficient equipment to render it suitable for use as a temporary living accommodation for travel, recreational or vacation use.

Canopy Sign: Any sign attached to the underside of, or constructed upon a canopy.

Cell Construction Method: The spreading, compacting and covering daily of solid wastes in areas that are enclosed by at least three walls or berms of soil.

Cemetery: Property used for the interring of the dead.

Change of Use: Any use that substantially differs from the previous use of a building or land.

Child Day Care Center: See Nursery School.

Civic: The term defining government and not-for-profit organizations dedicated to arts, culture, education, recreation, transit, and municipal parking, or for use(s) approved by the legislative body.

Civic Building: A building operated by government and/or not-for-profit organizations dedicated to arts, culture, education, recreation, transit, and municipal parking, or for use approved by the legislative body.

Civic Club: An association of persons which owns, leases or occupies an establishment operated solely for a recreational, social, fraternal, religious, political or athletic purpose, whose activities are confined to its members and guests, are not extended to the general public, excluding clubs where the chief activity is a service customarily carried on primarily for business or gain.

Civic Space: Designation for public sites dedicated for civic buildings and/or open space. Civic spaces shall be generally designed as described in **Table 13**, their type determined by the underlying Transect Zone.

Clear Cutting: The large-scale, indiscriminate removal of trees, shrubs, and undergrowth, typically with the intention of preparing real property for nonagricultural development.

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

Coastal Area Management: The area of Hamden that lies within the Coastal Area boundaries described in Section 22a-94 (a), (b), (c) and (d) of the Connecticut General Statutes and as shown on a map titled "Coastal Boundary" 1980, as it may be amended from time to time, prepared by Coastal Area Management Program, Connecticut Department of Environmental Protection which is on file in the Planning and Zoning Office and in the office of the Hamden Town Clerk.

College: An educational institution of higher learning certified or accredited by the State of Connecticut to award degrees or certificates.

Column: A vertical architectural element that is usually structural. It typically has a capital and a base.

Commercial: The term collectively defining workplace, office, retail, and lodging functions.

Commission: The Town of Hamden Planning and Zoning Commission, the Planning Section of the Planning and Zoning Commission, the Zoning Section of the Planning and Zoning Commission, or the Zoning Board of Appeals (ZBA), whichever has jurisdiction over the subject matter in question.

Common Yard: A planted private frontage wherein the façade is set back from the frontage line. It is visually continuous with adjacent yards.

Community Residence – Mentally Ill Adults: A facility which is defined in Connecticut General Statutes Sec. 19a-507a, as amended from time to time, which is generally defined as “a community based residential facility housing the staff of such a facility and 8 or fewer mentally ill adults which is licensed by the State of Connecticut to provide services needed for daily living and other support services.”

Community Residence – Mentally Retarded Persons: A facility which is defined in Connecticut General Statutes in Sec. 17a-220(e), as amended from time to time, which is generally defined as “a community based residential facility housing up to 6 mentally retarded or autistic persons which provides services needed for daily living and other support services.”

Configuration: The form of a building, based on its massing, private frontage, and height.

Construction Sign: A temporary sign erected where construction or remodeling is taking place, during construction, with the names of the architect(s), engineer(s), landscape architect(s), contractor(s) or similar artisan(s), and the owner(s), financial supporter(s), sponsor(s), and similar individuals or firms having a role or interest in the structure or project.

Contiguous: See Abut.

Convalescent Home: See Nursing Home.

Cornice: Any horizontal structural or non-structural member, projecting outward from the exterior wall at the roofline, including eaves and other roof overhang.

Corridor: A lineal geographic system incorporating transportation and/or greenway trajectories. A transportation corridor may be a lineal Transect Zone.

Cottage: An edgeyard building type. A single-family dwelling, on a regular lot, often shared with an accessory building in the back yard.

County Soil and Water Conservation District: The New Haven County Soil and Water Conservation District established under subsection (a) of Section 22a-315 of the General Statutes.

C

Courtyard Building: A building that occupies the boundaries of its lot while internally defining one or more private patios. See Table 9.

D

Cover Material: Solid or other suitable material used to cover compacted solid waste in a solid waste disposal area. This material shall be classified as GM, silt gravels, poorly graded gravel-sand-silt mixtures; GC, clayey gravels, poorly graded gravel-sand-clay mixtures; ML, inorganic silts and very fine sands, rock flour, silty or clayey fine sands with slight plasticity in accordance with the unified soil classification system.

Cross Block Passages: A minimum 8-foot-wide pedestrian access be reserved between buildings.

Curb: The edge of the vehicular pavement that may be raised or flush to a swale. It usually incorporates the drainage system.

Curb Cut: The opening along the curb line at which point vehicles may enter or leave the roadway.

D

Day Care Center: See Nursery School or Adult Day Care Center

Density: The number of office, retail, lodging and dwelling units within a standard measure of land area.

Design Speed: The velocity at which a thoroughfare tends to be driven without the constraints of signage or enforcement. There are four ranges of speed: Very Low: (below 20 MPH); Low: (20-25 MPH); Moderate: (25-35MPH); High (above 35 MPH). Lane width is determined by desired design speed. See Table 3A.

Developed: A lot that has a building on the site. The maximum frontage build-out need not be complete to count as a lot that is 100% developed.

Development: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations or any use or extension of the use of land, or storage of equipment or materials.

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. ADD: Diagram

Directional Sign: A sign limited to directional messages that direct the way to a place or activity or to point towards a place of activity.

Dog Daycare: See Animal Day Care

Dooryard: A private frontage type with a shallow setback and front garden or patio, usually with a low wall at the frontage line. See Table 7. (Variant: lightwell, light court.)

Dormitory: (1) A building used for accommodating students with sleeping quarters with or without communal kitchen facilities and administered by an educational institution, college or university, trade school, training facility or similar entity. Dormitory includes fraternity and sorority houses. (2) Any building occupied by 15 or more individuals meeting the definition of student who were assigned to live in that building by an educational institution, college or university, trade school, training facility or similar entity shall be considered a dormitory under these regulations.

Drainage: The controlled removal of surface water or ground water from land by drains, grading or other means including runoff controls to minimize erosion, reduce suspended solids and maximize groundwater recharge during and after construction or development.

Drive: A thoroughfare along the boundary between an urbanized and a natural condition, usually along a waterfront, park, or promontory. One side has the urban character of a thoroughfare, with sidewalk and building, while the other has the qualities of a road or parkway, with naturalistic planting and rural details.

Drive-Through: Relating to or conducting exchanges with clients who drive up to a window and remain in their automobiles.

Driveway: A vehicular lane within a lot, often leading to a garage. See Section 4.10 and Table 3B-f.

Dwelling: A building or portion thereof that is used exclusively for human habitation. The term shall not be deemed to include a motel, hotel, camper, trailer, recreation vehicle, or tent.

Dwelling, Attached: A dwelling having any portion of one or more walls in common with another dwelling.

Dwelling, Detached: A dwelling that is not attached to any other dwelling by any means.

Dwelling, Multi-Family: Any building designed, constructed, and used as a residence for four or more dwelling units; the term applies to town house and apartment complexes of four or more dwelling units.

Dwelling, One-Family: A building containing one dwelling unit

Dwelling, Two-Family: A building containing two dwelling units

Dwelling, Three-Family: A building containing three dwelling units

Dwelling Unit: One or more connected rooms, constituting a separate, independent housekeeping establishment containing independent cooking, sleeping and sanitary facilities for the exclusive use of an individual or single-family maintaining a household, and physically separated from other rooms or dwelling units which may be in the same structure.

Dwelling Unit, Efficiency: A dwelling unit having only one habitable room, not inclusive of bathroom, water closet compartment, kitchen, laundry, pantry, foyer, communicating corridor, or closets.

E

E Edgeyard Building: A building that occupies the center of its lot with setbacks on all sides.

F Effective Parking: The amount of parking required for mixed-use after adjusted by the shared parking factor.

Effective Turning Radius: The measurement of the inside turning radius taking parked cars into account.

Egress: An exit.

Elevation: A vertical distance above or below a fixed referenced level; or a flat scale drawing of the front, rear, or side of a building; an exterior wall of a building not along a frontage line.

Emission: A discharge of substances into the air.

Encroach: To break the plane of a vertical or horizontal regulatory limit with a structural element, so that it extends into a setback, into public frontage, or above a height limit.

Encroachment: Any structural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a setback, into the public frontage, or above a height limit.

Erosion: The detachment and movement of soil or rock fragments by water, wind, ice and gravity.

Excavation: Removal or recovery of soil, rock, minerals, mineral substances or organic substances other than vegetation by any means from water or land on or beneath the surface. **SEE BLOOMFIELD DEFINITION**

Expression Line: A line prescribed at a certain level of a building for the major part of the width of façade, created by variation in material or by limited projection such as molding or balcony. See Table 8.

F

Façade: The exterior wall of a building exposed to public view.

Façade Width: The width of the exterior wall(s) of a building exposed to public view that is adjacent to or fronts a public street, park or plaza.

Family: One or more persons related by blood, marriage, civil union, or adoption; or a group of not more than four persons who need not be so related and who are living together in a dwelling unit and maintaining a common household. Foster children or wards of the state are included as members of a family. Exception: Unrelated individuals occupying a dwelling unit and meeting the definition of students will be classified as a student-housing unit.

Family Day Care Home: An establishment licensed by the State of Connecticut, caring for not

more than 6 children including the provider's own children not in school full time, where the children are cared for not less than 3 nor more than 12 hours during a 24- hour period and where care is given on a regularly recurring basis.

Farm: A lot or contiguous lots containing at least 2 acres where the land and buildings are devoted to farming and other accessory uses.

Farm, Commercial: A farm containing at least 5 acres and producing vegetables, grains, grasses, trees, herbs, flowering plants, shrubs or fruit for the market, or the raising of livestock, farm animals, fish, birds or bees and the production of milk for the market. Exception: No commercial farm may raise pigs or fur-bearing animals, nor shall it include a commercial kennel.

Fence: A barrier of any material or combination of materials erected to enclose, separate, or screen areas of land.

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, ballast, a reflector or mirror, and/or a refractor or lens.

Flood or Flooding: A temporary condition of partial or complete inundation by water of normally dry land areas.

Flood, Base: The flood having a 1% chance of being equaled or exceeded in any given year (100-year storm).

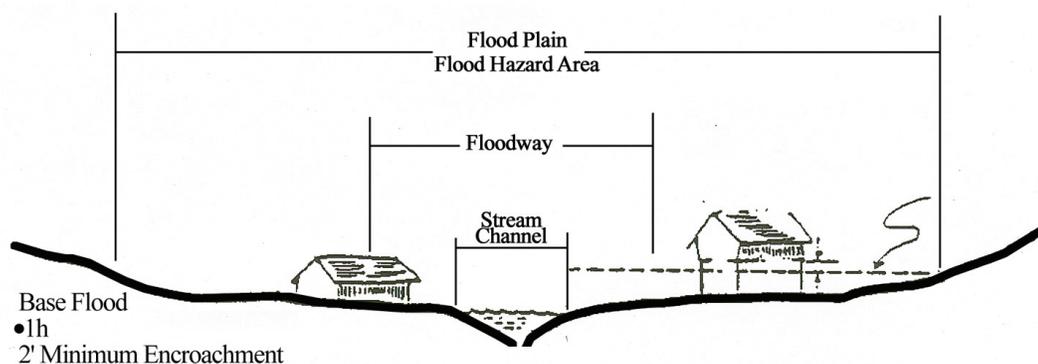
Flood Hazard Area: See Special Flood Hazard Area

Flood Insurance Rate Map (FIRM): The official map in which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to Hamden.

Flood Insurance Study: The official report from the Federal Emergency Management Agency (FEMA) that contains examinations, evaluations, and determinations of flood hazards and if appropriate, corresponding water, surface elevations.

Flood Plain: The relatively flat area or low lands adjoining the channel of a river, stream, water-course or any body of standing water which has been or may be covered by flood water.

Floodplain Cross Section



F 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.

Floodway, Regulatory: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floor: The top surface of an enclosed area in a building (including the basement) upon which one walks, i.e., the top of slab in concrete slab construction or top of wood flooring in a wood frame construction. The term does not include the floor of a garage used solely for parking of vehicles.

Floor, Lowest: The lowest floor of the lowest enclosed area (including basement).

Floor Area, Gross (GFA): The sum of the gross horizontal areas of the several floors of a building, measured from the exterior faces of exterior walls (and from the center lines of party walls if the portions of the building separated by such party walls are to be treated separately), including (a) basement space, (b) attic space, whether or not floor has been laid, over which there is structural head room of 6½ feet or more, and (c) enclosed porches, interior balconies and mezzanines and penthouses. Exception: Elevators and stairwells at each floor, floor space permanently devoted to mechanical equipment used in the operation and maintenance of the building, floor space permanently devoted to parking, any space where the floor-to-ceiling height is less than 6½ feet, and that portion of any enclosed mall area or interior walkway within a retail building not used for the sale of goods or services, or seating for food consumption.

Floor Area, Livable: The floor area of a dwelling unit finished for occupancy and capable of maintaining an interior room temperature of 70 degrees Fahrenheit with adequate ventilation when outside temperature is zero degrees Fahrenheit and having ceiling heights in accordance with the applicable provisions of the Building Code. Excluding: Porches, utility rooms, garages, bay windows or public hallways.

Forecourt: A private frontage where a portion of the façade is close to the frontage line and the central portion is set back. See Table 7. ADD: Diagram

Freestanding Sign: Any non-movable sign erected on or affixed to the land or any exterior sign not attached to a building.

Frontage: See Lot Line, Front.

Frontage Build-out: The ratio of the horizontal area, measured from the exterior surface of the exterior walls of the ground floor, of all principal and accessory buildings closest to the front lot line to the total lot width measured at the front lot line. ADD: Diagram

Frontage Line: A lot line bordering a public frontage. Facades facing frontage lines define the public realm and are therefore more regulated than the elevations facing other lot lines. See Table 17.

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 in a horizontal position as designed, or the purpose of the design is defeated, and glare will result.

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

Fur-Bearing Animal: An animal that is customarily bred and raised for the use of its pelt for clothing or decoration of clothing such as mink, fox or rabbit.

F
G

G

Gallery: A private frontage conventional for retail use where the façade is aligned close to the frontage line with an attached cantilevered shed or lightweight colonnade overlapping the sidewalk. See Table 7. ADD: Diagram

Gallery Frontage: A building that provides a permanent cover over the sidewalk, either cantilevered or supported by columns. The gallery frontage designation may be combined with a shop-front designation.

Garage: A deck, building or structure, or part thereof, used or intended to be used for the parking or storage of vehicles.

Gas Station: Any lot, building or part thereof, used for the sale of vehicular fuels and accessories and which may include facilities for lubrication, washing and the servicing of vehicles as permitted by a limited repairers license as defined in Chapter 246 of the Connecticut General Statutes.

Geographic Information System (GIS): A computerized program in widespread municipal use that organizes data on maps. See Section 2.1.

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.

Grade: The degree of rise or descent of a sloping surface.

Grade, Finished: The final elevation of a particular point above or below a given reference datum.

Grading: Any excavating, grubbing, filling (including hydraulic fill) or stockpiling of earth materials or any combination thereof, including the land in its excavated or filled condition.

Green: A civic space type for unstructured recreation, spatially defined by landscaping rather than building frontages. See Table 13.

Green Corridor

Greenfield: An area that consists of open or wooded land or farmland that has not been previously developed.

Greenway: An open space corridor in largely natural conditions that may include trails for bicycles and pedestrians.

G
H

Greyfield: An area previously used primarily as a parking lot. Shopping centers and shopping malls are typical greyfield sites.

Group Day Care Home: See Nursery School.

Group Home: See Community Residence – Mentally Ill Adults or Mentally Retarded Persons

Ground Floor: The first floor of a building other than a basement.

Guy Wire: A tensioned cable designed to add stability to a structure.

H

Hazardous Material: Any material included in EPA's list of priority pollutants, or Section 3001 of the Resource Conservation and Recovery Act, or Connecticut's Hazardous Waste Regulations, whichever is in effect.

Hazardous Wastes: Waste that is dangerous or potentially harmful to human health or the environment. Hazardous waste can be liquids, solids, gases or sludges. They can be discarded commercial products like cleaning fluids or pesticides or the by-product of manufacturing processes. Solid or liquid wastes in the following classifications may be considered hazardous: explosives, pathogenic wastes, radioactive wastes, hospital operating room wastes, and chemical wastes which either create an immediate safety hazard to persons disposing of the waste or which by virtue of their chemistry and/or the method of disposal present a threat to the quality of ground or surface waters or any other natural resources.

Height: See Building Height

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.

Highway: A rural and suburban thoroughfare of high vehicular speed and capacity. This type is allocated to the more rural Transect Zones.

Home Occupation: Any use customarily conducted entirely within a dwelling which is clearly incidental and secondary to the use of the dwelling for living purposes and carried on by the residents of the premises and employing not more than one person on the premises who is not a resident thereof.

Hospital: A facility licensed by the State Department of Health providing health services and medical or surgical care to persons, primarily as in-patients.

Hospital, Veterinary: A facility for the diagnosis, treatment and/or care of animals by a veterinarian licensed by the State of Connecticut.

Hotel/Motel: A commercial establishment offering in excess of 12 bedrooms for rent by the day or week, and often having public restaurant(s) and meeting room(s).

Housing Unit for the Elderly: A dwelling unit specifically designed for the needs of an elderly person or persons, and conforming to the eligibility requirements of State and/or Federal programs providing for housing for the elderly.

H

I

I

Impervious Surface: A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water.

J

Improvement Location Survey: A type of survey which depicts or notes the position, horizontally and, where required, vertically, between particular existing or proposed improvements with respect to the applicable municipal or statutory requirements. The purpose of this type of survey is to enable determination of compliance with said requirements. No other improvements or features need be depicted.

In-Patient: A facility licensed by the State Department of Health providing overnight accommodations, health services and medical or surgical care to persons in need of such care.

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

Industrial Processing Waste (Non-Hazardous): Commercial solid waste which is no threat to water resources or any other natural resources but requires special consideration for haul and disposal by virtue of the volume or properties of the material when dumped at a disposal site.

Infill: New development on land that had been previously developed, including most greyfield and brownfield sites and cleared land within urbanized areas.

Ingress: An entrance.

Inn: A lodging type offering 6 to 12 bedrooms and permitted to serve breakfast to guests. See Table 4.1.

Impervious Surface: A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water.

Inspection: The periodic review by appropriate personnel, of actual site and/or building conditions, including sediment and erosion control measures as they compare to the approved plan and for impacts upon public health, safety and welfare.

J

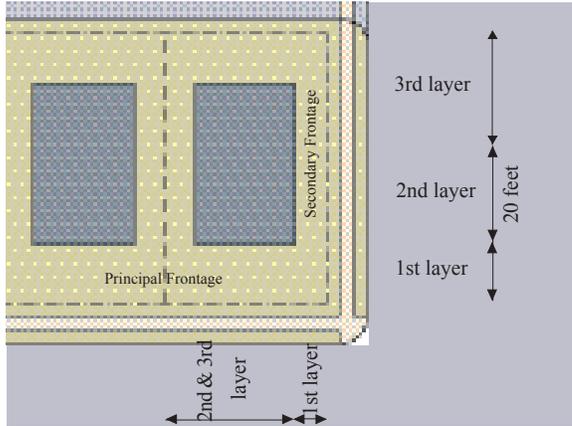
Junkyard: Any land or building where the principal use, in whole or in part, is for the collecting, storage, processing, purchase, sale or abandonment of waste paper, rags, scrap metal, or similar material; including an automobile junkyard as defined by State law.

K

K L

L

Layer: A range of depth of a lot within which certain elements are permitted.



Lightwell: A private frontage type that is a below-grade entrance or recess designed to allow light into basements. See Table 7. (Syn: light court.)

Linear Building: A building specifically designed to mask a parking lot, parking structure or a big box store from a frontage.

Live-work: A mixed-use unit consisting of commercial and residential functions. The commercial function may be anywhere in the unit. The intent is occupation by a business operator who lives in the same structure that contains the commercial activity.

Loading Space: An off-street space available for the standing, loading and unloading of one truck, excluding adequate maneuvering area.

Lodging: A premises available for the renting of bedrooms with housekeeping services and other accessory uses such as the service of at least one meal. See Table 4.1 and table 12

Lot: A plot or parcel of land under the same ownership and permitted by law to be occupied by one building or a group of buildings and accessory buildings including such yards and area as are required by these Regulations.

Lot Area: The gross horizontal area contained within the property lines of a lot excluding slopes in excess of 20% and all wetland areas.

Lot, Corner: A lot abutting on the intersection of two or more streets or on two parts of the same street forming an interior angle of less than 135 degrees. ADD: Diagram showing footnote “c” Corner Lot conditions

Lot Coverage: The ratio of the building coverage plus all other impervious surfaces (including paved driveways, sidewalks) to the total lot area; the total area of impervious surface on a lot.

Lot Depth: The mean distance from the front lot line to the rear lot line measured in the general direction of the sidelines of the lot.

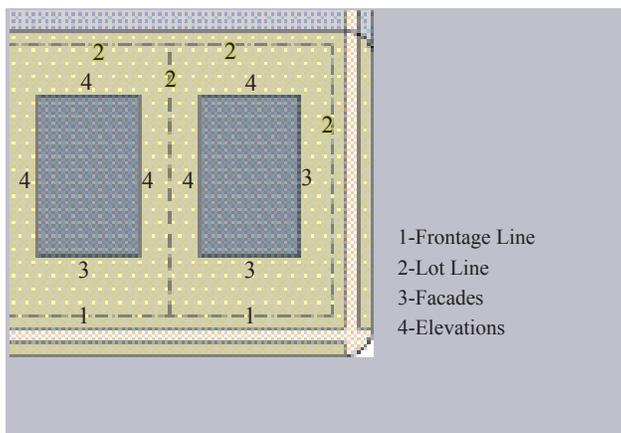
Lot, Interior: A lot other than a corner lot or rear lot or a through lot.

Lot Line: A property line of record bounding a lot.

Lot Line, Front: The lot line separating a lot from a street right-of-way. In the case of a rear lot, the front lot line shall be considered the line most nearly parallel to and closest to a street providing lot frontage. Syn. Frontage. ADD: Diagram

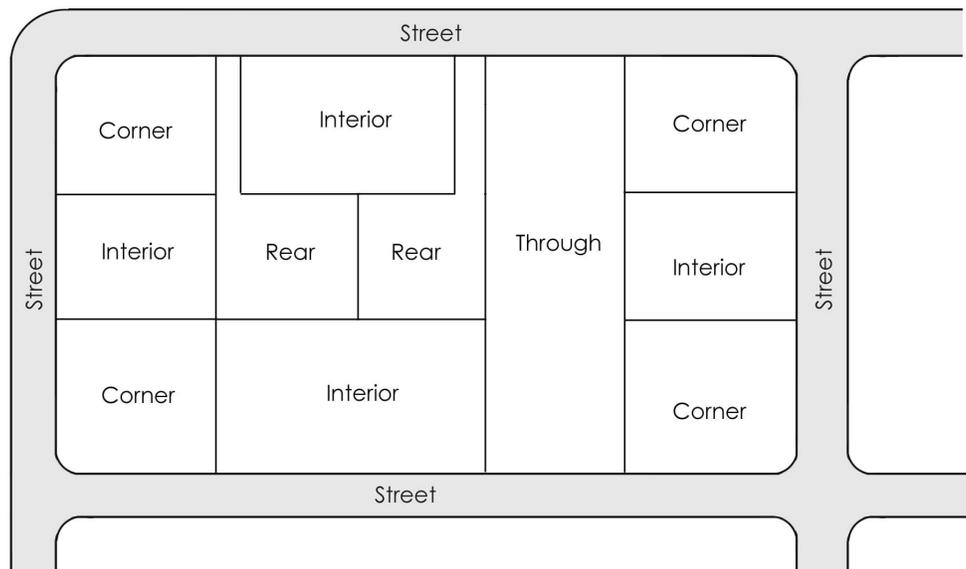
Lot Line, Rear: The lot line between the side lot lines and generally opposite to and most distant from the front lot line. ADD: Diagram

Lot Line, Side: The lot line generally extending from the street or front lot line and connecting the front and rear lot lines. ADD: Diagram



Lot, Rear: A lot having access to the street via an accessway that is part of the rear lot and where the buildable area is located generally to the rear of other lots having frontage on the same street.

Lot, Through: A lot other than a corner lot having frontage on two streets or two frontages on the same street.



Definitions

L
M

Lot Width: The horizontal distance between side lot lines measured parallel to the street line and along the minimum required front setback line.

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

M

Main Civic Space: The primary outdoor gathering place for a community. The main civic space is often, but not always, associated with an important civic building.

Managed Residential Community: A facility, consisting of private residential units, that provides a managed group living environment, including housing and other services, primarily for persons age 55 or older.

Manufactured Home: A structure, transportable in one of more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term “Manufactured Home” does not include a “Recreational Vehicle.”

Manufacturing: Any process where the nature, size or shape of articles or raw materials is changed or where articles are assembled. The term “manufacturing” includes fabricating, compounding, assembling, packing, food processing and treatment activities.

Maximum Building Coverage: The total area of impervious surface due to buildings, accessory buildings, tennis courts, pools, etc., allowed on a lot. Excluded: Sidewalks, paths or driveways.

Mean Sea Level: For purposes of the National Flood Insurance Program, mean sea level means the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community’s Flood Insurance Rate Maps are referenced.

Medical Facility: A facility where diagnostic, therapeutic and rehabilitative programs are conducted, and which does not include in-patient services.

Minimum Building Square: See Building Square

Mixed-Use: multiple functions within the same building through superimposition or adjacency, or in multiple buildings by adjacency, or proximity.

Motel: See Hotel/Motel

Motor Vehicle Service: Any lot, building or part thereof used for the servicing of vehicles as permitted by a limited repairer’s license as defined in Chapter 246 of the Connecticut General Statutes.

Motor Vehicle Repair: Any lot, building or part thereof for the repair of vehicles as permitted by a repairer’s license as defined in Chapter 246 of the Connecticut General Statutes.

Neighborhood Plans, New: At a minimum, a map designated by the Town Planner the size of the pedestrian shed. The area should connect to and blend with surrounding development.

N

Non-conforming Building or Structure: A building or structure legally existing on the effective date of these Regulations or any applicable amendment thereto, but which fails by reason of such adoption, revision or amendment to conform to the present zoning regulations for any prescribed structure or building requirement (i.e. front, side or rear yards, building height, building area or lot coverage, lot area per dwelling unit, dwelling units per building, number of parking and loading spaces).

Non-conforming Lot: A lot legally existing on the effective date of these Regulations or any applicable amendment thereto but which fails by reason of such adoption, revision or amendment to conform to the present zoning regulations for any prescribed lot requirement.

Non-conforming Use: A use, whether of a building, structure or lot, or combination thereof, legally existing on the effective date of these Regulations or any applicable amendments thereto but which fails by reason of such adoption, revision or amendment to conform to the present use regulations of the zone where it is located.

Nursery School: An establishment licensed by the State of Connecticut having facilities and all necessary personnel for the care, guidance and/or supervision of 7 or more children not of common parentage on a regular basis for a part of 24 continuous hours in one or more days of the week.

Nursing Home: An in-patient chronic and convalescent facility or a rest home with nursing supervision, as defined and licensed by the State of Connecticut.

O

Occupant: The individual or individuals in possession of a premises.

Office: A room or group of rooms used for conducting the affairs of a business, profession, service or government.

Office Building: A building used primarily for conducting the affairs of a business, profession, service or government, or like activity, that may include ancillary services for office workers such as a restaurant, coffee shop, newspaper or candy stand.

Open Space: Space on a lot or parcel that is (a) unoccupied by principal or accessory buildings above the finished grade; (b) unobstructed to the sky; (c) not devoted to service driveways, service areas, off-street parking at finished grade or loading areas; (d) devoted to landscaping, active or passive recreation and other like uses; (e) made available in the same proportion to all occupants of the building or buildings on a lot or parcel. Additionally, all roof areas landscaped or developed for recreation; all landscaped areas above underground garages, and half the area of exterior balconies shall qualify as open space.

Passive Open Space: Forested land, stream corridor buffers, scenic overlooks and the like.

Recreational Open Space: Ball fields, playgrounds and the like.

Farmland: Fields, pastures and forested areas used to grow harvestable crops or trees and not containing buildings, equipment, paddocks or concentrated animal holding areas.

N
O

O
P

Outbuilding: An accessory building, usually located toward the rear of the same lot as a principal building, and sometimes connected to the principal building by a back building. See Table 17

Owner: An individual, firm, association, syndicate, partnership or corporation having recorded title to a parcel of land and/or a building.

P

Park: An open space that is a natural preserve available for unstructured recreation. See Table 13.

Parking Area: Any land area designed and used for parking motor vehicles, including garages, carports, and other enclosed, semi-closed and open spaces.

Parking Lot: An off-street ground level area used for the temporary parking of registered motor vehicles.

Parking Lot Aisle: An area in a parking lot intended or designed to allow for self-parking of motor vehicles and access to such parking spaces. *Excluding: Lanes of ingress or egress from a street.*

Parking Space: The area required for parking one automobile excluding passageways and driveways appurtenant to and giving access thereto.

Parking Structure: A building containing one or more stories of parking above grade.

Passage (PS): A pedestrian connector, open or roofed, that passes between buildings to provide shortcuts through long blocks and connect rear parking areas to frontages.

Path (PT): A pedestrian way traversing a park or rural area, with landscape matching the contiguous open space, ideally connecting directly with the urban sidewalk network.

Pedestrian Shed: An area that is centered on a common destination. Its size is related to average walking distances for the applicable community type. Pedestrian sheds are applied to structure communities.

Personal Wireless Service, Facilities and Towers: Other Antennae and Satellite Dishes: See Section 9.30 definitions.

Pervious Surface: Any material that permits full or partial absorption of stormwater into land.

Pilaster: A column partially embedded in a wall and usually non-structural.

Placement: The location of a building on its lot. See Table 9 and Table 17.

Places of Worship: A building or structure, or group of buildings or structures, which, by design and construction, are primarily intended for the conducting of organized religious services and accessory uses associated therewith.

Planter: The element of the public frontage that accommodates street trees, whether continuous

or individual.

Plat: A map representing a tract of land, showing the boundaries and location of individual properties and streets; A map of a subdivision or site plan.

Plaza: A civic space designed for civic purposes and commercial activities in the more urban transect zones, generally paved and spatially defined by building frontages.

Plot: A single-unit parcel of land; A parcel of land that can be identified and reference to a recorded plat or map.

Pollution: The presence of matter or energy whose nature, location or quantity produces undesired environmental and/or health effects.

Premises: All land comprising a lot, together with all buildings and uses thereon.

Principal Entrance: The main point of access for pedestrians into a building.

Principal Frontage: On corner lots with two frontages, the private frontage designated to bear the address and principal entrance to the building, and the measure of minimum lot width. Prescriptions for parking layers pertain only to the principal frontage. Prescriptions for the first layer pertain to both frontages of a corner lot. ADD: Diagram

Private Frontage: The privately held layer between the frontage line and the principal building façade. See Table 7 and Table 17. ADD: Diagram

Projecting Sign: A sign attached to a building or other structure and extending in whole or in part more than 14 inches beyond the building.

Public Frontage: The area between the curb of the vehicular lanes and the frontage line. See Table 4A and Table 4B. ADD: Diagram

R

Radius: *See* Turning Radius

Rational Method:

Rear Alley (RA): A vehicular way located to the rear of lots providing access to service areas, parking, and outbuildings and containing utility easements. Rear alleys should be paved from building face to building face, with drainage by inverted crown at the center or with roll curbs at the edges.

Rear Lane (RL): A vehicular way located to the rear of lots providing access to service areas, parking, and outbuildings and containing utility easements. Rear lanes may be paved lightly to driveway standards. The streetscape consists of gravel or landscaped edges, has no raised curb, and is drained by percolation.

Rear Yard Building: A building that occupies the full frontage line, leaving the rear of the lots as

the sole yard. See Table 9 ADD: Diagram

R S

Recreation, Commercial: A commercial establishment which provides indoor recreation facilities such as tennis clubs, skating rinks, bowling alleys, health clubs, racquet ball clubs, billiard or pool parlors, dance halls and other similar uses.

Regional Educational Service Center: A corporate body established under the laws of the State of Connecticut for the purpose of providing regional educational programs, services, and activities.

Residential Zone: An area restricted by zoning regulations to primarily one, two and three-family homes. R-Zones.

Resource Recovery Facility: A facility that reclaims material or energy values from solid wastes.

Retaining Wall: A structure that is constructed between lands of different elevations to stabilize the surfaces, prevent erosion, and/or protect structures.

Right-of-way (ROW): A strip of land acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by a street, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer, or their similar uses. Generally, the right of one to pass over the property of another.

Roomer or Boarder: An individual other than a member of the family occupying a dwelling unit or a part thereof who, for a consideration, is furnished sleeping accommodations and may be furnished meals or other services as part of the consideration. Exception: The student housing provisions of these regulations will govern unrelated individuals meeting the definition of student.

S

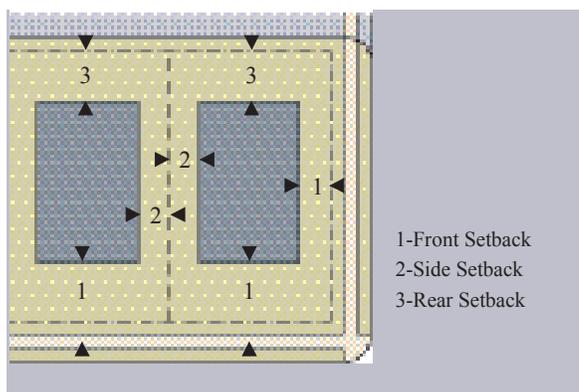
School: Any building or group of buildings the use of which meets State of Connecticut requirements for primary or secondary education.

School, Business: Private establishments engaged in providing educational services for training in business or the arts such as: data processing, computer programming, typing, stenography, cosmetology, modeling, dancing, music, fashion design, drafting, or painting.

Service Establishment, Personal and Business: Establishments providing services for home or business, as well as services of a personal nature such as accounting, house cleaning, nail and hair salons.

Setback: The minimum required horizontal distance from any lot line to any building, structure or use, measured in a straight line from and perpendicular to such lot line.

Shopping Center: A group of commercial establishments that may be interconnected by walls, roofs, and enclosed malls or walkways, planned and developed to make a common facility.



Shopfront: A building that provides a shopfront at sidewalk level along the entire length of its private frontage with an openable door.

Sign: Any object, device, display or structure that is used for attracting attention to any use, product, service, or activity. Exception: A flag or insignia of any government or governmental agency, or of any fraternal, civic, charitable, or religious organization.

Sign Area: The number of square feet contained within a single continuous perimeter of the simplest regular geometric shape enclosing the extreme limits of the actual sign surface including any framing, trim or molding. Exception: Structural members and supports required by Building Codes and not bearing advertising matter and not forming an integral part of the display.

Sill: A horizontal member forming the bottom of a window or door.

Solid Waste: Unwanted or discarded material including municipal solid wastes, bulky wastes and non-hazardous industrial processing wastes. Exception: Solid waste does not include septage and sludges, agricultural and mining wastes, or hazardous wastes.

Solid Waste Disposal Area: The location for disposal of solid waste that is approved by the State Department of Environmental Protection and the Hamden Planning and Zoning Commission.

Solid Waste Facility: Any solid waste disposal area, volume reduction plant, resource recovery facility or transfer station if such facility handles more than five tons of solid waste per year.

Solid Waste, Municipal: Non-bulky, non-hazardous garbage that is normally collected by conventional refuse collection vehicles and hauled to a point for processing or disposal. This is the classification of refuse acceptable for a conventional packer truck, transfer station compactor, shredder, or refuse combustion unit.

Special Flood Hazard Area: The land in the flood hazard areas within Hamden subject to a 1% or greater chance of flooding in any given year as delineated on the Flood Insurance Rate Maps dated June 15, 1979, as revised.

Special Flood Hazard Areas, New Construction in: Any construction for those structures in the area of flood hazard for which the “start of construction” commenced on or after the effective date of the FIRM, June 15, 1979, and includes any subsequent improvements to such structures.

Start of Construction: Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start

S

means either the first placement of permanent construction of a structure on a site, such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main structure. For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Story: That portion of a building between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the roof above it and including those basements used for the principal use.

Street: A vehicular way opened to or intended for public use, but excluding an alley for service access only. "Street" shall be deemed to include the entire width of the right-of-way.

Street, Abandoned: One that the Town had accepted at one time and had maintained; and one that the Town has since relinquished any ownership rights to including the duty to maintain through a formal abandonment process or through a long period of non-use.

Street, Accepted: One that has been formally accepted by resolution by the Legislative Council or one that has been implicitly accepted by the Town due to public maintenance or use over an extended period.

Street, Unaccepted/Unacknowledged Road: One that has not been accepted by the Legislative Council or by implication; one that the Town has not acknowledged the existence of; and one that the Town has no duty to maintain.

Street Centerline: Describes the midpoint along the length of the street where the edges have been previously delineated.

Street Line: The line distinguishing the street from an adjacent lot.

Streetscreen: A freestanding wall built along the frontage line, or coplaner with the facade. It may mask a parking lot from the street, provide privacy to a sideyard, and/or strengthen the spatial definition of the public realm.

Structure: Anything constructed, formed or erected. A walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other man-made facility or infrastructure, for occupancy, ornamentation or visual communication, whether installed on, above, or below the surface of land or water. Except as otherwise indicated structure shall be deemed to include buildings, swimming pools, tennis courts, signs, fences and walls more than 6 feet high other than retaining walls.

Student: An individual enrolled in a program of study at an educational institution, college or university, trade school, training facility or similar entity.

Student Housing: A dwelling unit occupied primarily by unrelated individuals enrolled in a pro-

gram of study at an educational institution, college or university, trade school, training facility or similar entity. (Housing which meets the definition of dormitory shall be considered a dormitory and not student housing.)

Student Housing Unit: Unrelated individuals occupying a dwelling unit and meeting the definition of students.

Substantial Improvement: Any combination of repairs, re-construction, alteration, or improvements to a structure taking place over a 1-year period, in which the cumulative cost equals or exceeds 50% of the market value of the structure. The market value of the structure should be (1) the appraised value of the structure using the cost approach of value, prior to the start of the initial repair or improvement, or (2) in the case of damage; the value of the structure prior to the damage occurring.

For purposes of this definition, "Substantial Improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either: any project for improvement of a structure to comply with existing State or local health, sanitary, or safety code specifications which are solely necessary to insure safe living conditions or any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

Substantial Damage: Damage of any origin to a structure where the cost of restoring the structure to its before-damage condition would exceed 50% of the market value of the structure before the damage occurred.

Swimming Pool: An enclosure for water, permanently constructed or portable, in-ground or aboveground used for wading, swimming or bathing and having a depth of 18 inches or more and having a surface area of at least 100 square feet.

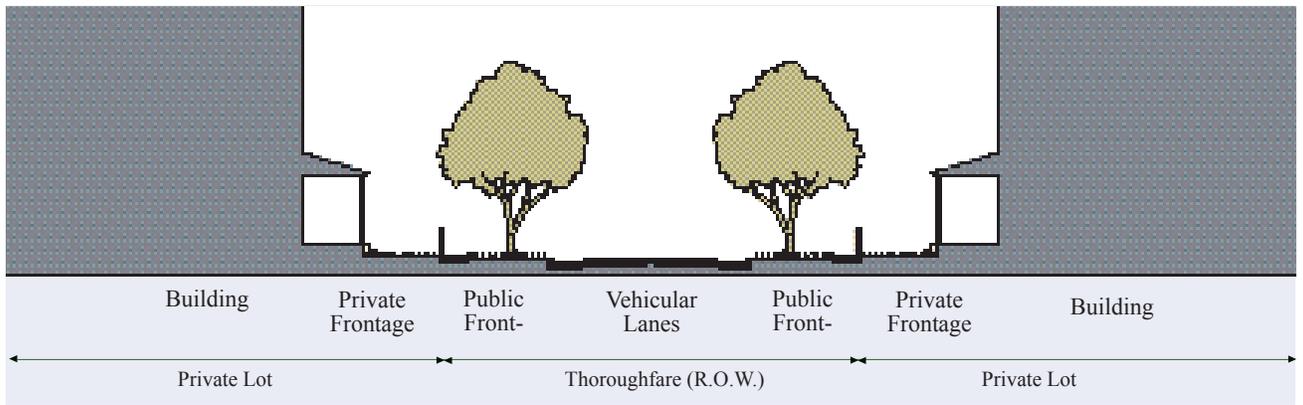
T

T-2 Survey:

Temporary Sign: A banner, pennant, poster, or advertising to be displayed for a short period of time.

Terminated Vista Locations: A building with architectural articulation of a type and character that responds visually to the location, as approved by the Planning and Zoning Commission.

Thoroughfare:



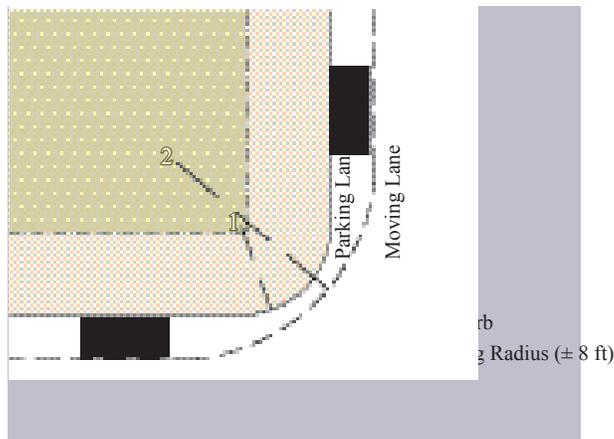
Trailer: A structure on wheels, capable of being towed or hauled, used for short-term human occupancy, carrying or storing materials, goods or objects, or as a temporary office.

Transect Zone: One of several areas on a zoning map regulated by the SmartCode. Transect zones are administratively similar to the land use zones in conventional codes, except that in addition to the usual building use, density, height and setback requirements, other elements are integrated, including those of the private lot, building and public frontage.

Transfer Station: A central collection point for the solid waste generated within a municipality or group of municipalities from where it is transferred to a vehicle for removal to another solid waste facility.

Truck Garden: A farm containing at least 2 acres and producing vegetables or fruit for the market. Exclusion: The raising of animals.

Turning Radius:



Up-lighting: Any light source that distributes illumination above a 90-degree horizontal plane.

Urban Center Zone:

Use: The specific purpose for which land or a building is designed, arranged or intended or for which land or a building is occupied or maintained.

Use, Accessory: A use of land, building, structure or portion thereof that is located on the same lot and is incidental and subordinate to that of the principal building or use of land.

Use, Commercial: Activity carried out for monetary gain.

Use, Principal: The primary or predominant use of any lot.

V

Vector: An insect or rodent or other animal (not human) that can transmit infectious diseases from one person or animal to another person or animal.

Vehicle, Commercial: Any motor vehicle licensed by the State as a commercial vehicle.

Vehicle, Motor: Any motor vehicle as defined by the General Statutes of the State of Connecticut, as amended.

Vehicle, Recreational: A vehicular type portable structure without permanent foundation, that can be towed, hauled or driven and primarily designed as temporary living accommodation for recreational, camping and travel use including, but not limited to, travel trailers, truck campers, camping trailers and self-propelled motor homes.

Volume Reduction Plant: A plant that is designed primarily for the purpose of reducing the volume of solid waste which must be disposed of, including but not limited to, incinerators, pulverizers, compactors, shredding and bailing plants, transfer stations, composting plants, and other plants that accept and process refuse for recycling.

W

Wall Sign: A sign fastened to the wall or other surface of a building, with the face of the sign approximately parallel to such wall or surface.

Water Surface Elevation: The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

Working Face: The portion of a solid waste disposal area where waste is deposited, spread and compacted prior to the placement of cover material.

Y

Yard: A space that is not occupied by a building or structure, is open to the sky, and on the same lot as the principal building.

U

V

W

Y

Definitions

Y

Yard, Front: An unoccupied space extending across the full width of the lot and lying between the front lot line (the street line) and the front wall of the nearest building measured perpendicular to the building at the closest point to the front lot line.

Yard, Rear: A space extending across the full width of the lot and lying between the rear lot line and the rear wall of the principal building measured perpendicular to the building at the closest point to the rear lot line.

Yard, Side: A space between the principal building and the side lot line extending from the front yard to the rear yard, measured perpendicular from the side lot line to the closest point of the principal building.

