

8 11 11 DRAFT REGULATIONS

Note: deletes are in italics**ARTICLE 2 RULES AND DEFINITIONS****2.2 Definitions**

Agriculture. The use and cultivation of the ground for the production and harvesting of crops, including horticulture and forestry, and the breeding and management of livestock, fish, fowl and fur-bearing animals.

*Agriculture/Farm (existing) **DELETE***

The cultivation of ground, including the harvesting of crops, rearing and management of livestock, tillage, husbandry, farming, horticulture and forestry.

*Farm(existing) **DELETE***

A tract of 80,000 square feet or more, used principally for agricultural activities, forestry, nursery or truck gardening, or for raising, keeping or sale of livestock, fowl, and fur bearing animals.

Farm Store. **NEW** A permanent structure for the year-round sale of raw and/or processed agricultural and horticultural products on a property of which at least 80,000 s.f. is used for agriculture.

Farmers market. **NEW** A public market place where fresh foods are sold by the people who have grown, gathered, raised, caught or otherwise produced them, and middlemen or brokers are not allowed. Crafts and other items can be sold at farmers' markets as long as the total number of craft vendors does not exceed the total number of farmer vendors.

Home Business. A use or combination of uses which is clearly incidental and secondary to the residential use of the premises and conducted for profit within a dwelling, or within an accessory building on the same lot. Retail uses are limited to the sale of: antiques; fine art made on the premises; crafts made on the premises. Boarding dogs as a home business is prohibited.

*(existing) **DELETE***

Home Occupation

A use or combination of uses which is clearly incidental and secondary to the residential use of the premises and conducted for profit within a dwelling, or within an accessory building on the same lot.

Retail uses are limited to the sale of: antiques, fine art, and crafts made on the premises.

"Kennel, commercial" A kennel maintained as a business for boarding or grooming dogs, including a veterinary hospital boarding or grooming dogs for non-medical purposes.

Office, medical and professional. An office for recognized professionals, such as doctors, dentists, lawyers, architects, accountants, designers and engineers, who through specialized and extensive training and licensure are qualified to perform services of a professional, as distinguished from a commercial, nature.

*(existing) **DELETE***

Office, Medical

A room, group of rooms or a building used primarily for conducting the affairs related to the practice of medicine but excluding any overnight facilities for patients.

Office, Professional

An office for recognized professionals, such as doctors, dentists, lawyers, architects, engineers, artists, musicians, designers, teachers, clergymen and others, who through training or experience are qualified to perform services of a professional as distinguished from a business nature.

Roadside stand, seasonal. Sale of agricultural products grown on the premises from a temporary stand for no more than 6 months per year.

Tea room. **NEW** A small restaurant in an owner-occupied single-family residential structure serving teas and other non-alcoholic beverages and cakes or other light refreshments to customers.

ARTICLE 4 AREA AND YARD REGULATIONS

4.2 Exceptions to Area and Yard Requirements

11. **Agricultural buildings setbacks.** Agricultural buildings shall be located not less than 75 feet from any street line and 100 feet from any dwelling on an adjacent lot, except that this requirement may be modified by the Commission upon request of the applicant if the Commission finds that modification is warranted due to lot shape and size and that modification of these requirements shall not adversely impact surrounding land uses. These agricultural setbacks shall not restrict fencing for livestock.

(existing) DELETE

Section 5.1 Permitted Uses.

11. *Farms, to include the production, processing and sale of agricultural products including animal husbandry or horticultural uses, under the following conditions:*
 - (1) *All structures except dwellings hereafter constructed shall be located not less than 75 feet from any street line and 100 feet from any dwelling on an adjacent lot, except that this requirement shall not restrict fencing for pastures for horses and cows.*
12. **Disability access. (NEW)** Access ramps, landings and decks required for adequate access by disabled residents may encroach into the required yard setbacks to the extent necessary to meet the minimum requirements for such access.
13. **Small Accessory Structures. (NEW)** Small accessory structures that are accessory to a residential use with an area of 200 square feet or less and height of no more than 14 feet shall have a setback of at least fifteen feet from the side and rear property lines.

ARTICLE 5 ZONING DISTRICT REGULATIONS

existing/Delete

5.1 RA-80 Rural Residence - Agricultural Zone

Purpose: *To provide suitable areas for residential and agricultural development appropriate to the environmental characteristics of the land and the rural character of the Town of Hampton.*

Permitted Uses: Land and buildings may be used and buildings may be altered or erected to be used for the following purposes providing a permit is first obtained from the Planning and Zoning Commission or its agent:

- a. One single-family dwelling or one two-family dwelling. Two family dwelling is subject to Section 6.6. One mobile home may be used for one dwelling unit per lot, subject to the definition provided in Section 2.2.
- b. Agriculture & forestry.
- c. Uses, buildings, and structures accessory to permitted uses. A primary use must be permitted prior to establishment of an accessory use.
- d. Professional offices, home occupations and home day care for less than 5 clients.
- e. Farms, to include the production, processing and sale of agricultural products including animal husbandry or horticultural uses, under the following conditions:
 - (1) All structures except dwellings hereafter constructed shall be located not less than 75 feet from any street line and 100 feet from any dwelling on an adjacent lot, except that this requirement shall not restrict fencing for pastures for horses and cows.
 - (2) Commercial slaughtering, except animals raised on the premises, is prohibited.
- f. Retail sale of art and crafts, provided such sale is conducted within a building and held on no more than 6 calendar days per year on any lot.
- g. One accessory detached dwelling unit in addition to a single family dwelling per lot, with a maximum of two dwelling units on a lot, subject to Section 6.6.

Special Permit Uses: Land and buildings may be used and buildings may be altered or erected to be used for the following purposes, providing a special permit is first obtained from the Planning and Zoning Commission pursuant to Special Permit requirements, and provided the use is secondary or accessory to the principal residential use on the same property.

- a. Offices, home occupations, bed and breakfast establishments, day care/child care centers, landscape service, and shops and storage facilities for contractors and tradesmen in accordance with special regulations as a home occupation.
- b. A garden center, greenhouse, or nursery, including the sale of plants, whether grown on the premises or not, and related supplies and services.
- c. Seasonal roadside stands selling farm produce predominantly grown on the premises may be located in front of same in any zone, but shall provide safe entrance from and exit into the street, with adequate pickup, parking, and off-street loading space.
- d. Cemeteries.
- e. Public utilities installations needed for the public convenience and necessity.
- f. Municipal, state, and federal government buildings.
- g. Commercial kennels, animal grooming, animal training facilities, stables, riding schools and commercial chicken houses, veterinary hospitals and other commercial activities involving the raising and housing of animals in accordance with special regulations as a home occupation.

- h. Outdoor recreational uses, including country clubs and commercial seasonal campgrounds. Not permitted: racing/riding/training facilities for motorcycles, cars, trucks, all terrain vehicles or any motorized vehicles.*
- i. Educational, instructional, religious, philanthropic, and charitable institutions.*

5.1 RA-80: RURAL RESIDENCE AND AGRICULTURAL ZONE - minimum lot size 80,000 square feet.

Purpose: The land uses and development pattern fostered by these regulations are intended to provide areas for residential and agricultural uses and structures and for open spaces that are suited to the environmental qualities of the land and that respect and enhance the rural and agricultural character of the Town of Hampton.

A. Uses and Structures Authorized by Zoning Permit. Land may be used and structures may be used, altered, or erected to be used for the following purposes provided a zoning permit is first obtained from the Planning and Zoning Commission or its designated agent, except as otherwise stated.

A.1 Primary Uses

1. One single or two-family dwelling, including one mobile home as one dwelling unit, on a legally created lot. See Section 6.6 Two-family dwellings and detached accessory dwelling units.
2. Agriculture. See Section 2.2 Definitions.
3. Community residences: community residence for 6 or fewer mentally disabled persons; child-care residential facility for 6 or fewer children; and community residence for 6 or fewer persons receiving mental health or addiction services. No such residential facility established pursuant to Connecticut General Statutes Section 8-3e shall be sited within one thousand feet of any other such residential facility without the approval of the Planning and Zoning Commission pursuant to General Statutes Section 8-3f.

A.2 Accessory uses and structures. A primary use must be permitted prior to establishment of an accessory use. Accessory uses and structures are subject to Section 6.23.

4. One detached accessory dwelling unit subject to Section 6.6 Two-family dwellings and detached accessory dwelling units.
5. Customary accessory uses and structures: accessory uses and structures that are customarily associated with residential and agricultural uses in the region, subject to Section 6.X.
6. Retail sale of fine art and crafts provided such sale is conducted within a building and held on no more than 6 calendar days per year on any lot. A zoning permit is not required.
7. Road side stands, seasonal, as defined in Section 2.2. No zoning permit is required but the use shall be operated in compliance with Section 6.x, Seasonal Roadside Stands.
8. Home business as defined in Section 2.2, as accessory use to residential use, subject to Section 6.18, Home Business. Some higher intensity home businesses are authorized by special permit.

9. Family day care home as defined by Connecticut General Statutes Section 7b-733 and in Section 2.2, as accessory to residential use.
10. Kennels as accessory to residential use, as defined in Section 2.2 and subject to Section 6.17, Kennels.

5.1 RA-80: RURAL RESIDENCE AND AGRICULTURAL ZONE (CONT'D)

B. Uses and Structures Authorized by Special Permit. Land may be used and structures may be used, altered, or erected for the following purposes provided a special permit is first obtained from the Planning and Zoning Commission. Uses and structures authorized by special permit may be approved only when the Commission determines that the standards in Section 6.20, Special Permits, and all other applicable regulations, have been met.

B.1 Primary Uses. The following uses may be authorized as primary uses approved by a special permit.

1. Cemeteries.
2. Municipal, state, and federal government buildings.
3. Public utilities installations for the public convenience and necessity.
4. Educational, instructional, religious, and museum operations and facilities
5. Hunting and fishing clubs, subject to Section 6.X, Hunting and fishing clubs.
6. Outdoor recreational facilities and uses, subject to Section 6.X, Outdoor Recreational Facilities and Uses. Prohibited outdoor recreational uses: racing, riding, or training facilities for motorcycles, cars, trucks, all terrain vehicles or any motorized vehicles.
7. Parks, nature centers, outdoor athletic facilities, municipal or nonprofit.
8. Excavation and filling, subject to Section 6.5 Excavation and Filling.
9. Horse Facilities: Commercial Boarding, Commercial Riding Arenas and Riding Schools, subject to Section 6.X.

B.2 Primary Uses limited to Route 6 in RA-80 Zone. The following uses may be authorized by a special permit and are limited in the RA-80 Zone to properties with frontage on Route 6.

1. Garden center and retail plant sales, subject to Section 6.X, Garden Center and Retail Plant Sales in RA-80 Zone.

2. Child day care center as defined by the Connecticut General Statutes Section 19a-77, subject to Section 6.X, Child Day Care Center, Group Day Care Home in RA-80 Zone.
3. Veterinary Hospitals, subject to Section 6.X, Veterinary Hospital in RA-80 Zone.
4. Medical and professional offices as defined in Section 2.2, subject to Section 6.X, Medical and Professional Office in RA-80-Zone.

5.1 RA-80: RURAL RESIDENCE AND AGRICULTURAL ZONE (CONT'D)

B.3. Uses Accessory to Residential. The following uses may be authorized by a special permit provided such use is accessory to a primary residential use established on the same property.

1. Home Business as defined in Section 2.2, as accessory use to residential use, subject to Section 6.18, Home Business. Some home businesses of low intensity may be authorized without a special permit.
2. Bed and breakfast establishments as defined in Section 2.2, Definitions.
3. Retail bakeries, subject to Section X, Retail Bakeries in the RA-80 Zone.
4. Tearooms as defined in Section 2.2, subject to Section X, Tearooms in the RA-80 Zone.
5. Shops and storage facilities for contractors and tradesmen as a home business subject to Section 6.19 Contractors and Tradesmen's Shops and Storage Facilities and Section 6.18, Home Business.
6. Group day care home as defined in CT General Statutes Section 19a-77, as amended, subject to Section 6.X, Child Day Care Center, Group Day Care Home in RA-80 Zone.
7. Large Nonresidential Buildings with a footprint of 5000 square feet or greater.

B.4 Uses Accessory to Agriculture. The following uses may be authorized by a special permit provided such use is accessory to a primary agricultural use established on the same property or on a contiguous property under same ownership.

1. Farm stores, year round, as defined in Section 2.2 subject to Section 6.X, Farm Stores in RA-80 Zone.

C. Uses and Structures Authorized by Site Plan approval. Land may be used and structures may be used, altered, or erected for the following purposes provided a site plan is approved first by the Planning and Zoning Commission. Uses and structures authorized by site plan may be approved only when the Commission determines that the standards in Section 6.21, Site Plans, and all other applicable regulations, have been met.

C.1 Primary Uses. The following may be authorized as primary uses by site plan approval.

1. Farmers Market.

C.2 Accessory Uses. The following may be authorized as accessory uses by site plan approval.

1. Large Nonresidential Buildings with a footprint of 2000 to 4999 square feet.

Section 5.4 Prohibited Uses. In all zones, any uses not specifically listed as permitted in these regulations are prohibited. The following uses are expressly prohibited in all zones.

1. Junkyards as defined in Section 2.2.
2. Racing, riding, and training facilities for motorcycles, cars, trucks, all terrain vehicles, or any motorized vehicles. (currently found at Article 5 special permit use (h)).

NEW:

3. For-profit solid waste and for-profit recycling facilities. Solid waste facilities shall be as defined by the Connecticut General Statutes Section 22a-207, as amended.
4. Commercial slaughterhouse: slaughtering of animals not raised on the premises.
5. Commercial kennels that are not a part of a veterinary hospital.

ARTICLE 6 SPECIAL REGULATIONS

existing/**DELETE**

6.2 **Performance Standards**

Each land use or non-residential use permitted in Town shall meet the following performance standards:

- A. No dust, dirt, fly ash, or offensive smoke will be emitted into the air.*
- B. No offensive odors or noxious, toxic or corrosive fumes or gases be emitted into the air.*
- C. No unnecessary noise be transmitted outside the boundaries of the premises. Noise levels shall not exceed those described in the Regulations for Control of Noise in the State of Connecticut for stationary noise and Maximum Permissible Noise Levels for Vehicles in the State of Connecticut for Motor Vehicles.*
- D. No vibration will be transmitted outside the boundaries of the premises.*
- E. No radiation, heat, or glare will be transmitted outside of the building where it originates.*
- F. None of the activities or business conducted within the premises will be hazardous nor have or cause any detrimental effect to adjacent property, nor that fire or explosion hazards will exist such as to produce dangerous exposure to adjacent property.*
- G. No offensive, hazardous, or toxic wastes will be discharged onto the land or into any wetlands, stream, watercourse or storm drainage.*

6.2 **Performance Standards. REVISED**

Each land use and activity shall meet the following performance standards:

- A. Release to the air. No dust, dirt, fly ash, smoke other than from brush or legal sources, offensive odors, or noxious, toxic or corrosive fumes or gases shall be emitted into the air.
- B. Noise. No unnecessary noise shall be transmitted outside the boundaries of the premises. Noise levels shall not exceed those described in the Connecticut Regulations of State Agencies for Control of Noise Section 22a-69-1 to 22a-69-7.4
- C. Vibrations. No vibration will be transmitted outside the boundaries of the premises.
- D. Safety. None of the activities or business conducted within the premises shall be hazardous or have or cause any detrimental effect to adjacent property, nor that fire or explosion hazards will exist such as to produce dangerous exposure to adjacent property.
- E. Discharges to land and water. No offensive, hazardous, solid or toxic wastes shall be discharged onto the land or into any wetlands, stream, watercourse or storm drainage.
- F. Outdoor Lighting. **NEW** The intent of this section is to: permit uses of outdoor lighting for nighttime safety, utility, security, and enjoyment while preserving the ambiance of the night; curtail and reverse degradation of the nighttime environment and the night sky; minimize glare and obtrusive light by limiting outdoor lighting that is misdirected, excessive, or unnecessary; conserve energy.
 - 1. Residential Lighting. Outdoor residential lighting shall be directed onto the premises on which it is located and shall not cast direct lighting or glare off premises. Illumination of adjacent premises shall be minimized.
 - 2. Non-Residential Lighting. Outdoor lighting for non residential activities shall:
 - a. Not exceed what is needed in order to conduct a legal activity on the subject property and for user safety and site security. The Commission may require

that the applicant submit expert testimony to demonstrate compliance with this regulation.

- b. Utilize shielded or cut-off fixtures so as to direct all illumination onto the premises and prevent off-site illumination. A cut off fixture directs light down, not sideways nor upward,

ARTICLE 6 SPECIAL REGULATIONS, CONT'D

- c. with the light source completely enclosed in the fixture. Fixtures shall be selected from the list approved by the International Dark Skies Association at <http://www.darksky.org> or shall be equivalent.
- d. Utilize motion sensitive lighting and alarm systems in lieu of all-night lighting, except that the Commission may waive this requirement if it finds that all-night lighting is needed for security AND will not cause illumination of adjacent residential and undeveloped properties in the RA-80 Zone
- e. Utilize free standing fixtures placed on poles that are low enough to keep light from spreading where it is not needed, typically not to exceed 20 feet in height.
- f. Not be operating when the facility or activity is not operating, except the minimum needed for security purposes.

ARTICLE 6 SPECIAL REGULATIONS, CONT'D**Section 6.5 Excavation and Filling of Sand, Gravel and Other Earthen Materials REVISED**

- A. Intent: The intent of this section is to insure that land used for any purpose permitted hereunder shall, during and after excavation or filling and grading, be maintained so as to prevent unusual dust conditions, erosion and sedimentation, harm to ground or surface water, or adverse impact to the environment and the health, safety and welfare of the residents of Hampton.
- B. General: No earth, including loam, sand, gravel, stone, clay or peat, shall be excavated and removed, and no material shall be placed on any parcel of land, except as authorized by a special permit granted by the Commission under the provisions of this section, unless exempted under section D, Exemptions, below.
- C. Fill Material. No material shall be placed on any lot in any volume that is not clean fill. Clean fill is defined as earthen materials consisting only of soil, stones, or rocks, or a mixture of these, which are raw materials excavated from a borrow pit, earth or gravel bank, mine or quarry, or from a residential property composed of two or fewer dwelling units and not affected by a release of petroleum products, oils, chemicals, or any other polluting substance. Clean fill includes uncontaminated concrete but does not include concrete with rebar.
- D. Exemptions. **REVISED.** The following activities are exempted from the provisions of this Section and the requirement to obtain a permit:
1. Excavation and removal of no more than 500 cubic yards of sand and gravel from a parcel in any 12 month period
 2. Importing no more than 300 cubic yards of clean fill to a parcel in any 12 month period.
 3. Grading, earth removal and deposit of clean fill of no more than 1000 cubic yards that is in direct connection with the construction and development of buildings, foundations, roads, driveways, storm sewers, utility services, fences or walls, swimming pools, or other activity for which a zoning permit is required.
 4. Excavation of gravel by a landowner on his own property for his own use and not for sale, only when written notice has been given to the Zoning Official. An erosion control plan for this activity is required if the disturbed area is greater than one-half acre, subject to the requirements of Section 6.4, Soil Erosion and Sediment Control.

existing/DELETE.

Exemptions/Permitted Uses: The provisions of this Section and the requirements to obtain a permit shall not apply to the following cases:

1. *Excavation, removal and/or importing of less than 500 cubic yards in any 12 month period.*
2. *Necessary excavation, grading, and earth removal in direct connection with the construction on the premises of buildings, foundations, roads, driveways, storm sewers, utility services, fences or walls, swimming pools and for which any required application for a CERTIFICATE OF ZONING COMPLIANCE has been approved;*
2. *The excavation of gravel by a landowner on his own property for his own use and not for sale, and when written notice has been given to the Zoning Enforcement Officer.*

E.Application. Application for a special permit shall be submitted to the Zoning Official and shall be accompanied by the following:

ARTICLE 6 SPECIAL REGULATIONS, CONT'D

1. Maps and Plans; A map, prepared by a licensed surveyor and engineer at the A2 survey level, of the area to be excavated or filled, at a scale of not more than one hundred (feet to the inch showing:
 - a. Existing and proposed land contours at a vertical contour interval of not greater than five feet. On less than one acre, interpolations of the ten foot contours of The United States Geological Survey may be used;
 - b. Existing and proposed drainage, water courses and water boundaries;
 - c. An estimate of the type, origin and amount of material to be imported or removed; the estimate shall be based on test holes or other on-site investigation;
 - d. Existing ground cover;
 - e. The location of the property and the boundaries of the area within which the excavation is to be conducted;
 - f. Abutting property owners' names;
 - g. Streets, highways, access ways, or rights-of-way giving access to or through the property.
 - h. An estimate of the number and type of trucks and other machinery and equipment to be used and their locations on the site;
 - i. Proposed hours of operation;
 - j. Sections or stages of operations and estimated duration of each;
 - k. Proposed truck access and a safety plan for managing traffic to and from the excavation site.
 - l. A detailed sediment and erosion control plan for each phase of the operation for the duration of the operation, including the site restoration stage.

2. Site Restoration Plan. A comprehensive site restoration plan, in graphic and narrative form, which describes the measures that will be taken to restore and return the site to a biologically productive state, including the final grading plan, a plan for managing stormwater, and a detailed plan for permanent revegetation of the site.

F.Procedure: The applicant shall notify all abutting landowners, by certified mail, that an application has been submitted. Within sixty-five days after the receipt of a completed application meeting the requirements of section E above, the Commission shall hold a public hearing. The Commission shall approve, modify and approve or disapprove the application. Failure to submit additional information requested by the Commission under section E within the period for action of the application shall be grounds for disapproval of the application.

G. Standards. After public hearing, the Commission may grant the application for the excavation and removal, grading, or filling upon a determination that the application demonstrates compliance with the following standards and conditions:

1. The premises shall be excavated and graded in conformity with the approved plan and as required by all applicable regulations.
2. Proper measures shall be taken to minimize nuisance of noise, to prevent dust from leaving the property and to comply with the standards set forth in Section 6.2, Performance Standards.
3. Each applicant shall maintain general liability insurance with a limit of not less than \$1,000,000.00 and shall furnish a certificate of insurance to the Commission. In the event of the cancellation of such insurance, any permit issued hereunder shall terminate.
4. Only portable processing machinery shall be used on the approved site, and it shall be located at least one thousand (1000) feet from any property or street line. Such machinery shall be removed from the premises upon the completion of the excavation. Rock crushing is prohibited.

ARTICLE 6 SPECIAL REGULATIONS, CONT'D

5. At all stages of the operation, proper drainage shall be provided to avoid stagnant water, erosion, excessive runoff, silting of streams and damage to public property and public streams;
6. Truck access to the site shall be so arranged as to minimize danger to traffic on adjacent public streets and nuisance to nearby resident.
7. Hours of operation are limited to Monday through Saturday between 7AM and 5PM, major holidays excluded.
8. No excavation which is below the grade of any abutting highway or property shall occur within one hundred (100) feet of the boundary line of such highway or property.
9. A gate shall be provided and shall be locked while not in active operation for the duration of the activity, including site restoration, and shall be maintained until the zoning official approves its removal.
10. The Commission, or its agents, shall have reasonable access to the premises to be excavated for the purpose of inspection and determination of compliance with this regulation and the plans and conditions of approval;
11. Upon completion of the work authorized, the area of excavation of disturbed ground shall be restored as follows:
 - a. The area shall be evenly re-graded to slopes (a) typically no steeper than 1 to 3 (vertical to horizontal) and under no circumstances steeper than 1 to 2; (b) sufficient to ensure adequate drainage, free from pooling; (c) physically stable under all climatic conditions; (d) capable of supporting a perennial vegetative cover. Such slopes may begin at the property line.
 - b. Adequate drainage ways of gradual contour shall be provided as needed.
 - c. All debris and loose boulders of one (1) cubic yard or less in size shall be buried or removed from the site.
 - d. A layer of arable soil, which shall be free from large stones, shall be spread over the entire area. Depth of arable soil shall be sufficient to support permanent vegetative cover and in no case less than 6 inches. The topsoil (A horizon) layer shall be at least 2 inches deep.
 - e. The area shall be seeded with a perennial grass or other suitable vegetative cover, mulched with straw or fresh cut hay, and maintained until the ground shall be completely stabilized,, there exists no danger of erosion, and the

vegetation has been permanently established, as determined by the Commission;

- f. The foregoing provisions concerning grading, cover and seeding shall not apply to areas of ledge existing prior to excavation or exposed during excavation, nor to boulders larger than one (1) cubic yard;

H. Duration of permit. A permit issued under the provisions of this regulation shall be valid for two years. Upon submittal of a written request made at least 60 days before the expiration of the current term, the permit shall be renewed by the Commission provided the operation is found by the Commission to be compliant with the conditions of its permit and these regulations. Failure to renew the permit or to maintain the required bond shall result in termination of the permit to operate upon action by the Commission. Termination shall immediately trigger commencement of restoration of the site by the permittee according to the approved restoration plan.

I. Bonding.

1. Performance Bond Posted. The applicant shall post a performance bond in a form and amount approved by the Commission. The bond shall be sufficient to restore the land to an environmentally satisfactory condition with regard to such factors as revegetation, soil replacement, and grading. It shall be posted prior to commencement of activity and shall

ARTICLE 6 SPECIAL REGULATIONS, CONT'D

be maintained for the duration of the operation, including during site restoration. A portion of the bond, and in no case less than 10%, shall be cash in order to provide for immediate measures to be taken to control and repair damage from erosion and sedimentation or other imminent damage, both on and off premises.

2. Maintenance Bond. Upon the completion of site restoration for any operation for which a performance bond has been posted, the applicant may request that the Commission return the permit bond, and, upon a finding by the Commission that the operation has been completed and the land restored in compliance with the provisions named herein, the Commission may release the bond provided that the permittee has provided a maintenance bond for site maintenance for a one year period.

J. Amendment: If during the conduct of the work or restoration of the site, special circumstances unforeseen at the time of the application approved are encountered, the applicant may apply in writing to the Commission to amend the conditions under which the permit was granted. The operation must at all times comply with the permit issued.

Section 6.14 Driveways

A. Paved Apron. New driveways or relocation of existing driveways leading onto or off a town road shall have a paved apron installed in accordance with town ordinance.

B. Stormwater. **NEW** Driveways shall be designed and constructed to minimize runoff onto Town property. Staff shall require certification from a professional engineer to assure compliance with this requirement unless no stormwater is delivered to Town property when a driveway is constructed, paved, or reconstructed, excepting when such construction or reconstruction is limited to the driveway apron.

C. Line of Sight. Driveways shall be designed and maintained so as to provide a line of sight that is adequate for the speed limit at the respective location according to American Association of State Highway and Transportation Officials/AASHTO standards.

6.16 Signs

existing/DELETE

- A. *The following signs are permitted as accessory uses in Residence Agricultural districts:*
1. *Directional signs which meet State Traffic Commission requirements and are no more than three feet long and six inches wide.*
 2. *One unlit sign up to four square feet in area giving the name of the land or building on which displayed, or of the owner or lessee thereof, and of his profession or activity.*
 3. *No trespassing signs or other signs indicating the private nature of premises, up to two feet square in area.*
 4. *Non-illuminated temporary signs up to eight square feet in area pertaining to sale or lease of premises where displayed, or construction under way, or seasonal sale of produce.*
 4. *Town, church or school identification signs and bulletin board, up to a total of 16 sq. ft.*

ARTICLE 6 SPECIAL REGULATIONS, CONT'D

REVISED

- A. The following signs are authorized as accessory uses in Residence Agricultural districts and shall be permitted according to the permit requirements of the underlying primary use, and as follows:
1. Directional signs: directional signs which meet State Traffic Commission requirements and area not to exceed three feet long and six inches wide.
 2. Identification signs: one sign stating the name of the land or building on which displayed, or of the owner or lessee thereof, and of his profession or activity, unlit, and area not to exceed four square feet.
 3. No trespassing signs: no trespassing signs or other signs indicating the private nature of premises, unlit, and area not to exceed two square feet.
 4. Temporary signs: temporary signs pertaining to sale or lease of premises where displayed, construction under way, or seasonal sale of produce signs, unlit, and area not to exceed eight square feet.
 5. Town, church, school or farmer's market identification signs and bulletin board, unlit, and area not to exceed sixteen square feet.
 6. Conditional Uses in RA-80 Zone: signs for conditional uses in the RA-80 Zone found in Section 6.24 shall: have overhead and downward pointing illumination only; area not to exceed twelve square feet on Route 6 and eight square feet elsewhere in the RA-80 Zone.

existing/DELETE

6.18 *Home Occupations*

REVISED

6.18 Home Business (revised name)

existing:

Section 6.20 Special Permits.

REVISED

Section 6.20 Special Permits. There are certain uses which may be necessary or desirable to the Town, but which may be detrimental in certain locations if proper safeguards are not provided. The Commission must evaluate the impact of each proposed use upon neighboring uses and the Town as a whole in determining the appropriateness of any use requiring a Special Permit at the proposed location.

Section 6.21 Site Plans

6.21.2 Waste Plan. NEW A plan for legal management of all waste on the site shall be submitted as part of the site plan application. The plan shall: identify all wastes generated or stored on site; state how and where wastes shall be stored on site; state how and when wastes shall be removed from the site; state the destination of wastes removed from the site.

ARTICLE 6 SPECIAL REGULATIONS, CONT'D**Section 6.23 Accessory Uses and Structures, Customary NEW**

Accessory uses and structures that are customarily associated in the region with a legal primary use are authorized. A legal primary use of a lot shall be established prior to establishment of a customary accessory use or structure, and a zoning permit is required for accessory structures unless stated otherwise herein. Accessory uses and structures include and are not limited to: garage; storage building for goods associated with residential and agricultural activities; animal shelters; swimming pool; playground equipment for children; solar energy panels; satellite dish antenna subject to Section 6.X ; keeping of farm animals and pets; and parking of vehicles subject to Section 6.7.

Section 6.24 CONDITIONAL USES IN THE RA-80 Zone NEW

The following uses are subject to all provisions of these Zoning Regulations and as specifically provided in this section.

A. Bakeries. NEW USE

Retail bakeries are authorized as accessory to a residential use in the RA-80 Zone by special permit, subject to the following:

1. Parking Area.
 - a. The parking area for the retail bakery shall consist of no more than four dedicated parking spaces that are visible from the road and to the adjacent properties. Any additional parking shall be landscaped or buffered from off-premises view. The parking area surface shall be constructed and maintained for all-weather use.
 - b. A dedicated turnaround shall be provided on site.
 - c. The line-of-sight of the driveway shall at all times meet the minimum established standards for the ambient rate of traffic at this location.
 - d. The parking area and driveway to the bakery shall be located no closer than 100 feet to an adjacent property, except the Commission may reduce this amount if it finds that there will be little or no impact to adjacent properties.
2. Signage. Signage shall not exceed the standards for the underlying zone. External, overhead, downward pointing sign illumination that is in keeping with the rural residential character of the neighborhood may be used provided it is turned off no more than one hour after the bakery is closed.
3. Hours of operation. Hours of operation shall be protective of the welfare and quality of life of the underlying rural-residential zone and shall be established based on the impact of the operation on nearby residences and uses. The proposed hours of operation shall be submitted as part of the application, and the approved hours shall not be extended without prior approval of the Commission.
4. Outdoor Lighting. Outdoor lighting fixtures shall be in keeping with the residential character of the neighborhood. See Section 6.2, Performance Standards.
5. Waste Collection. A waste collection area shall be designated on the site plan. Any dumpster or rolloff container shall be screened from view off site and shall be placed to the side or rear of the building. Containers shall have sufficient capacity to be fully closed at all

times. Waste pickup shall be sufficient to prevent unsanitary conditions. There shall be no litter at any time.

ARTICLE 6 SPECIAL REGULATIONS, CONT'D

B. Child Day Care Center, Group Day Care Home.

Child Day Care Centers are authorized as a primary use in the RA-80 zone on Route 6 only by special permit. Group Day Care Homes may be authorized in the RA-80 Zone by special permit as an accessory to residential use. They are subject to the conditions below.

1. Outdoor play. The Commission may restrict the outdoor play area hours of use and require a setback from property lines, depending on the impact of the designated outdoor play area to neighboring properties. The Commission may require landscaping to minimize the impact to surrounding residential uses.
2. Parking and drop-off areas. Parking and drop-off areas shall be designed and built to assure safety and with due regard for the rural residential character of the neighborhood.
3. Outdoor lighting. Outdoor lighting fixtures shall be in keeping with the residential character of the neighborhood. See Section 6.2, Performance Standards (F) Outdoor lighting.
4. Licensing. The operation shall comply with all state and local permit requirements and standards. A current copy of the State license shall be kept on file in the Zoning Department.
5. Waste Collection. A waste collection area shall be designated on the site plan. Any dumpster or rolloff container shall be screened from view off site and shall be placed to the side or rear of the building. Containers shall have sufficient capacity to be fully closed at all times. Waste pickup shall be sufficient to prevent unsanitary conditions. There shall be no litter at any time.

C. Educational, instructional, religious, and museum operations and facilities, non-municipal.

Educational, instructional, religious, and museum operations and facilities, non-municipal, are authorized as a primary use by special permit in the RA-80 Zone, subject to the following:

1. Buffer. No building or parking area shall be located within 100 feet of a side or rear property line, including temporary parking during special events, except the Commission may reduce this requirement if it finds that there will be no impact to adjacent properties. The Commission may require landscaping within the 100 foot buffer and along the road to minimize the impact to the neighborhood.
2. Site plan. The Commission may require that the site plan is prepared by a licensed landscape architect.
3. Waste Collection. A waste collection area shall be designated on the site plan. Any dumpster or rolloff container shall be screened from view off site and shall be placed to the side or rear of the building. Containers shall have sufficient capacity to be fully closed at all times. Waste pickup shall be sufficient to prevent unsanitary conditions. There shall be no litter at any time.

D. Farm Stores NEW USE

Farm stores as defined in Section 2.2 are authorized as an accessory use in the RA-80 Zone by special permit, subject to the following:

1. Building Area. The farm store building shall not exceed 1200 s.f.
2. Product Origin. At least three-fourths of gross sales shall be from "Connecticut Grown" agricultural goods.
3. Parking. Off street parking on an all-weather surface shall be provided on the premises.
4. Buffer. A 50 foot buffer shall be provided along the side and rear property lines in which no activity shall take place, and no parking or store shall be sited within 100 feet of an off-premises dwelling. The Commission may require landscaping within the buffer to minimize impact to adjacent properties.

ARTICLE 6 SPECIAL REGULATIONS, CONT'D

5. Waste Management. A plan for waste management shall be submitted as part of the application. Solid waste as defined by the Connecticut Department of Energy and Environmental Protection shall not accumulate on site.
6. Waste Collection. A waste collection area shall be designated on the site plan. Any dumpster or rolloff container shall be screened from view off site and shall be placed to the side or rear of the building. Containers shall have sufficient capacity to be fully closed at all times. Waste pickup shall be sufficient to prevent unsanitary conditions. There shall be no litter at any time.

E. Farmers Markets NEW USE

Farmers Markets as defined in Section 2.2 are authorized as a primary use in the RA-80 Zone by site plan approval from the Commission, subject to the following:

1. Frequency. The market shall take place no more than one day per week.
2. Location. The market area and associated parking shall be a minimum of 200 feet from an off-premises dwelling.
3. Hearing and notice. The Commission may require that a public hearing is conducted if it finds that there may be significant impact to neighboring properties based on the location and scale of the operation. If a public hearing is required, the applicant shall provide notices with proof of notice of the pending hearing to property owners within 200 feet of the subject parcel.
4. Waste. The market property shall be maintained in a litter-free condition with provisions made for trash and sanitation. A plan shall management of waste shall be submitted with the application.
5. Infrastructure. There shall be no permanent installation made on the site to service the market. Tables and other display equipment shall be removed at the end of the market hours.
6. Sign. An unlit sign of up to 16 square feet may be placed on the premises.

F. Garden Center and retail plant sales

Garden centers and retail plant sales business are authorized as a principal use in the RA-80 Zone on Route 6 by special permit, subject to the following:

1. Location. The property shall have frontage on Route 6.
2. Access. Access shall be provided from Route 6 unless the Commission finds that access from a local road shall provide safer access without adverse impact to the neighborhood. State DOT approval shall be provided as part of the application submittal.
3. Lot area. The minimum lot area is 80,000 sf.
4. Buffer. A 50 foot buffer shall be provided along the side and rear property lines in which no activity shall take place. The Commission may require landscaping within the buffer to minimize impact to adjacent properties.
5. Parking Area. An all weather surface shall be provided.
6. Retail products. Garden centers may offer for sale: plants, and garden-related products, and Connecticut Grown garden produce.
7. Structures. Architectural plans, including elevations, floor plans, and details on siding and windows, shall be provided for any structures or additions to structures proposed to be constructed on the premises that will be used as a part of the operation.

ARTICLE 6 SPECIAL REGULATIONS, CONT'D

8. Waste Management. A plan for waste management shall be submitted as part of the application. Solid waste as defined by the Connecticut Department of Energy and Environmental Protection shall not accumulate on site.
9. Waste Collection. A waste collection area shall be designated on the site plan. Any dumpster or rolloff container shall be screened from view off site and shall be placed to the side or rear of the building. Containers shall have sufficient capacity to be fully closed at all times. Waste pickup shall be sufficient to prevent unsanitary conditions. There shall be no litter at any time.

G. Horse Facilities: Commercial Boarding, Riding Arenas and Riding Schools.

Horse Facilities including commercial boarding of more than 6 horses, riding arenas and riding schools are authorized by special permit in the RA-80 Zone, subject to the following conditions:

1. Buffer and setbacks. Dedicated exercise areas, paddocks and buildings sheltering animals shall be located a minimum of 100 feet from any side and rear property line. Riding arenas shall be a minimum of 200 feet from a side or rear property line.
2. Sanitation. Stalls, pens and exercise areas shall be maintained in a sanitary condition in compliance with the Connecticut Public Health Code, with provision made for discharge of wash water and management of manure. Waste storage areas shall be located a minimum of 100 feet from any property line. A narrative waste management plan shall accompany the application.
3. Stormwater. A plan for stormwater management that recharges the water to the ground shall be provided by a professional engineer.
4. Parking Areas. No parking area shall be located within 100 feet of a side or rear property line, including during special events.
5. Landscaping. The Commission may require landscaping to minimize the impact to the neighborhood.

6. Events management. A zoning permit is required prior to any major event, defined as an event with attendance planned for more than 50 persons. The applicant shall submit a plan demonstrating that parking, traffic, sanitation and public safety have been addressed. There shall be no more than 6 major events per year.
7. Noise. Sound from any sound system shall not constitute a nuisance to area residential properties and noise levels shall comply with regulations for noise in Section 6.2 and as promulgated by the Connecticut Department of Environmental Protection.
8. Public Safety. The applicant shall submit written approval by the Fire Marshal.
9. Temporary structures. The use of temporary buildings, trailers, or tents for the stabling of horses is prohibited except as a part of a permitted major event.
10. Lighting. See requirements in Section 6.2 Performance Standards.
11. Waste Collection. A waste collection area shall be designated on the site plan. Any dumpster or rolloff container shall be screened from view off site and shall be placed to the side or rear of the building. Containers shall have sufficient capacity to be fully closed at all times. Waste pickup shall be sufficient to prevent unsanitary conditions. There shall be no litter at any time.

ARTICLE 6 SPECIAL REGULATIONS, CONT'D

H. Hunting and Fishing Clubs

Hunting and fishing clubs are authorized by special permit in the RA-80 Zone, subject to the following:

1. Buffer. No building or parking area shall be located within 100 feet of a side or rear property line, including temporary parking during special events.
2. Landscaping. The Commission may require landscaping within the 100 foot buffer and along the road to minimize the impact to the neighborhood.
3. Waste management. A plan for management of solid waste on site shall be provided as part of the application submittal.

I. Kennel

Kennels as defined in Section 2.2 are authorized as accessory to a residential use in the RA-80 Zone subject to the following:

1. Area. Lot size shall be a minimum of 80,000 square feet.
2. Residence Requirement. The kennel operator shall reside on site.
3. Separating Distances. Outdoor kennels shall be located at least 50 feet from a property line and 100 feet from an off-premise residence.
4. Sanitation and waste management. Stalls, pens and exercise areas shall be maintained in a sanitary condition in compliance with the Connecticut Public Health Code, with provision made for discharge of wash water and management of all wastes. A plan for management of solid waste on site shall be provided as part of the application submittal.
5. Commercial kennels are prohibited in the RA-80 Zone.

existing/DELETE

6.17 ***Kennels***

- A. *Kennels, as per CGS 22-327, are allowed as an accessory use to any residence on a lot of 800,000 square feet, or larger.*
- B. *Commercial Kennels, as per CGS 22-327, are allowed in commercial zones by right; they are allowed in residence zones by special permit with a minimum of 10 acres. Maximum number of animals, no more than 20 adult dogs in residential zones.*
- C. *Pet shop allowed by right in commercial zones.*
- D. *Grooming facility allowed by right in commercial zones; allowed by special permit in residence zones as a home occupation. No boarding allowed without commercial kennel permit.*
- E. *Animal training facilities by special permit only. Allowed only in RA zones. Minimum acreage required: 20 acres. Training facilities, buildings, animal runs and trails must be buffered from adjacent property and uses by at least 100 feet on all sides. Hours and days of operation will be regulated by the Commission. Use of live ammunition, and any other dangerous or noise producing devices which can be heard off the premises will also be prohibited or restricted by the Commission.*
- F. *The owner is to live on the property used for kennel, commercial kennel, or training facility in any residential zone.*

J. Large Nonresidential Structures

In order to prevent degradation of the rural character and adverse impact to adjacent properties, nonresidential structures are authorized in the RA-80 Zone as follows: (1) structures with a footprint of 2000 to 4999 square feet are authorized by site plan approval and (2) nonresidential structures with a footprint of 5000s.f. or greater are authorized by special permit. Large nonresidential buildings are subject to the following, as well as any other applicable requirements:

1. **Setback.** The Commission may require a setback of up to 200 feet from the property lines in order to minimize the visual impact to the neighborhood, depending on an evaluation of the structure's size and its architectural properties and its visibility to neighboring properties.

ARTICLE 6 SPECIAL REGULATIONS, CONT'D

2. **Landscaping.** The Commission may require landscaping to minimize the visual impact of the structure to neighboring properties.
3. **Notice.** Applicants shall submit evidence that they have provided notice of the public hearing to property owners within 500 feet in every direction of the property at least 7 days in advance of the hearing, and shall display a sign giving notice of the hearing on the property frontage for 10 days in advance of the hearing.
4. **Stormwater.** A plan for stormwater management that recharges the water to the ground shall be provided by a professional engineer.
5. **Drawings and details.** Architectural plans, including elevations, floor plans, and details on siding and windows, shall be provided for any large nonresidential structures or additions to structures proposed to be constructed on the premises.
6. **Ridgelines.** Large nonresidential structures shall be sited so as not to break the views of the ridgeline of the Little River Valley.

K. Medical and Professional Offices

Medical and professional offices are authorized as a primary use on Route 6 in the RA-80 Zone by special permit, subject to the following:

1. Location. The property shall have frontage on Route 6.
2. Access. Access shall be provided from Route 6 unless the Commission finds that access from a local road shall provide safer access without adverse impact to the neighborhood. State DOT approval of the access shall be submitted as part of the application.
3. Lot area. The minimum lot area is 80,000 sf.
4. Building area. The building floor area shall not exceed 5,000 sf.
5. Buffer. A 50 foot buffer in which no activity shall take place shall be provided along the side and rear property lines. The Commission may require landscaping within the buffer to minimize impact to adjacent properties.
6. Site Plan. The site plan shall be prepared by appropriate professionals including a licensed landscape architect.
7. Parking Area. The parking area shall be located generally to the side and rear of the building.
8. Waste Collection. A waste collection area shall be designated on the site plan. Any dumpster or rolloff container shall be screened from view off site and shall be placed to the side or rear of the building. Containers shall have sufficient capacity to be fully closed at all times. Waste pickup shall be sufficient to prevent unsanitary conditions. There shall be no litter at any time.

L. Outdoor Recreational Facilities and Uses

Outdoor recreational facilities and uses are authorized as a primary use in the RA-80 Zone by special permit, subject to the following:

1. Site Plan. The site plan shall be prepared by appropriate professionals including a licensed landscape architect.
2. Buffer. A buffer of at least 100 feet in which no activity shall take place shall be provided along the side and rear property lines. This requirement may be modified by the Commission if it finds that the adjoining properties will be sufficiently buffered by a lesser width due to qualities of the subject and adjoining property. Landscaping of the buffer may be required to minimize impact to the surrounding properties.

ARTICLE 6 SPECIAL REGULATIONS, CONT'D

3. Hours of Operation. Hours of operation shall be protective of the welfare and quality of life of the underlying rural-residential zone and shall be established based on the impact of the operation on nearby residences and uses. Proposed hours of operation shall be submitted as part of the application, and the approved hours shall not be modified without prior approval of the Commission.
4. Health District. Approval by the District Health Department shall accompany the application.

M. Roadside stand, seasonal

Seasonal roadside stands are authorized in the RA-80 Zone subject to the following:

1. Duration. Sale of agricultural products grown on the premises, or on other property under same ownership, from a stand may take place for no more than 6 months per year.

2. Access. Safe entrance from and exit to the street shall be provided, with adequate pickup, parking, and loading space.
3. Lighting. Lighting is prohibited.
4. Permit. No zoning permit is required.

N. Tea Room NEW USE

Tea rooms are authorized as accessory to a residential use in the RA-80 Zone by special permit, with the exception that commercial teas given on a property up to six times in a calendar year for no more than 24 guests shall be permitted as a home business under Section 6.18. Tea rooms are subject to the following:

1. Parking.
 - a. Area. Any parking area located in the front of the residence shall consist of no more than five spaces. Additional parking shall be located to the side of and/or rear of the residence and shall be landscaped or otherwise buffered from off-premises view. The parking area surface shall be constructed and maintained for all-weather use.
 - b. A dedicated turnaround shall be provided on site.
 - c. The line-of-sight of the driveway shall at all times be maintained to meet established standards for the ambient rate of traffic at the proposed location.
 - d. The parking area and driveway to the tea room shall be located no closer than 100 feet to an adjacent property, except the Commission may reduce this if it finds that there will be little to no impact to adjacent properties.
2. Signage. Sign area shall not exceed the standard for the underlying zone. External, overhead, downward pointing sign illumination that is in keeping with the rural residential character of the neighborhood may be used provided it is turned off by 6pm.
3. Hours of operation. Tea rooms may operate only between 11am and 5pm.
4. Outdoor Lighting. See requirements in Section 6.2 Performance Standards. Exterior illumination shall be used only when the business is in operation.
5. Seating. Seating shall be provided for no more than 24 patrons.
6. Health District. Health District approval shall be submitted with the application.
7. Waste Collection. A waste collection area shall be designated on the site plan. Any dumpster or rolloff container shall be screened from view off site and shall be placed to the side or rear of the building. Containers shall have sufficient capacity to be fully closed at all times. Waste pickup shall be sufficient to prevent unsanitary conditions. There shall be no litter at any time.

ARTICLE 6 SPECIAL REGULATIONS, CONT'D

O. Veterinary Hospital

Veterinary hospitals are authorized as a primary use in the RA-80 Zone on Route 6 by special permit, subject to the following:

1. Location. The property shall have frontage on Route 6.

2. Access. Access shall be provided from Route 6 unless the Commission finds that access from a local road shall provide safer access without adverse impact to the neighborhood. State DOT approval shall be submitted with the application..
3. Setback. A building, run, pen, or other structure or enclosure intended for indoor or outdoor occupancy shall be a minimum of 100 feet from a property line and 200 feet from an off-premise dwelling.
4. Outdoor exercise areas and kennels. The Commission may limit the hours during which animals may be placed outdoors in order to protect the neighborhood from noise.
5. Waste Management. A plan for waste management, including biohazards and drug disposal, shall be submitted as part of the application. All animal waste shall be enclosed in a leak-proof enclosure designed to prevent the escape of odor or access by insects or other pests. Such enclosure shall be emptied regularly and legally disposed of so as to control odor or risks to the public health. Approval of the facility by the local health district shall be submitted with the application.
6. Waste Collection. A waste collection area shall be designated on the site plan. Any dumpster or rolloff container shall be screened from view off site and shall be placed to the side or rear of the building. Containers shall have sufficient capacity to be fully closed at all times. Waste pickup shall be sufficient to prevent unsanitary conditions. There shall be no litter at any time.

P. Satellite Dish Antenna. A zoning permit is required for a satellite dish antenna for communications signals reception as an accessory use, subject to the following:

1. Exemption from permit. No zoning permit is required for satellite dishes less than one meter (39.4 inches) in diameter, pursuant to the Code of Federal Regulations Section 1.4000, as amended, except in the Hampton Hill Historic District.
2. Hampton Hill Historic District. A zoning permit is required for satellite dish antennas on properties within the Hampton Hill Historic District, as such District was designated by the National Park Service in 1982. Antennas in the Historic District shall be placed in the rear yard to minimize visibility from Main Street unless the applicant can demonstrate that 1) such rear location is significantly (at least 100%) more expensive than placement in the front of the house or 2) rear placement would prevent acceptable signal quality.

6.25 Box trailers. NEW

Box containers may be used as storage sheds or for other accessory residential/agricultural uses in the RA-80 Zone by approval of the Commission, subject to the following conditions:

1. The container does not change the residential/agricultural character of the property or neighborhood.
2. The container cannot be seen off-premises.
3. The container complies with setback requirements.