

**Chapter 575**  
**ZONING**

**ARTICLE I**  
**Purpose and Scope**

- § 575-1. Short title.
- § 575-2. Interpretation.
- § 575-3. Scope.
- § 575-4. Applicability.

**ARTICLE II**  
**Terminology**

- § 575-5. Definitions; word usage.

**ARTICLE III**  
**Districts**

- § 575-6. Establishment of districts.
- § 575-7. Interpretation of district boundaries.
- § 575-8. Transition zoning.
- § 575-9. R-1 Residential Districts.
- § 575-10. R-1A Residential Districts.
- § 575-11. R-2 Residential Districts.
- § 575-12. R-3 Residential Districts.
- § 575-13. B-1 General Business Districts.
- § 575-14. B-2 Highway Business Districts.
- § 575-15. RR Railroad District.
- § 575-16. IN Industrial District.
- § 575-17. Museum District Overlay.
- § 575-18. HP Historic District.

**ARTICLE IV**  
**Supplementary Regulations**

- § 575-19. Applicability.
- § 575-20. General.

- § 575-21. Mobile home parks.
- § 575-22. Off-street parking and loading.
- § 575-23. Average density development.
- § 575-24. Planned use development.
- § 575-25. Accessory structures.
- § 575-26. Adult entertainment.

**ARTICLE V**  
**Nonconforming Uses and Nonconforming Buildings**

- § 575-27. Nonconforming uses.
- § 575-28. Nonconforming structures or buildings.
- § 575-29. Right to continue.
- § 575-30. Right to make repairs.

**ARTICLE VI**  
**Administration**

- § 575-31. Enforcement and administration.
- § 575-32. Certificate of occupancy.
- § 575-33. Zoning Board of Appeals.
- § 575-34. Notification of adjacent municipality.
- § 575-35. Amendments.
- § 575-36. Penalties for offenses.

- Use Table
- Open Space Requirements
- Parking Requirements
- Zoning Map

**[HISTORY: Adopted by the Common Council of the City of Norwich 9-22-1981; amended in its entirety 11-18-1997 by Ord. No. 12-1997. Subsequent amendments noted where applicable.]**

#### GENERAL REFERENCES

Alternate members of Zoning Board of Appeals — See Ch. 7.	Parks and recreation areas — See Ch. 376.
Business Improvement District — See Ch. 26.	Poles and wires — See Ch. 396.
Empire Zones — See Ch. 49.	Property maintenance — See Ch. 409.
Uniform construction codes — See Ch. 199.	Sewer use — See Ch. 456.
Flood damage prevention — See Ch. 273.	Signs — See Ch. 465.
Freshwater wetlands — See Ch. 281.	Streets and sidewalks — See Ch. 486.
Housing standards — See Ch. 310.	Subdivision of land — See Ch. 490.
Noise — See Ch. 357.	Trees — See Ch. 507.
	Vehicles and traffic — See Ch. 525.

### ARTICLE I

#### Purpose and Scope

##### § 575-1. Short title.

This chapter shall be known and may be cited as the "Zoning Ordinance of the City of Norwich."

##### § 575-2. Interpretation.

In their interpretation and application, the provisions of this chapter shall be held to be the minimum requirements adopted for the promotion of the public health, safety and welfare and the gradual implementation of the City's Comprehensive Plan for land use. To protect the public, among other purposes, such provisions are intended to provide for freedom from undue noise, adequate light, pure air, safety from fire and other danger, undue concentration of population and ample parking facilities.

##### § 575-3. Scope. <sup>1</sup>

It is not intended by this chapter to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this chapter, or with private restrictions placed upon property by covenant, deed or other private agreement, or with restrictive covenants running with the land or to which the City is a party. Where this chapter imposes a greater restriction upon land than existing provisions of law, ordinance, contract or deed, the provisions of this chapter shall control.

<sup>1</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

**§ 575-4. Applicability.**

Except as provided in this chapter, no building, structure or premises shall be used or occupied, and no building or part thereof or other structure shall be erected, moved, placed, reconstructed, extended, enlarged or altered, except in conformity with the regulations herein specified for the district, as shown on the Zoning Map, in which it is located.

**ARTICLE II  
Terminology**

**§ 575-5. Definitions; word usage.**

For the purposes of this chapter, the following terms, phrases, words and their derivations shall have the meanings given herein. When not consistent with the context, words used in this present tense include the future, words in the plural number include the singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

**ACCESSORY USE, SEPARATE BUILDING OR STRUCTURE [Amended 11-23-2004 by Ord. No. 2-2004<sup>2</sup>] —**

- A. A use, separate building or structure, normally incidental, subordinate devoted to and located on the same lot as the principal use, building or structure but does not include a building or structure used for human habitation.
- B. A use, separate building or structure, which is an adjunct or accompaniment to the main building.
- C. A use, separate building or structure, which:
  - (1) Is subordinate to and serves the principal building or principal use;
  - (2) Is subordinate in area, extent, and purpose to the principal building and principal use served;
  - (3) Contributes to the comfort, convenience or necessity of occupants of the principal building or principal use served;
  - (4) Is located on the same site as the principal building or principal use served;
- D. A minor building that is located on the same lot as the principal building and that is used incidentally to a principal building or that houses an accessory role.

**ADULT ARCADE** — An establishment where, for any form of consideration, one or more motion-picture projectors, slide projectors or similar machines for viewing by five or fewer persons each are used to show films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by emphasis upon the depiction or description of specified sexual activities or specified anatomical areas. For the purposes of this chapter, "adult arcade" is included within the definition of "adult motion-picture theater."

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2. Editor's Note: This ordinance also repealed the former definitions of "accessory structure" and "accessory use."

**ADULT BOOKSTORE** — A commercial establishment having as a substantial or significant portion of its stock-in-trade materials, including, but not limited to books, magazines, periodicals, visual representations or writings, distinguished or characterized by an emphasis on matter depicting, describing or related to specified anatomical areas or to specified sexual activities or an establishment with a segment or section devoted to the sale or display of such materials. A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of materials depicting or describing specified sexual activities or specified anatomical areas and still be characterized as an adult bookstore. Such other business purposes will not serve to exempt such commercial establishment from being characterized as an adult bookstore so long as one of its principal business purposes is the offering for sale or rental or consideration the specified material which depict or describe specified sexual activities or specified anatomical areas. <sup>3</sup>

**ADULT CABARET** — A nightclub, bar, restaurant or similar commercial establishment, whether or not alcohol is served, which regularly features:

- A. Persons who appear in a state of nudity;
- B. Live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities; or
- C. Films, motion pictures, videocassettes, slides or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas.

**ADULT DANCING ESTABLISHMENTS** — A commercial establishment that permits or allows dancers to display or expose specified anatomical areas.

**ADULT MOTEL** — A hotel, motel or similar commercial establishment which:

- A. Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, videocassettes, slides or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas; and which advertises the availability of this adult type of photographic productions; and
- B. Offers a sleeping room for rent for a period of time that is less than 10 hours; and
- C. Allows a tenant or occupant of the sleeping room to sublet the room for a period of time that is less than 10 hours.

**ADULT MOTION-PICTURE THEATER** — An enclosed building or a portion of an enclosed building or drive-in theater used to present on a regular basis, for any form of consideration, film material which has as its primary or dominant theme matter depicting, illustrating or relating to specified sexual activities for observation by any persons.

**ADULT THEATER** — A theater, concert hall, auditorium or similar commercial establishment which regularly features persons who appear in a state of nudity or live

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3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities.

**ALLEY** — Any public space or thoroughfare not less than 10 feet in width, which has been dedicated or deeded to the public for public travel and which affords secondary access to abutting property.

**ALTERATION** — Any change in the supporting members of a building, such as bearing walls, columns, beams, girders, or floors or any other change which is not merely a repair or replacement of an existing part, where such change would:

- A. Enlarge or diminish the usable floor area of the building or structure or any part thereof.
- B. Cause a change in the location or height of the exterior walls or roof of the building or structure.
- C. Make possible a greater intensity of occupancy or use of the building or structure.

**ANIMAL KENNEL** — An establishment at which more than six domesticated animals, more than one year old, are housed, groomed, bred, boarded, trained or sold.

**AREA, BUILDING** — The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings exclusive of steps. All dimensions shall be measured between the exterior faces of walls.

**AREA VARIANCE** — The authorization by the Zoning Board of Appeals for the use of land in a manner which is not allowed by the dimensional or physical requirements of this chapter.

**AUTOMOBILE SALES AND REPAIR** — Any area of land, including structures thereon, that is used for the sale of new or used automobiles which may include an accessory use automobile repair service.

**AUTOMOBILE SERVICE STATION** — Any area of land, including structures thereon, or any building or part thereof, that is used primarily for the sale of motor vehicle fuel and/or facilities for servicing, lubricating, or washing motor vehicles, but not including the commercial painting thereof by any means. May also include for sale convenience goods such as food, beverage and sundries.

**BANK/FINANCIAL INSTITUTION** — An establishment for the custody, loan, exchange, or issue of money, for the extension of credit and for facilitating the transmission of funds.

**BUILDING** — Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials.

**BUILDING LINE** — A straight line on a single plane established by the exterior of a structure, including porches and decks.

**CLUB, MEMBERSHIP** — An organization catering exclusively to its members and their guests, or premises and buildings used for recreational or athletic purposes, which are not conducted primarily for gain or profit, provided no merchandising, commercial activity or

vending is conducted, except as required generally for the membership and the purposes of such club.

**CULTURAL CENTER** — Limited to not-for-profit museums, art galleries or stage productions.

**DAY-CARE CENTER** — An establishment for the care of more than six children between the ages of six weeks and 12 years of age for more than three hours per day per child, which must be licensed by the state. Refer to § 390 of the New York State Social Services Law.

**DRY CLEANING** — Involves the cleansing of fabrics with substantially nonaqueous, nonflammable and noncombustible solvents.

**DWELLING** — A building designed or used as the living quarters for one or more families.

**DWELLING UNIT** — One or more rooms providing complete living facilities for one family, including equipment for cooking or provisions for the same.

**ENLARGEMENT OF BUILDING** — An increase in floor area of an existing building; or an increase in size of an existing structure.

**ENLARGEMENT OF USE** — An increase in the amount of existing floor area for an existing use in an existing building; or an increase in the area of land used for an existing open use.

**ESCORT AGENCY** — A person or business association who or which furnishes, offers to furnish or advertises to furnish escorts as one of its primary business purposes for a fee, tip or other consideration.

**ESSENTIAL PUBLIC SERVICE** — The erection, construction, alteration or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, communication, steam or water transmission or distribution systems, including poles, wires, mains, drains, sewers, pipes, conduit cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare. Buildings shall be considered an essential service facility herein.

**FAMILY** — A person or persons doing their own cooking and living together upon the premises, as a separate housekeeping unit, in a domestic relationship based upon birth, marriage or other domestic bond.

**FAMILY DAY CARE** — An establishment for the care of three to six children between six weeks and 12 years of age for more than three hours per day per child on a regular basis in a family residence, which must be licensed by the state. Refer to § 390 of the New York State Social Services Law.

**FUNERAL ESTABLISHMENT** — A dwelling or other structure used and occupied by a professional licensed mortician for burial preparation and funeral services.

**GARAGE, PRIVATE** — An accessory building or part thereof providing for the storage of not more than three automobiles and in which no occupation or business for profit is carried

on, except that a conforming multifamily dwelling may have one stall per unit subject to open space requirements and other requirements of this chapter.

**GARAGE, PUBLIC** — A building or part thereof, other than private garage, for the storage of motor vehicles.

**GENERAL/LIGHT INDUSTRIAL** — This term includes the fabrication, processing, converting, altering, assembling or other handling of products provided:

- A. The operation is conducted solely within a building or group of buildings.
- B. The operation will not result in:
  - (1) Dissemination of noise, vibration, odor, dust, smoke, detectable gas or fumes or their atmospheric pollutant beyond the boundaries of the immediate site of the building in which such use is conducted;
  - (2) Hazard of fire or explosion or other physical hazard to any person, building or vegetation;
  - (3) Radiation or interference with radio or television reception beyond the boundary of the zone;
  - (4) A harmful discharge of waste material; or
  - (5) Unusual traffic hazards or congestion due to the type of vehicles required.

**GROUP CARE FACILITY** — An establishment providing room and board, recreational, counseling or other rehabilitative service or facilities on a continuous basis (twenty-four-hour) to individuals who, by reason of mental or physical disability, addiction to drugs or alcohol or family and school adjustment problems, require specialized attention and care on a continuous basis in order to achieve personal independence. Individuals participating in a work release or similar program from a state institution or under the supervision of a court, state or local agency shall be included within this definition.

**GROUP FAMILY DAY CARE** — An establishment for the care of seven to 12 children, six weeks to 12 years in age for more than three hours per day per child in a family residence, which must be licensed by the state. Refer to § 390 of the New York State Social Services Law. **[Amended 9-22-2009 by Ord. No. 2-2009]**

**HEIGHT, BUILDING** — The vertical dimension measured from the average elevation of the finished grade around the building, to the highest point of a flat roof; to the deck of a mansard roof, or to the average height between the plate and ridge of a gable, hip or gambrel roof.

**HOME BEAUTY PARLOR OR SHOP** — Any hairdressing or hairstyling operation operated by one person who is an inhabitant of the dwelling wherein the shop is located. One additional nonresident practitioner is permitted. Related operations are to be considered retail trade/general business. **[Amended 1-19-2010 by Ord. No. 2-2010]**

**HOME OCCUPATION** — Any use customarily conducted entirely within a dwelling by the inhabitants thereof, provided that such occupation does not change the residential character of such dwelling, require an alteration to a dwelling to accommodate such use, does not involve

the storage or sale of merchandise or goods of any type; or involve more than two full-time equivalent employees, including the inhabitants, at any time. The activity or use produces no demand for off-street parking which is greater than that required for the residential use of the lot.

**HOSPITAL** — An establishment for temporary occupation by the sick or injured for the purpose of medical diagnosis and treatment, including sanitarium, and limited to the treatment or other care of humans where room and board is provided.

**LAUNDROMAT** — Business premises equipped with individual clothes washing machines for the use of retail customers.

**LIBRARY** — A building in which literary, musical, artistic, or reference materials are kept for use but not for sale.

**LOADING SPACE** — An off-street space for the temporary parking of a vehicle while materials are being loaded onto or unloaded off and which abuts upon a street, alley or other appropriate means of access.

**LOT** — A parcel of land occupied or capable of being occupied by a primary building, together with accessory buildings or uses customarily incidental to it, including such open spaces as are required in this chapter. No lot shall be subdivided such as to create a nonconforming lot under this chapter.

**LOT COVERAGE** — The percentage of the lot area that is occupied by the ground area of a building and its accessory building, if any.

**LOT LINE** — The property line bounding a lot.

**MOBILE HOME** —

- A. A detached, movable, residential dwelling unit in one or more sections, with or without wheels, but capable of being mounted on wheels attached to the chassis and undercarriage and designed for transportation, after fabrication, on streets or highways on its own wheels and arriving complete with plumbing and electrical facilities.
- B. See also definitions of "modular home" and "recreational vehicle" as distinguished from "mobile home."

**MODULAR HOME** — A dwelling unit partially assembled at a distant site and transported to a lot of record for final assembly and installation over a permanent foundation, with subsequent installation and/or connection of heating and plumbing sections. Modular homes are deemed single-family dwellings.

**MOTEL/HOTEL** — An establishment consisting of a building or group of buildings providing living and/or sleeping accommodations with individual bathrooms and designed for use by transients.

**MULTIFAMILY DWELLING** — A building or portion thereof containing three or more dwelling units and designed or used for occupancy by three or more families living independently of each other.

**NONCONFORMING STRUCTURE OR BUILDING** — A structure or building of which the size, dimensions or location was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district.

**NONCONFORMING USE** — A use or activity which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails, by reason of such adoption, revision, or amendment, to conform to the present requirements of the zoning district.

**NUDITY** — Uncovered or less than adequately covered human genitals or pubic area, the female breast below the point immediately above the top of the areola or the covered human male genitals in a discernibly turgid state. For the purpose of this definition, a female breast is considered uncovered if the nipple only or the nipple and the areola only are covered.

**NURSING HOME** — A building, other than a hospital, where persons are lodged, furnished with meals, and receive skilled nursing care for hire.

**OFFICE BUILDING** — A building that is primarily divided into offices, either singularly or in suites, for the transaction of business which does not involve the direct transfer of products at the site.

**OWNER** — A owner shall mean any person who, alone or jointly or severally with others:  
**[Amended 11-23-2004 by Ord. No. 2-2004]**

- A. Shall have legal title to any dwelling or dwelling unit, or land with or without accompanying actual possession thereof, or shall have charge, care, or control of any dwelling or dwelling unit, or land as owner or agent of the owner, or as executor, executrix, administrator, trustee, guardian of the estate of the owner, or has life use of the property, or are holders of equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least 10 years, and the like.
- B. Whenever, a statement of ownership is required by this chapter, full disclosure of all legal and equitable interest in the property is required.
- C. Any such person thus representing the actual owner shall be bound to comply with the provisions of this chapter and rules and regulations adopted pursuant thereto to the same extent as if he were the owner.

**PARKS/PLAYGROUND** — Includes publicly owned and operated playgrounds, playfields, parks, open spaces and swimming pools which are not operated for gain.

**PRIVATE SCHOOL** — An educational institution that has state certified licensed teachers with a State Board of Education approved curriculum that provides a basic fundamental education.

**PROFESSIONAL OFFICE** — Office for a person or persons engaged in professional occupations licensed by the state or federal government or regulated by professional associations. Included are: doctor, attorney, architect, engineer, public accountant, dentist, surveyor, pharmacist, optometrist, podiatrist, real estate agent or broker, insurance agent or

broker, chiropractor, physical therapist, planner or veterinarian (except when veterinarian boards or houses animals overnight).

**PUBLIC SCHOOL** — A free, tax-supported school, controlled by a governmental authority.

**RECREATIONAL VEHICLE** — A vehicle which is self-propelled or capable of being towed by a passenger car, station wagon or pickup truck, of such size and weight as not to require any special highway movement permits, and primarily designed or constructed to provide temporary, movable living quarters for recreational, camping or travel use. Included in this definition are both boats and boat trailers. Not included is any structure less than four feet in height. It may not be parked and/or occupied between the building line and the street line for more than five consecutive days in all residential areas.

**RECYCLING FACILITY** — A center for the collection and processing of recyclable materials. Recycling facilities may include the following:

- A. **PROCESSING FACILITY** — A processing facility is a building or enclosed space used for the collection and processing of recyclable materials. "Processing" shall mean the preparation of material for efficient shipment, or to an end user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing.

**RELIGIOUS INSTITUTION** — Includes tax-exempt churches, temples, synagogues, convents, seminary and retreat houses which are open to the public.

**RESTAURANT/CAFETERIA** — Establishment for the sale and on-premises consumption of food and beverage. <sup>5</sup>

**RETAIL TRADE/GENERAL BUSINESS** — Establishments engaged in the selling of goods, services, or merchandise to the general public for personal or household consumption, and the rendering of services incidental to the sale of such goods.

**ROOMING HOUSE** — A dwelling for hire, in which more than three persons, either individually or as families, are housed or lodged with or without meals. A bed-and-breakfast, boardinghouse or furnished rooming house shall be deemed a "rooming house."

**SETBACK** — The area located between either the lot line or street line and the building line.

**SEXUAL ENCOUNTER CENTER** — A business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:

- A. Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
- B. Activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity.

**SINGLE-FAMILY DWELLING** — A building designed for and occupied exclusively as a home or residence for not more than one family.

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5. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

**SPECIAL PERMIT USE —**

- A. A potentially incompatible use that is not permitted by right in a particular district, which use may be allowed in the particular district subject to the issuance of a special permit by the Zoning Board of Appeals in accordance with Article VI, § 575-33, of this chapter.
- B. A special permit cannot be issued unless a provision is specifically provided in the Use Table<sup>6</sup> for its issuance.

**SPECIFIED ANATOMICAL AREA —**

- A. Less than completely and opaquely covered human genitals, pubic region, buttock or female breast below a point immediately above the top of the areola; or
- B. Human genitals in a discernibly turgid state, even if covered.

**SPECIFIED SEXUAL ACTIVITY —**

- A. Human genitals in a state of sexual stimulation or arousal;
- B. Any act of human masturbation, sexual intercourse or sodomy; or
- C. Fondling or other erotic touching of human genitals, pubic region, buttock or female breasts.

**STREET —** A public thoroughfare (other than an alley) which has been dedicated or deeded for public use as such, or in which public rights have been acquired by operation of law by reason of long-standing public use, and which thoroughfare affords principal means of access to abutting property.

**STREET LINE —** The line dividing the street from private property.

**STRUCTURE —** Anything constructed or erected which requires location on the ground, or attached to something having location on the ground, not including fences or walls used as fences.

**SUBSTANDARD LOT —** Any lot which does not conform with the minimum width, depth, and area dimensions specified for the district in which such lot is situated.

**THEATER —** A building or part of a building devoted to showing moving pictures or stage productions on a paid-admission basis.

**TWO-FAMILY DWELLING —** A building arranged for and occupied exclusively as a home or residence for two families (with separate kitchens, bath facilities and entrances).

**USE VARIANCE —** The authorization by the Zoning Board of Appeals for the use of land for a purpose which is otherwise not allowed or is prohibited by this chapter.

**WAREHOUSING, PRIVATE —** Storage facilities operated for a specific commercial establishment or group of establishments in a particular industrial or economic field.

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6. Editor's Note: The Use Table is included at the end of this chapter.

WAREHOUSING, PUBLIC — Storage facilities that are available to the general public, at a fee, for the storage of commercial or private goods of any nature.

WHOLESALE STORAGE, BUILDING SUPPLIES — Any area of land, including any building thereon, which is used primarily for the storage of goods for sale elsewhere, or for redistribution or transfer to a retail operation. Retail sales shall be considered an accessory use, provided retail sales space, including required parking, shall not occupy more than 1/8 of the total area.

WHOLESALE TRADE — Establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial institutional or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

YARD SALE — Includes garage and porch sales. Allowed for three days in succession for no more than 10 days per year. The sale of items purchased elsewhere, solely for resale, is prohibited.

### ARTICLE III Districts

#### § 575-6. Establishment of districts.

- A. The City of Norwich is hereby divided into eight zoning districts as follows: **[Amended 3-18-2008 by Ord. No. 1-2008]**
- (1) R-1 Residential Districts.
  - (2) R-1A Residential Districts.
  - (3) R-2 Residential Districts.
  - (4) R-3 Residential Districts.
  - (5) B-1 General Business Districts.
  - (6) B-2 Highway Business Districts.
  - (7) RR Railroad Districts.
  - (8) IN Industrial Districts.
- B. The boundaries of these districts are hereby established as shown on a map entitled: "The Zoning Map of the City of Norwich," on file in the office of the City Clerk, which map, with all explanatory matter thereon, is hereby made a part of this chapter.<sup>7</sup>
- C. Overlay districts.<sup>8</sup> The City of Norwich zoning overlay districts are as follows:<sup>9</sup>

7. Editor's Note: The Zoning Map is included at the end of this chapter.

8. Editor's Note: Maps and descriptions of these overlay districts are on file in the office of the City Clerk.

9. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- (1) MD Museum District Overlay.
- (2) HP Historic District Overlay.

**§ 575-7. Interpretation of district boundaries.**

Where uncertainty exists with respect to the boundaries of any of the aforesaid districts as shown on the Zoning Map, the following rules apply:

- A. Where boundaries approximately follow streets, alleys, highways or railroad lines, the center line of such streets, alleys, highway or railroad lines shall be construed to be such district boundaries.
- B. Where boundaries parallel street lines, alley lines or highway right-of-way lines, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the Zoning Map. If no distance is given, such dimension shall be determined by the use of the scale on said Zoning Map.
- C. Where boundaries approximately follow lot lines, such lot lines shall be construed to be said boundaries.
- D. Where the boundary of a district follows a stream, lake or other body of water, said boundary line shall be construed to be at the limit of the jurisdiction of the City of Norwich, unless otherwise indicated.

**§ 575-8. Transition zoning.**

Lots in two districts: Where a district boundary line, as established in this chapter or as shown on the Zoning Map, divides a lot which was in single ownership and of record at the time of this chapter, the use thereon and the other district requirements applying to the least restricted portion of such lot under this chapter shall be considered as extending to the entire lot. The use so extended shall be deemed to be conforming.

**§ 575-9. R-1 Residential Districts.**

- A. Purpose. This district is designed to provide a suitable open character for single-family residences at relatively low densities. Other uses, which are permitted are uses typically found in residential neighborhoods, and which will complement the essential residential character of the area. In general, they either serve the residents or make unobtrusive neighbors to single-family residences. Some uses are permitted by special permit issued by the Zoning Board of Appeals. The ZBA may allow these uses where it can be demonstrated that they will not disturb the character of the area or otherwise prove intrusive.
- B. Permitted uses: See attached chart.<sup>10</sup>

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<sup>10</sup> Editor's Note: The Use Table is included at the end of this chapter.

- C. Required open space: See attached chart.<sup>11</sup>

**§ 575-10. R-1A Residential Districts.**

- A. Purpose. The uses permitted in this district are very similar to those in the R-1 District. The only difference between the two districts is that there is a smaller minimum lot size permitted in this district. Almost all of the land in this district is already developed. This district was created in 1968 by amendment to permit the continued use and improvement of these existing lots without necessitating cumbersome variance procedures.
- B. Permitted uses: See attached chart.<sup>12</sup>
- C. Required open space: See attached chart.<sup>13</sup>

**§ 575-11. R-2 Residential Districts.**

- A. Purpose.
- (1) This district is designed to provide for a wide variety of housing types in order to provide a broad range of choice. Higher densities are permitted in this district than in other residential districts, and, in general, this district continues the existing pattern of development.<sup>14</sup>
  - (2) Certain housing types are permitted by special permit (to be issued by the Zoning Board of Appeals) to give the City the opportunity to review any potential adverse effect on the district as a whole.
  - (3) Professional offices may be established in this district by special permit.
- B. Permitted uses: See attached chart.<sup>15</sup>
- C. Required open space: See attached chart.<sup>16</sup>

**§ 575-12. R-3 Residential Districts.**

- A. Purpose. The uses permitted in this district are very similar to those in a R-2 District. The only difference between the two districts is that office buildings, restaurants, and retail businesses are allowed by special permit, provided that the character of the residential neighborhood is not altered due to changes in traffic patterns, and changes to

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11. Editor's Note: The Required Open Space Table is included at the end of this chapter.

12. Editor's Note: The Use Table is included at the end of this chapter.

13. Editor's Note: The Required Open Space Table is included at the end of this chapter.

14. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

15. Editor's Note: The Use Table is included at the end of this chapter.

16. Editor's Note: The Required Open Space Table is included at the end of this chapter.

the exterior of the buildings are not such as to change the residential appearance of the buildings, or otherwise do not prove obtrusive to the neighborhood.

- B. Permitted uses: See attached chart.<sup>17</sup>
- C. Required open space: See attached chart.<sup>18</sup>

#### **§ 575-13. B-1 General Business Districts.**

##### A. Purpose.

- (1) This district, in the center of Norwich, serves two functions. It is the largest regional commercial center within 30 miles in any direction. The downtown business area provides for a wide variety of the retail needs, not only for the residents of the City, but for the county as a whole. It also serves as the county seat for Chenango County. As a result, also located in this district are various governmental offices of the county and office space in the personal and professional offices usually attendant to a county seat.
- (2) By concentrating these uses in one area, each activity contributes to the economic viability of the surrounding uses.

- B. Permitted uses: See attached chart.<sup>19</sup>
- C. Required open space: See attached chart.<sup>20</sup>

#### **§ 575-14. B-2 Highway Business Districts.**

##### A. Purpose.

- (1) This district is intended to provide a location for uses not appropriate to the core B-1 District. They may create traffic volumes at irregular hours, or may serve through travelers.
- (2) Careful attention in this district must always be given to prevent uncontrolled expansion and to properly landscape and screen activities from adjoining properties and passing traffic.

- B. Permitted uses: See attached chart.<sup>21</sup>
- C. Required open space: See attached chart.<sup>22</sup>

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17. Editor's Note: The Use Table is included at the end of this chapter.

18. Editor's Note: The Required Open Space Table is included at the end of this chapter.

19. Editor's Note: The Use Table is included at the end of this chapter.

20. Editor's Note: The Required Open Space Table is included at the end of this chapter.

21. Editor's Note: The Use Table is included at the end of this chapter.

22. Editor's Note: The Required Open Space Table is included at the end of this chapter.

**§ 575-15. RR Railroad District. [Added 3-18-2008 by Ord. No. 1-2008]**

- A. Purpose. The Railroad District is intended to provide a linear corridor through the City suitable for rail transportation and/or recreational trail development.
- B. Permitted uses: See attached chart.<sup>23</sup>
- C. Required open space. No specific dimensional requirements are established for permitted uses in this zoning district.

**§ 575-16. IN Industrial District.**

- A. Purpose.
  - (1) The Industrial District is intended to provide sufficient space, in appropriate locations, to meet the needs of the City's present and future industrial base. It is designed to insure that sufficient space is available for industrial and related uses by prohibiting the use of such space for new residential development.
  - (2) The creation of this district is intended to encourage the investment and reinvestment in the industrial base of the City by the private sector, thereby strengthening the economic base of the City.
  - (3) Certain commercial uses, which generate large traffic volume or excessive space requirements are also permitted.
- B. Permitted uses: See attached chart.<sup>24</sup>
- C. Required open space: See attached chart.<sup>25</sup>

**§ 575-17. Museum District Overlay. [Added 8-20-2002 by Ord. No. 5-2002]**

- A. Purpose.
  - (1) This district is designed to revitalize the existing neighborhood and enhance the community's historical heritage by:
    - (a) Encouraging the construction of new buildings or renovation of existing structures to complement/coordinate with the prevalent architecture of the immediate neighborhood.
    - (b) Creating public spaces that are safe, accessible and visually pleasing.
    - (c) Minimizing the negative impact on existing neighborhoods.

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23. Editor's Note: The Use Table is included at the end of this chapter.

24. Editor's Note: The Use Table is included at the end of this chapter.

25. Editor's Note: The Required Open Space Table is included at the end of this chapter.

- (d) Coordinating streetscapes within the Museum District, the Historic Districts and downtown.
  - (e) Coordinating activities/expansion efforts.
  - (2) The Museum District Overlay Zone is not meant to restrict any of the uses allowed in the underlying zones. It is the intent to allow additional uses through the granting of a special permit through the Zoning Board of Appeals.
  - (3) All new construction and/or renovations shall meet the existing open space requirements of the underlying zone.
  - (4) All new buildings shall be constructed to blend with existing structures in the vicinity in terms of height, scale, type and material.
- B. Permitted uses: See attached chart. Please refer to underlying zone as well as MD Zone.<sup>26</sup>

**§ 575-18. HP Historic District.** <sup>27</sup>

- A. Historic District Overlay Zone. These districts identified as overlay zones to the City of Norwich Zoning Map will help to recognize and preserve important and irreplaceable, historic and cultural places, which are valued as a living part of the community heritage.
- B. Existing districts. The City of Norwich presently has two existing Historic Districts included on the United States National Register of Historic Places:
  - (1) The North Broad Street Historic District. This district includes properties and buildings generally commencing from Newton Avenue south to include properties located on both sides of North Broad Street to the intersection of Cortland and Broad Streets, then continuing west to include properties located on the north side of Cortland Street up to and including residence No. 18.
  - (2) The Court House Historic District. This district includes buildings generally located on West Main Street from the West Main Street School proceeding east to include property Nos. 42 and 31 on East Main Street, and beginning at the intersection of Fair Street and Mechanic Street proceeding south on Broad Street up to and including property Nos. 8 and 9.
- C. Applicability. The provisions of being listed on the National Register of Historic Places apply to structures and properties located within Historic Districts in the City of Norwich. The provisions of National Historic Listing include in part:
  - (1) Owners of National Register sites may apply for machine grants-in-aid for acquisition and restoration of historic structures (National Historic Preservation Act of 1966).

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<sup>26</sup> Editor's Note: The Use Table is included at the end of this chapter.

<sup>27</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- (2) Owners of National Register sites may apply for a twenty-five-percent investment tax credit for certified rehabilitations of historic buildings used for commercial, industrial and residential rental purposes (Economic Recovery Tax Act of 1981).
  - (3) Municipal, state and federal governments are required to give consideration to the historical significance of structures and properties located within historical districts before leasing or purchasing space in these areas.
  - (4) The New York State Historic Preservation Act of 1980 requires state and, under certain circumstances, local agencies to consider the impacts of their activities on historical properties within preservation districts and to act to conserve such properties.
  - (5) The New York State Environmental Quality Review Act (SEQRA) of 1975<sup>28</sup> requires that the state and local governments consider the overall environmental effects, including the impacts to objects of historical or aesthetic significance, before final approval of actions subject to this law.
- D. Map availability. A map that shows the delineation of Historic Districts in the City Norwich will be available for public review in the City of Norwich Clerk's office, as well as information pertaining to the Historic Preservation Act.

#### ARTICLE IV Supplementary Regulations

##### § 575-19. Applicability.

In addition to the area and use restrictions for the various districts contained in Article III of this chapter, the following regulations apply throughout the City of Norwich.

##### § 575-20. General.

- A. Single-family dwellings on substandard lots. Notwithstanding the limitations imposed by any other section of this chapter, the Zoning Board of Appeals may authorize, by special permit, the erection of a single-family dwelling on a lot which does not meet the area requirements provided:
- (1) That single-family dwellings are permitted in the district in which the lot is located.
  - (2) That the lot was in separate ownership or under contract of sale at the time of the original passage of this chapter (January 8, 1963).
  - (3) No lot shall be subdivided to create one or more substandard lots.
- B. Fences.

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28. Editor's Note: See Environmental Conservation Law § 8-0101 et seq.

- (1) All fences shall require a building permit.
  - (2) No fence or wall shall be erected upon a side lot line or rear lot line of a lot which exceeds eight feet in height from grade.
  - (3) Fences shall be erected in such a manner as to expose the attractive fence side, where facing streets.
  - (4) No fence shall be erected from the front of the building line to the street line which shall exceed 3 1/2 feet in height from grade.
  - (5) Fences erected between building line and street line shall be of an ornamental character.
  - (6) Fences built between building line and street line shall be constructed to reflect the overall characteristics of the neighborhood and surrounding properties.
  - (7) On a corner lot, no fence, wall hedge or other similar structure or planting which obstructs a clear view for motorists and pedestrians shall be erected, placed or maintained within the triangular area formed by the intersecting street lines and a straight line adjoining said street lines at points which are 25 feet distant from the point of intersection, measured along said street lines.
- C. Stripping of topsoil. No person, firm or corporation shall strip, excavate or otherwise remove topsoil for sale.
- D. Location of recreational places. No entrance to a liquor store, poolroom, skating rink, dance hall or amusement park shall be established less than 500 feet from the property line of an existing school, church or YMCA.
- E. Sign ordinance. Any sign, temporary or permanent, erected or installed in the City of Norwich shall meet the requirements of Chapter 465, Signs, of the Code of the City of Norwich.
- F. Mobile home. No mobile home shall be permitted in the City of Norwich unless located in a mobile home park as provided in Article IV, § 575-21.
- G. Other ordinances. Nothing in this chapter shall be construed to relax the requirements of any other code or ordinance in effect in the City of Norwich.
- H. A special permit cannot be issued for a particular use unless specified in the Use Table.<sup>29</sup>

#### **§ 575-21. Mobile home parks.**

Mobile home parks are allowed by special permit in R-2 Districts, subject to the following regulations:

- A. Park size and capacity. Each mobile home park shall have a minimum of 175,000 square feet and shall contain no more than one mobile home for each 3,500 square feet of gross

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<sup>29</sup> Editor's Note: The Use Table is included at the end of this chapter.

area, including land use for access roads, recreation and service facilities and screen planting.<sup>30</sup>

- B. Size of lot. No mobile home lot in a park shall be less than 2,000 square feet in area and have less than 18 feet in frontage on an access road.
- C. Clearances.
  - (1) Mobile homes shall be located on the lot with the following minimum clearances:
    - (a) Sides: 25 feet from adjacent mobile homes or access roads.
    - (b) Ends: 20 feet from adjacent mobile homes and 15 feet from access roads.
    - (c) Thirty feet from exterior lot lines.
  - (2) In computing these clearances, lean-tos, auxiliary rooms and similar accessories connected to the mobile home, but not including temporary porches and canopies which are open on two sides, shall be considered as part of the mobile home.
- D. Automobile parking. There shall be at least one off-street parking space for each mobile home within 50 feet of the mobile home. In addition, there shall be one off-road parking space for each five homes within the park located at places of public congregation.
- E. Recreation area. A usable area set aside exclusively for recreation shall be provided within the mobile home park and shall be equal in area to 200 square feet for each mobile home lot in the park.
- F. Screening. Each mobile home park shall have no more than one entrance road on any one street frontage and shall have a landscaped area at least 20 feet wide along exterior lot lines and street frontages, suitably planted and maintained to provide visual screening from adjacent properties.

**§ 575-22. Off-street parking and loading.**

- A. General requirements.
  - (1) Applicability. Whenever a building is erected or enlarged, adequate off-street parking shall be provided in conformance with the standards set forth in this section.
  - (2) Access and design. All off-street automobile parking shall be designed with appropriate means of vehicular access to a street or alley as well as maneuvering areas.
  - (3) Location of facilities. Off-street parking facilities, to the extent required in this section, may be provided either on the same lot or premises with the parking generator or on any lot or premises a substantial portion of which is located within

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30. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

400 feet of such parking generator. If parking requirements are not met on site, a special permit will be required.

- (4) Uses not enumerated in schedule. For any and all uses or structures not specifically provided for in the schedule included in this section, such parking requirements shall be determined by the Zoning Board of Appeals, considering all the parking generating factors involved.
  - (5) All off-street parking shall have a paved surface of either blacktop, concrete, or equivalent as specified by the City Engineer.
- B. Schedule of off-street parking requirements: attached.<sup>31</sup>
- C. Special regulations.
- (1) Facilities with more than six spaces:
    - (a) Landscaping. For parking with more than six spaces at least 8% of the area of the lot usable for off-street parking shall be devoted to landscaping with lawn, trees, shrubs, etc., and all such landscaped areas shall be properly maintained thereafter in a sightly and well-kept condition.
    - (b) Parking area abutting a residential area or facing a public street. Whenever a facility with more than six spaces abuts a residential area or faces a public street, a six-foot screen, such as a masonry wall, wooden fence, chain link fence, or compact evergreen hedge shall be established and maintained along the area boundary lines, which screens parked vehicles. When establishing an evergreen hedge, the hedge must be at least three feet in height at the time of planting.
  - (2) Public parking credit. By special permit from the Zoning Board of Appeals, public parking, within 400 feet of the parking generator, may be credited for up to 1/2 the total required.
  - (3) Urban renewal areas. Public parking will be credited for 100% of the total required in urban renewal areas, provided the demand for parking by the generator does not exceed the capacity of the public parking facility assigned to that generator.
  - (4) Mixed uses. In the case of mixed uses, the parking facilities required shall be the sum of the requirements for the various individual uses, computed separately in accordance with this section; parking facilities for one shall not be considered as providing the required parking facilities for any other use.
- D. Off-street loading. Each building devoted to retail trade, warehousing, wholesaling, manufacturing, hotels, hospitals, schools, day-care centers or other buildings where large amounts of goods are received or shipped shall be provided on-premises loading and unloading space adequate to serve the complete needs of the building without utilizing any public street for loading or unloading purposes unless otherwise approved by Common Council.

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31. Editor's Note: The Parking Requirements Table is included at the end of this chapter.

**§ 575-23. Average density development.****A. Purpose.**

- (1) The purpose of this section is to permit variation in lot size in areas proposed for development within residential districts in order to encourage flexibility of design, to enable land to be developed in a manner sensitive to the natural physical features of the land, and to facilitate adequate and economical provision of streets and utilities.
- (2) The purpose is achieved by permitting reductions in minimum lot size and setback requirements for individual lots, provided the overall density of the area to be subdivided does not exceed that which is otherwise permitted in the zoning district.

**B. Procedure.**

- (1) Application for a special permit to utilize the average density provisions contained in this section shall be made to the Zoning Officer who shall refer the application to the City Planning Commission for review and approval.
- (2) The applicant shall attach to the application documentation, including a preliminary plat, indicating how the standards and conditions contained in this section will be met. The application shall not be deemed to have been made until all documentation necessary for review has been provided.
- (3) The Planning Commission will review the proposal following the procedures set forth in Article VI, § 575-33, of this chapter established for the Zoning Board of Appeals. The Planning Commission shall not approve the application unless it finds that the overall proposal complies with the standards and restrictions contained herein and, in addition, determines that the development will be consistent with the uses permitted within the zoning district and in conformance with the objectives of this chapter.
- (4) The Planning Commission shall approve, approve with conditions, or disapprove such applications within 45 days from when all necessary information has been supplied, as determined by the Zoning Officer.
- (5) Application for use of the average density provisions may be made concurrently with the filing of preliminary plat as provided for in Chapter 490, Subdivision of Land, of the Code of the City of Norwich.

**C. In order to qualify for this procedure, the following standards must be met:**

- (1) Lands to which average density zoning shall apply will be within either R-1, R-1A, or R-2 Residential Districts.
- (2) The minimum size of the area to be developed must be at least two acres in the R-1 District and one acre in the R-1A and R-2 Districts.
- (3) The maximum density shall not exceed the maximum otherwise permitted in the district calculated as follows:

- (a) Total area less land reserved for streets and other public purposes as shown on the plat, divided by the minimum lot size. For R-1 the minimum lot size used shall be that for a single-family dwelling (10,075 square feet per unit). For R-1A and R-2 minimum lot size shall be that used for multifamily dwellings (3,300 square feet per unit).<sup>32</sup>
  - (4) The front, side, and rear setbacks may be reduced except where a lot proposed under this section abuts an existing residential lot.
  - (5) Provision for and disposition of open-space lands and provisions for maintenance and control of the open-space land, and financial responsibility for such open-space land must be clearly indicated in writing and acceptable to the Planning Commission.
  - (6) All requirements of Chapter 490, Subdivision of Land, shall continue to apply. Approval of the use of the average density provision shall not constitute waiver of the terms and procedures of Chapter 490, Subdivision of Land.
- D. Restrictions. The following specific restrictions also apply:
- (1) Only uses already permitted in the zoning district may be established through this procedure.
  - (2) Rear access to all proposed buildings shall be accessible for police and fire protection, in accordance with NYS Uniform Fire Prevention and Building Code.
  - (3) Individual private lots, once approved through this procedure and part of an approved subdivision, shall not be further subdivided.
  - (4) Parking requirements may not be waived.
  - (5) If the project is proposed to be phased, provision must be made in writing at the initial phase. Average density provisions must be met for each phase of a phased development.

**§ 575-24. Planned use development.**

- A. Definition. "Planned use development" may be defined as an area of land in which a variety of housing types and/or related commercial and industrial facilities are accommodated in a preplanned environment under more flexible standards than would normally apply under this chapter, the approval of which may involve requirements, including, but not limited to, building design and landscaping.
- B. Intent.
- (1) It is the intent of this section to provide for compatible development of a variety of land uses and to encourage innovations in development and renewal techniques to enable community demands to be met with greater flexibility, variety of style,

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32. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

design, and layout of sites and buildings, and efficient use of open spaces and other amenities, and that such development and innovation be in accordance with the Comprehensive Plan and supporting plans, policies and development objectives of the City of Norwich.

- (2) This section recognizes that although the standard zoning function, both use and bulk, is appropriate for the regulation of land use in some areas, these controls may represent either a regulatory strictness or laxity which may be detrimental to establishment and promotion of the highest and best use of land within the community.
  - (3) Further, this section recognizes that a rigid set of space requirements, in conjunction with bulk and use specifications, would inhibit the application of this concept. Therefore, where PUD techniques are deemed appropriate by the Common Council through the rezoning of land to planned use development, the use and dimensional specifications herein are replaced by the approval process outlined in this section.
- C. Ownership. To enable a proposal to be considered for PUD status, a development must be comprised of contiguous land, which is owned, leased or controlled by a single person, a corporation, or by a group of individuals or corporations. An application must be filed by the owner or owners of all property to be included in the project. In the case of multiple ownership, the approved PUD shall be binding on all owners.
- D. Procedure. The following actions must be taken to obtain PUD status:
- (1) An application for establishment of a planned use development shall be submitted to the Planning Commission, through its Secretary, by the owner or owners of the property to be included in PUD.
  - (2) Such application shall include a design plan showing the character of the development that is proposed for the requested site. The design plan shall include: locations of principal and accessory structures, typical building elevation drawings, parking areas, traffic access and circulation, and open landscaped areas. Such supporting materials shall clearly demonstrate the concept, design, and uses of development. The submission shall also include any statements the applicant may consider appropriate relative to the necessity or desirability of development, its harmony with adjacent development, its conformity with the Comprehensive Plan, other community plans, and the reasons it cannot be developed under other zoning regulations.
  - (3) Upon presentation of the application to the Secretary, the Planning Commission staff or its planning consultant shall determine its completeness in accordance with Subsection D(5) of this section. When complete, the petition shall be placed upon the agenda of the Planning Commission for receipt at its next regular meeting, and the Common Council shall be notified of such.
  - (4) Upon official receipt of the petition, the Planning Commission shall have 45 days in which to act upon the same, unless such time shall be extended by mutual consent of the Commission and the applicant.

- (5) During the forty-five-day period, the Planning Commission shall:
  - (a) Have its staff or planning consultant prepare a professional opinion verifying data contained within the application and setting forth the proposal's relationship to existing zoning and the City's Comprehensive Plan. The staff or consultant shall also specifically address each of the performance site plan review criteria which are set forth in this section, with such other facts or considerations as it may deem appropriate.
  - (b) Within 10 days of official receipt, forward notice of such application to the Mayor, the Common Council, the City Attorney, the Police and Fire Chiefs, the Code Enforcement Officer, the Public Works Director, the Parks and Traffic Commissions, each commission and utility involved in providing services to the location set forth in the application, and such other officers or persons as the Commission may see fit.
  - (c) Hold a public hearing on the proposal upon individual notice to property owners adjoining the development and general notice published in the official newspaper of the City, such notices being provided not less than 10 days prior to the date of such hearing.
- (6) Following the public hearing, the Planning Commission shall consider the proposal and its relationship to the City's Comprehensive Plan, and recommend to the Common Council its adoption, its adoption with conditions, or its disapproval of the proposal.
  - (a) In its review, the Planning Commission may consult with City and county officials, as well as with representatives of federal and state agencies, including the New York State Department of Environmental Conservation and the New York State Health Department. The Planning Commission may also require such additional provisions and conditions that appear necessary for the public health, safety, general welfare, and conformity with the Comprehensive Plan.
  - (b) The decision will be based upon the information provided with the application, the recommendations of various expert reviewers, and the views of affected residents and the public at large.
- (7) The Commission shall make its decision only after it has specifically addressed, in written form or at public hearing, each of the performance site plan review criteria contained within this section.
- (8) Upon receipt of the recommendation of the Planning Commission, either for approval or disapproval of the planned use development, the Common Council shall consider same utilizing the procedures for amendment of the Zoning Map set forth in Article VI, § 575-35, of this chapter.
  - (a) After a public hearing as required by Article VI, § 575-35, the Common Council may:

- [1] Adopt the site plan recommendation as presented by the Planning Commission; or
  - [2] Adopt the site plan recommendation with modifications; or
  - [3] Disapprove the zone change.
- (b) In the event the Common Council adopts the site plan recommendation with modifications, it shall set forth in its resolution providing for the planned use development zone the reasons for the modifications.
- (9) No development or construction within the PUD shall occur and no building permits shall be issued without approval of development plans by the Planning Commission and approval of a zoning amendment by the Common Council.
- (10) In the event that there has not been a start made on the proposed development as authorized by the Common Council within one year from the date of passage of the amendment, such amendment may be revoked by Common Council after legal public notice and hearing. The land in question shall be deemed subject to the same regulations in effect before such amendment was passed.
- E. Performance site plan review criteria. Application for site plan approval shall be submitted to the Planning Commission in writing and shall be accompanied by the following information prepared by a licensed engineer and/or architect whose seal shall be affixed to the plans:
- (1) An area map showing applicant's entire holding, including that portion of the applicant's property under consideration and all properties, subdivisions, streets and easements within 500 feet of the applicant's property.
  - (2) A site plan, including the following information:
    - (a) Title of drawing, including name and address of applicant;
    - (b) North point, scale and date;
    - (c) Boundaries of the property plotted to scale including measurement of lots with square foot area computed;
    - (d) Proposed use and height of all buildings, including ground area and setbacks of buildings and total area by floor;
    - (e) Location of all parking and truck-loading areas, including number of parking spaces provided and access and egress drives thereto;
    - (f) Location and proposed development of all open spaces, including parks, playgrounds, and open reservations;
    - (g) Location of outdoor storage, if any;
    - (h) Location of all existing and proposed site improvements, including drains, culverts, retaining walls, and fences;

- (i) Description of the method of sewage, stormwater, and sanitary waste disposal and the location of such facilities;
  - (j) Description of the drainage pattern;
  - (k) Location, size, and design of all signs;
  - (l) Location and proposed development of buffer areas, including type and arrangement of trees, shrubs, and other landscaping which serves as a visual and/or noise deterrent for adjacent properties;
  - (m) Location and design of lighting facilities.
- (3) A tracing overlay showing all soil areas and their classifications, and those areas, if any, with moderate to high susceptibility to flooding and/or erosion. For areas with potential erosion problems, the overlay shall also include an outline and description of existing vegetation.
  - (4) Zoning designations and proposed density of all plots of land;<sup>33</sup>
  - (5) Architectural rendering, including landscaping plans;
  - (6) Description of a site maintenance plan, including street maintenance, snow removal and clearance;
  - (7) Submission of site plan fee, as established by Common Council, to the City Clerk; notwithstanding the above, the applicant will also provide, at his sole expense, sufficient data and information for the City to make a National Environmental Policy Act (NEPA) and/or State Environmental Quality Review (SEQR) determination and, if an environmental report is necessary, the applicant, at his sole expense, will cause same to be made and submitted;
  - (8) Any design standards or required improvements, which are included in the Code of the City of Norwich and others, as may be required by the Planning Commission.
- F. Guarantee of performance. The Common Council or the Planning Commission may require issuance of a bond, on terms satisfactory to such bodies, guaranteeing performance of the final site development plan approved by the Commission and the Common Council.

**§ 575-25. Accessory structures.** <sup>34</sup>

Accessory structures may be erected, replaced or enlarged between the side or rear yard setback lines and lot lines of any residential lot, provided that the applicant provides sufficient documentation that:

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33. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

34. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- A. The accessory structure to be erected, replaced or enlarged is used as an incidental and complementary use to the residential building on the lot on which it is situated; and
- B. Accessory structures shall not be built between the building line and the street.

**§ 575-26. Adult entertainment.**

- A. Purpose and intent. It is recognized that buildings and establishments operated as adult uses have serious objectionable operational characteristics. In order to promote the health, safety and general welfare of the residents of the City of Norwich, this section is intended to restrict adult uses to nonresidential and nonbusiness areas of the City. The City hereby finds that the operational characteristics of adult uses increase the detrimental impact on a community when such uses are concentrated; therefore, this section is intended to promote the health, safety and general welfare of the residents of the City of Norwich by regulating the concentration of such uses. It is not the intent nor the effect of this section to restrict or deny access by adults to sexually oriented materials protected by the First Amendment or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market; neither is the intent nor the effect of this section to condone or legitimize the distribution of obscene materials.
- B. Classification of businesses. Adult entertainment uses are classified as follows:<sup>35</sup>
  - (1) Adult arcades.
  - (2) Adult bookstores.
  - (3) Adult cabarets.
  - (4) Adult dancing establishments.
  - (5) Adult motels.
  - (6) Adult motion-picture theaters.
  - (7) Adult theaters.
  - (8) Escort agencies.
  - (9) Sexual encounter centers.
- C. Restrictions. Adult entertainment uses shall be permitted subject to the following restrictions:
  - (1) No adult use shall be allowed within 500 feet of another existing adult use.
  - (2) No adult use shall be located within 500 feet of the boundaries of any zoning district, which is zoned for residential or business use.
  - (3) No adult use shall be located within 500 feet of a preexisting school or place of worship.

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35. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- (4) No adult use shall be located in any zoning district, except those districts zoned industrial.

ARTICLE V  
**Nonconforming Uses and Nonconforming Buildings**

**§ 575-27. Nonconforming uses.**

- A. Policy. A nonconforming use is any use of a building or structure, lot or land or part thereof which does not conform to the regulations of this chapter for the district in which it is located. A building containing a nonconforming use may not be altered by improvements exceeding an aggregate cost of 50% of the assessed or market value as established by current appraisal of the property, unless the effect of the change is to achieve a conforming use. (See Article V, § 575-28B.)
- B. Discontinuance. Whenever a nonconforming use has been discontinued by reason of vacancy of land or building or cessation of such use for a period of two years, such use shall not thereafter be reestablished without the granting of a special permit by the Zoning Board of Appeals, as enumerated in Article VI, § 575-33, of this chapter. Any future use shall be in conformance with the provisions of this chapter.
- C. Changes. Once changed to a conforming use, no building or land shall be permitted to revert to a nonconforming use. A nonconforming use may be changed by special permit to a use of the same or more restrictive classification and such use thereafter shall not be changed to a less restrictive classification as listed in the Use Table.<sup>36</sup>

**§ 575-28. Nonconforming structures or buildings.**

- A. Policy. Any building, which does not comply with the open space regulations of this chapter, as specified in the attached chart,<sup>37</sup> shall not be altered so as to increase the degree of noncompliance.
- B. Restoration. A nonconforming building damaged by fire or other cause, to the extent of more than 50% of the assessed value or market value as established by current appraisal, exclusive of land, shall not be repaired or rebuilt to contain any greater ground floor area or number of stories than contained therein prior to such damage, except in conformity with the regulations of this chapter, unless approved by special permit.
- C. Alterations. A nonconforming building shall not be enlarged, extended, or have exterior alterations beyond the limits of the original building, unless such alterations are in accordance with the provisions for the district in which the building is located. (See Article V, § 575-27.)

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36. Editor's Note: The Use Table is included at the end of this chapter.

37. Editor's Note: The Required Open Space Table is included at the end of this chapter.

**§ 575-29. Right to continue.**

- A. Policy. Any building or use lawfully existing under the provisions of this chapter, in effect at the time of the establishment of said use, or prior to the establishment of such an ordinance or amendment thereof, may be continued subject to compliance with the conditions set forth in this chapter.
- B. Effect of change in map. Whenever a district shall be changed hereafter, the provisions of this chapter with regard to any building or uses lawfully existing at the time of the passage of this chapter shall apply subject to compliance with the conditions set forth here to any building or use lawfully existing in such changed district at the time of the passage of such amendment.
- C. Construction approved prior to adoption of or amendment of chapter. Nothing herein contained shall require any change in plans, construction or designated use of a building for which a building permit has been heretofore issued and the construction of which shall have been diligently prosecuted within three months of the date of said permit, and the ground floor framework of which, including the second tier of beams, shall have been completed within six months of the date of the permit, and which entire building shall be completed according to such plans as filed within one year from date of this chapter.

**§ 575-30. Right to make repairs.**

- A. Policy. Nothing in this article shall be deemed to prevent normal maintenance and repair of an existing building.
- B. Unsafe structures. Any structure or portion thereof declared unsafe by a proper authority may be restored to a safe condition, unless such change constitutes a restoration as defined in § 575-28 of this article.

ARTICLE VI  
**Administration**

**§ 575-31. Enforcement and administration.**

- A. Administrative official. Except as otherwise provided in this chapter, the Code Enforcement Officer or other person designated by Common Council by resolution, shall be designated the Zoning Officer and shall enforce this chapter, including the receiving of applications, the inspection of premises and the issuing of building permits. No building permit or certificate of occupancy shall be issued by him, except where the provisions of this chapter have been complied with.
- B. Building permit required. No building or structure shall be erected, added to or structurally altered until a permit therefor has been issued by the Zoning Officer. All applications for such permits shall be in accordance with the requirements of this chapter, and, unless upon written order of the Zoning Board of Appeals, no such building permit or certificate of occupancy shall be issued for any building where said construction, addition or alteration or use thereof would be in violation of any of the provisions of this chapter. [Amended 12-15-1998 by Ord. No. 8-1998]

- (1) Matter accompanying application. There shall be submitted with all applications for building permits four copies of a layout or plot plan drawn to scale showing the actual dimensions of the lot to be built upon, the exact size and location on the lot of the building and accessory buildings to be erected, and such other information as may be necessary to determine and provide for the enforcement of this chapter. Within the Business Improvement District (BID), two of the four copies of the plot plan, for new construction or additions only, will be sent to the site plan review Team for comment. The Site Plan Review Team shall consist of the Planning Commission, together with the staff of the Department of Community Development and the Zoning Officer. The Community Development Director shall be Chairperson. The Team will meet within 30 days of the application to review the site plan for compliance with this chapter and to indicate required improvements or modifications to the site plan. Within 30 days of the application, the Team's recommendation of approval, conditional approval or disapproval based on compliance with this chapter will be submitted, in writing, simultaneously to the property owner and to Common Council.
- (2) In the case of a project that is not approved, the owner is invited to meet with the Planning Commission to address the required adjustments.
- (3) Payment of fee: The Common Council shall establish by resolution such fees as it shall deem appropriate in regard to the administration of this chapter.

**§ 575-32. Certificate of occupancy.**

- A. No land shall be occupied or used, and no building hereafter erected, altered or extended shall be used or changed in use, until a certificate of occupancy shall have been issued by the Zoning Officer, stating that the building or proposed use thereof complies with the provisions of this chapter.
- B. No nonconforming use shall be maintained, renewed, changed or extended in any district without a certificate of occupancy having first been issued by the Zoning Officer thereof.
- C. All certificates of occupancy shall be applied for coincident with the application for a building permit. Said certificate shall be issued within 30 days after the erection or alteration shall have been completed.
- D. No permit for excavation for, or the erection or alteration of or repairs to, any building shall be issued until an application has been made for a certificate of occupancy.
- E. Under such rules and regulations as may be established by the Zoning Board of Appeals and filed with the Zoning Officer, a temporary certificate of occupancy for not more than 30 days for a part of a building may be issued by him.

**§ 575-33. Zoning Board of Appeals.**

- A. Creation, appointment and organization. A Zoning Board of Appeals is hereby created in accordance with applicable sections of the General City Law, Chapter 21, of the Consolidated Laws, Articles 2-A and 5-A. Said Board shall consist of seven members.

The Board shall elect a Chairman from its membership, shall designate a Secretary and shall prescribe rules for the conduct of its affairs.<sup>38</sup>

B. Powers and duties. The Zoning Board of Appeals shall have all the powers and duties prescribed by law and by this chapter, which are more particularly specified as follows:

(1) Interpretation. An applicant may appeal a decision by the Zoning Officer to decide any provision of this chapter, including determination of the exact location of any district boundary if there is uncertainty with respect thereto.<sup>39</sup>

(2) Special permits. The Zoning Board of Appeals shall have the power, after providing public notice and hearing as provided in Subsection D of this section, to grant or deny special permits where required by this chapter for the particular use in the particular district. (See Use Table.)

(a) The Zoning Board of Appeals may not grant such permit unless it finds:

[1] That the use for which such permit is sought will not be injurious to the neighborhood or otherwise detrimental to the public welfare and will be in harmony with the general purpose of this chapter. In determining its findings, the Board shall take into account the character of the neighborhood and use of adjoining buildings and those in the vicinity, the number of persons residing or working in such buildings or upon such land, and traffic conditions in the vicinity.

[2] That all structures, equipment and materials shall be reasonably accessible for fire and police protection.

(b) Any special permit which is not exercised within one year from the date of issuance is hereby declared revoked without further hearing by the Zoning Board of Appeals.

(c) In granting any special permit, the Board shall require all off-street parking necessary to meet the Parking Requirements Table<sup>40</sup> to be a paved surface of either blacktop, concrete, or equivalent as specified by the City Engineer, and the area shall also be required to meet the screening specification as enumerated in Article IV, § 575-22, Off-street parking and loading, of this chapter. **[Added 11-23-2004 by Ord. No. 2-2004]**

(d) In granting any special permit, the Board shall prescribe any condition, which it deems to be necessary or desirable for the public interest.

(3) Use variance.

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38. Editor's Note: For alternate members of the Zoning Board of Appeals see Ch. 7.

39. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

40. Editor's Note: The Parking Requirements Table is included at the end of this chapter.

- (a) The Zoning Board of Appeals, on appeal from the decision or determination of the administrative official charged with the enforcement of this chapter, shall have the power to grant use variances, as defined herein.
  - (b) No such use variance shall be granted by a Zoning Board of Appeals without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate to the Zoning Board of Appeals that for each and every permitted use under the zoning regulations for the particular district where the property is located:
    - [1] The applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;
    - [2] The alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood;
    - [3] The requested use variance, if granted, will not alter the essential character of the neighborhood; and
    - [4] The alleged hardship has not been self-created.
  - (c) The Zoning Board of Appeals, in the granting of use variances, shall grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship proven by the applicant, and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
- (4) Area variance.
- (a) The Zoning Board of Appeals shall have the power, upon an appeal from a decision or a determination of the administrative official charged with the enforcement of this chapter to grant area variances as defined herein.
  - (b) In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Board shall also consider:
    - [1] Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
    - [2] Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;
    - [3] Whether the requested area variance is substantial;
    - [4] Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

- [5] Whether the alleged difficulty was self-created which consideration shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of the area variance.
- (c) The Zoning Board of Appeals, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
- (5) Imposition of conditions. The Zoning Board of Appeals shall, in the granting of both use and area variances, have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of this chapter, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood community.
- C. Procedure. The Zoning Board of Appeals shall act in strict accordance with the procedure specified by law and by this chapter, more particularly described as follows:
- (1) All appeals and applications made to the Board shall be in writing and on forms prescribed by the Board and shall include at least:
- (a) Reference to the specific provision of this chapter involved;
- (b) The district in which the parcel is located;
- (c) A plot plan, drawn approximately to scale, showing the location of all existing and proposed buildings and structures;
- (d) Either the exact interpretation of this chapter claimed, the use for which a special permit is sought, or the details of the variance that is applied for and the ground on which it is claimed that the variance should be granted.
- (2) The Secretary of the Zoning Board of Appeals shall transmit for comment and review to the City Planning Commission, the County Planning Board, in accordance with § 239-m of General Municipal Law, State of New York, and the Code Enforcement Officer, a complete copy of said application and appeal, together with a notice of the required public hearing (if requested) at least 10 days prior to aforesaid hearing.<sup>41</sup>
- (3) Every decision of the Zoning Board of Appeals shall be by resolution, each of which shall contain a full record of the evidence presented and the findings of the Board.
- (4) Each resolution shall be filed in the office of the City Clerk by case number under one of the following headings: interpretation, special permits or variance. Each file shall include all pertinent documents.

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41. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- (5) The Zoning Board of Appeals shall notify the City Council and the Planning Commission of each special permit and each variance granted under the provisions of this chapter.
  - (6) Administration of the Zoning Board of Appeals will conform to all applicable sections of the General City Law.
- D. Notice and hearing. No action of the Board shall be taken on any case until proper notice has been given and a public hearing has been held. Proper notice of a hearing before the Board shall be, besides "public notice," written notice mailed to the owner or his agent and, so far as it is practicable, written notice to directly affected property owners or their agents, given at least 10 days prior to the date of such proposed hearing in such manner as the Board may, by its rules, prescribe.

**§ 575-34. Notification of adjacent municipality.** <sup>42</sup>

When an application for a special permit, site plan review or use variance involves property that is within 500 feet of an adjacent municipality, as defined in § 239-nn of the General Municipal Law, the Planning Commission shall give notice to the adjacent municipality by mail or electronic transmission to the clerk of the adjacent municipality at least 10 days prior to any hearing. Such adjacent municipality may appear and be heard.

**§ 575-35. Amendments.**

The Common Council may on its own motion or on petition, or on recommendation of the Planning Commission, amend, supplement or repeal the regulations and provisions of this chapter.

- A. Every such proposed amendment or change, whether initiated by the Common Council or by petition, shall be referred to the Planning Commission for study and report thereon before the public hearing hereinafter provided for.
- B. Notice.
  - (1) The Common Council, by resolution adopted at a stated meeting, shall fix the time and place of a public hearing on the proposed amendments and cause notice to be given as follows:
    - (a) By publishing a notice once a week for two consecutive weeks in the official newspaper of the City.
    - (b) By mailing a notice thereof to every association of residents of the City, which shall have registered its name and address for this purpose with the City Clerk.
  - (2) The notice shall state the general nature of the proposed amendments as well as the text.

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42. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. D).

- C. An amendment for rezoning may be initiated by a petition of interested property owners or authorized agents of such owners for rezoning of any land to less restricted district, provided that said land is adjacent to or directly across a street or alley from property which is already zoned in the same or less restricted zone as that to which said property is proposed to be rezoned.

**§ 575-36. Penalties for offenses. [Amended 11-23-2004 by Ord. No. 2-2004]**

- A. The property owner shall have 60 days to correct such violation or face prosecution by the City of Norwich. Any person who is found guilty of violating any provision of this chapter shall be punishable by a fine of not to exceed the maximum allowed by law and/or imprisonment not to exceed 15 days. Each violation of this chapter shall be a separate offense and each day of said violation shall be considered a separate offense.
- B. The imposition of the above punishment shall not restrict the City of Norwich in enforcing compliance with this chapter or other appropriate proceeding.

# ZONING

## 575 Attachment 1

### City of Norwich

#### Use Table

[Amended 8-20-2002 by Ord. No. 5-2002; 3-18-2008 by Ord. No. 1-2008; at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

Description of Use	R-1	R-1A	R-2	R-3	B-1	B-2	RR	IN	MD
	Single-Family Residence	R-1 Use to R-2 Density	Single-Family to Multiple Residence	R-2 with Limited Business	General Business	Highway Business	Railroad District	Industrial	Museum District Overlay
Accessory structure	X	X	X	X	X	X		X	
Accessory use	X	X	X	X	X	X		X	
Adult entertainment use								X*	
Animal kennel						X			
Auto sales and repair					X	X			
Auto service station					X	X			
Bank/financial institution					X	X			
Club, membership				X*	X*	X*			
Cultural center				X*	X*	X*		X*	X*
Day-care center	X	X	X	X	X	X		X	
Essential public service	X*	X*	X*	X*	X*	X*		X*	
Family day-care center	X	X	X	X	X	X		X	
Funeral establishment				X*	X	X			
Garage, private	X	X	X	X	X	X			
Garage, public					X	X			
General/light industrial					X*	X*		X	
Group care facility			X*	X*	X*	X*			
Group family day-care center	X	X	X	X	X	X		X	
Home beauty parlor/shop	X*	X	X	X					
Home occupation	X*	X	X	X					
Hospital	X*	X*	X*	X*	X	X			
Laundromat/dry cleaning					X	X		X2	
Library				X*	X	X			
Mobile home park			X*						

NORWICH CODE

Description of Use	R-1	R-1A	R-2	R-3	B-1	B-2	RR	IN	MD
	Single-Family Residence	R-1 Use to R-2 Density	Single-Family to Multiple Residence	R-2 with Limited Business	General Business	Highway Business	Railroad District	Industrial	Museum District Overlay
Motel/hotel					X	X			
Multifamily dwelling		X*	X*	X*	X3				
Nursing home			X*	X*	X	X			
Office building				X*	X	X		X	
Parks/playground	X	X	X	X	X	X			
Private school	X*	X*	X*	X*	X				
Professional office			X*	X	X	X		X	
Public school	X	X	X	X	X	X			
Railroad							X		
Recycling facility								X	
Religious institution	X*	X*	X*	X*	X				
Restaurant/cafeteria				X*	X	X			X*
Retail trade/general business				X*	X	X			X*
Rooming house			X*	X*					X*
Single-family dwelling	X	X	X	X					
Theater					X*	X*			
Trail (pedestrian or bicycle)							X		
Two-family dwelling	X*	X*	X	X					
Warehousing, private					X4	X4		X	
Warehousing, public						X4		X	
Wholesale storage, building supplies						X4		X	
Wholesale trade					X	X		X	

**NOTES:**

X = Permitted by right.

X\* = Permitted by special permit.

X2 = Commercial cleaning plant by special permit only.

X3 = Apartments of upper floors of existing commercial buildings, no minimum number of units.

X4 = Enclosed warehouses only.

ZONING

575 Attachment 2

City of Norwich

Open Space Requirements

[Amended 12-15-1998 by Ord. No. 8-1998; 12-20-2005 by Ord. No. 4-2005; at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

Zoning District	Minimum Lot Size (square feet)	Minimum Frontage (feet)	Street Setback (feet)	Lot Lines Setback (feet)	Maximum Building Height	Maximum Lot Coverage
R-1	10,075	65	30	10	2 stories or 30 feet	40%
R-1A <sup>1</sup>	7,000	55	20	5	2 stories or 30 feet	40%
R-2 <sup>1,2</sup>	7,750	60	20	5	2 stories or 30 feet	50%
R-3	8,525	55	20	10	3 stories or 45 feet	50%
B-1 <sup>4</sup>	1,200	15	0	3 <sup>3</sup>	5 stories or 60 feet	90%
B-2	10,000	75	35	12	3 stories or 45 feet	50%
IN	12,500	100	30	20	5 stories or 50 feet	66%

**NOTES:**

<sup>1</sup> Minimum lot 3,300 square feet per dwelling unit, three or more dwelling units.

<sup>2</sup> Federal and state assisted housing shall be allowed in R-2 Zones. For federal and state assisted housing for the elderly, the following standards shall apply: minimum lot size: 15,000 square feet; minimum frontage: 100 feet; street setback: 20 feet; side yard 15 feet or 1/3 building height, whichever is more restrictive; rear yard: 20 feet; building height: six stories or 70 feet; coverage: 35%; minimum lot: 600 square feet per dwelling unit.

<sup>3</sup> Nonrequired minimum only if provided.

<sup>4</sup> BID:

a. Within the Business Improvement District corner lots may have setbacks of up to 25 feet on the two sides of the property that address the two streets. All other lots may have setbacks of up to 15 feet. These setbacks are allowed only for public seating, outdoor cafes and gardens. Under no circumstances shall a voluntary setback be considered a hardship or a justification for larger or brighter signage than is allowed by Ch. 465, Signs, of the Code of the City of Norwich.

b. Within the Business Improvement District the minimum building height shall be two stories or 30 feet. In fulfilling this requirement, the first and second floors must have comparable square footage.

c. Within the Business Improvement District the minimum lot coverage (whether one lot or two or more lots combined) shall be 60%.



ZONING

575 Attachment 3

City of Norwich

**Parking Requirements**  
**[Amended 12-15-1998 by Ord. No. 8-1998;**  
**12-20-2005 by Ord. No. 3-2005; 1-19-2010 by Ord. No. 2-2010]**

Use	Required Parking Spaces	
	Employees	Customers, Patients or Members
Adult entertainment uses	1 for every 3	1 for every 4 seats
Animal kennels	1 for every 1	1 for every 500 square feet
Auto sales and repair	1 for every 3	1 for every 700 square feet
Auto service station	1 for every 3	1 for every 700 square feet
Bank/financial institution	2 for every 3	1 for every 700 square feet
Club, membership	1 for every 3	1 for every 5
Cultural center	To be determined by Zoning Board of Appeals	
Day-care center	1 for every 1*	1 for every 5 seats
Family day-care center	1 for every 1*	1 for every 5 seats
Funeral establishment	1 for every 1*	By special permit
General/light industrial	1 for every 2/shift*	
Group care facility	1 for every 1*	1 for every 10
Group family day-care center	1 for every 1*	1 for every 5
Home beauty parlor/shop	1 each**	2****
Home occupation	1 each**	2
Hospital	1 for every 2/shift	1 for every 4 beds
Laundromat/dry cleaning	1 for every 1	1 for every 200 square feet
Library	1 for every 1	1 for every 500 square feet
Motel/hotel	1 for every 2/shift	1 for each unit
Multifamily dwelling		5 for three-unit dwelling***
		7 for four-unit dwelling***
		9 for five-unit dwelling***
		1 each additional over 5****
Nursing home	1 for every 1/shift*	1 for every 4 beds
Office building	2 for every 3	1 for every 700 square feet
Private school	1 for 1	By special permit

NORWICH CODE

Use	Required Parking Spaces	
	Employees	Customers, Patients or Members
Professional office	2 for every 3	1 for every 700 square feet
Recycling facility	1 for every 2/shift*	
Religious institution	1 for every 3	1 for every 4 seats
Restaurant/cafeteria	1 for every 1/shift	1 for every 5 seats
Retail trade/general business	1 for 1	1 for every 700 square feet
Rooming house	1 for 1	1 for each unit
Single-family dwelling		1 per unit
Theater	1 for every 1	1 for every 4 seats
Two-family dwelling		1 for each unit
Warehousing, private	1 for every 1*	
Warehousing, public	1 for every 1*	
Wholesale storage building supplies	1 for every 1*	1 for every 700 square feet
Wholesale trade	1 for every 1*	1 for every 700 square feet

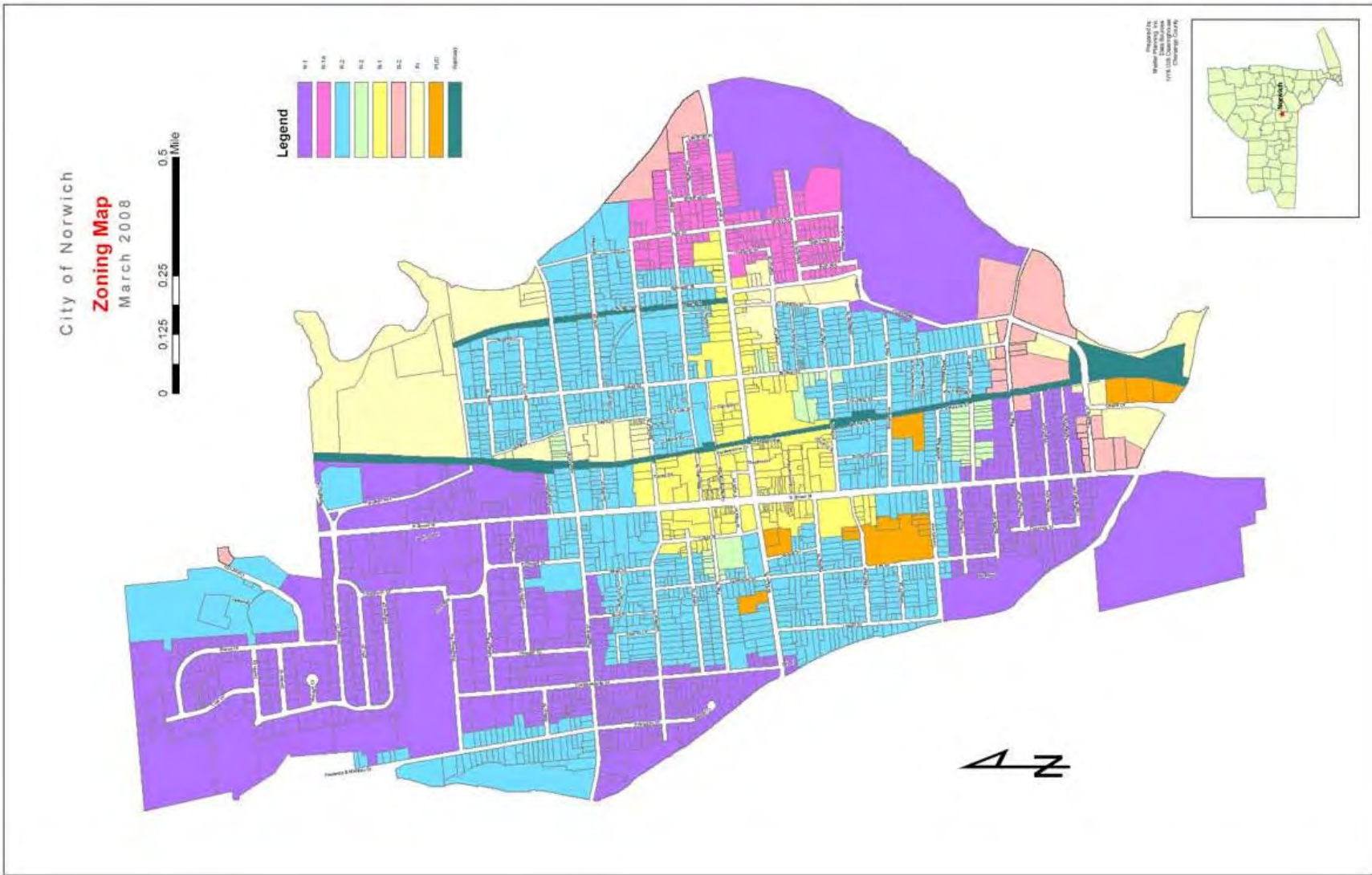
**NOTES:**

- \* Must have adequate safe unloading and loading areas.
- \*\* Home occupations and beauty parlors must provide one space for the owner/operator and one for a nonresident employee if one exists.
- \*\*\* For properties in R-1A, R-2 and R-3 Zones only.
- \*\*\*\* Three additional customer spaces required if an additional employee exists, for a total of five customer spaces and two employee spaces.

In a B-1 District parking requirements may be modified by special permit.

Within the BID no establishment shall be allowed more than 15 parking spaces without a special permit. All parking must be located at the rear of the building and, if visible to the street, screened by a solid form of fencing, hedging or wall (4 feet to 6 feet high) and made safe by night lighting. Where there is space for parking in the middle of the block, behind the buildings, property owners shall be encouraged to allow passage through their lots so that adjacent lots become areas of public parking. Under no circumstances may a parking facility face Broad Street or Main Street within the BID.

Drive throughs (at banks, pharmacies, etc.) must be located so as to receive traffic from a main street and dispense it to a side street or vice versa. There must be enough windows to handle peak traffic without lines stacking in nearby streets.



[Click here to view this map in a larger version \(PDF file\)](#)

# Museum District



Note: The boundaries on this map are an estimation of the Museum District. An accurate description of the district is on file at the City Clerks Office

