

REVISIONS

ZONING REGULATIONS LAST REVISION August 02, 2010

10.21 Stables Approved August 4, 2009
Effective August 14, 2009

Sec. 9 Floating Zone Approved: 11/4/2009
Effective December 1, 2009

10.23 Outdoor Dining Approved 7/6/2010
Effective August 2, 2010

Definitions

The intention behind this text amendment is to preserve farms and open space in the town of Lisbon.

Note – this section is to follow Supplementary Section 10 for Special Permits

10.21.1 Horse Facility: Consists of, but not limited to, any function or operation for compensation consisting of five (5) or more horses with specifics listed below

10.21.2 – Thirty five (35) acres or larger with minimum of 50% buildable

10.21.3 – Limit of 40 horses with the condition of no more than 20 boarders.

10.21.4 – Install stall space mandatory for every horse consisting of minimum 10'x10'.

10.21.5 – Outside turnout space required for every horse consisting of 30'x50' for single horse and 30'x100' for up to 3 horses.

10.21.6 – Facility must contain a bathroom.

10.21.7– Off street parking available, with a space for every horse. Parking spaces must be located minimum of 100 ft from front road and 20 ft from side property line. Parking must be minimum of 150' from any existing houses. Overflow parking for clinics as permitted in 10.21.16 shall be provided.

10.21.8 – Buildings for facility shall be no larger than 10,000 sq ft for arena space and must follow all set back standards for industrial or large building regulations.

10.21.9 – Additional buildings for storage, horses or hay attached to indoor arena, must be less than 5000 sq ft each.

10.21.10 – All fencing must follow set back regulations.

10.21.11 –Must have allocated space for lost and abandoned horses in Lisbon.
Horses cannot exceed maximum number of horses allowed, forty (40).

10.21.12 –Sales and/or breeding of horses allowed with condition of not to exceed maximum number of horses on property.

10.21.13 –Boarding is defined as a service providing care to another's horse for a fee. Care to include feeding, watering and turnout. Services offered to boarders are as follows:
Lessons, Trail Riding, Training

- 10.21.14–Trail Rides defined to horse riding only. This service will be allowed for boarding and lesson patrons only. Public access to trails is not allowed.
- 10.21.15–Lessons defined as a service provided by facility to individuals boarding at facility and general public. Lessons to be done privately or in groups. Lessons will be done from 800am – dusk. Maximum number of participants for a group lesson will be limited to 4 outside individuals. Lessons are to be given on horses owned or boarded by facility only. No outside horses will be allowed in for lessons.
- 10.21.16–Clinics defined as informational learning seminars relating to horse care and riding. One (1) clinic can be performed monthly. Clinics to be held during weekend hrs only from 800am-600pm, consisting of no more than 15 outside individuals, excluding boarders.
- 10.21.17– Manure management will be performed routinely. A manure management plan must be submitted with each application. Plan must include disposal, storage, composting site and removal time frames.
- 10.21.18-Annual Audit of activities to be submitted to commission yearly. Audit will include weekly log of boarders and visitors for monitoring traffic.

**SECTION
9 (Nine)**

FLOATING ZONES

9.0 LIST OF FLOATING ZONING DISTRICTS

The Town of Lisbon contains the following Floating Zone:

9.0.1. Golf Course Community -Active Adult (GCC)

9.1 GOLF COURSE COMMUNITY -ACTIVE ADULT (GCC)

9.1.1 Golf Course Community - Active Adult (GCC): A GCC is a mixed use zoning district that functions like a floating zone. A Golf Course Community – Active Adult shall be a common interest community and as such, shall be subject to the provisions of the Connecticut Common Interests Ownership Act, Chapter 828, as amended, of the Connecticut General Statutes. The GCC is available only to property wholly located within the Town of Lisbon, on lands currently zoned R-60 or R-80 with access immediately to or within 1,500 feet of a state highway.

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The provisions of the GCC will apply only to specific properties that are rezoned to an GCC designation by the Planning and Zoning Commission. Upon rezoning to GCC designation, a unique, numbered zoning district classification (GCC [#]) will be created on the Zoning Map of the Town of Lisbon, and the Master Plan approved in conjunction with the map amendment shall become an integral part of the zoning for the land included within that GCC and shall establish the zoning standards for that GCC.

The zoning district only exists within the text of these Regulations and is not placed on the Lisbon Zoning Map until approval of an application to create a particular GCC and to affix that zoning district to a specific property(s). The creation of an GCC can only be accomplished by approval of a zoning map change, which requires a concurrent master plan. Subsequent to the approval of the zoning map change and master plan, a site plan application and accompanying site plan must be approved before site development can begin. Such detailed site plan must comply in all respects with the approved master plan, and any other applicable provisions of these Regulations.

9.1.2 Relationship to Zoning Regulations: Uses within the GCC shall be subject to all provisions and definitions of these regulations. However, because the intent of the GCC is to provide flexibility in design standards in order to achieve important design objectives as described herein, in cases of conflict with other provisions of these Regulations including the zoning definitions, the provisions of this section shall prevail.

9.1.3 Purposes of GCC: The purposes of the GCC are as follows:

- A. to extend greater opportunities for housing for active adults (55 and older) and to expand recreational opportunities to all residents of the Town;
- B. to encourage a more efficient use of land, preserve open space, and promote compact development in appropriate locations;
- C. to provide a mix of uses, including residential, resort commercial, open space uses, in configurations that preserve environmental resources, enhance or create new recreational opportunities;
- D. to ensure that new development in the district will be compatible with building patterns in the Town.

9.1.4 General Requirements

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ATTEST: BETSY M. BARRETT, TOWN CLERK

- A. The minimum gross land area required for a GCC is one hundred (100) contiguous acres. In the event a proposed GCC consists of more than one (1) parcel, each parcel must have a minimum one hundred fifty (150) foot boundary with another parcel in order to be included in the GCC. A minimum of five (5) percent of the buildable area of a GCC shall be designated for improved open space uses (neighborhood greens, central squares, commons, courtyards) with an additional minimum of twenty-five (25) percent of the buildable area designated for parks, playgrounds and recreational activities. A minimum of thirty (30) percent of the gross area of a GCC shall be natural open space with no more than fifty (50) percent of that area made up of wetlands, setbacks from property lines, inaccessible terrain and slopes in excess of twenty (20) percent. The Commission may require that areas of natural open space be made available for passive uses subject to any rules and regulations which may be adopted by the owner.
- B. All utilities shall be installed underground, unless waived by the Commission due to physical constraints or other special circumstances. Utilities that are not customarily installed underground, such as transformer boxes, are not required to be installed underground.
- C. Underground tanks for the storage of petroleum products or hazardous materials are prohibited in GCC zones.
- D. If the GCC abuts a residential zone, any nonresidential structure within the GCC must be located at least one hundred (100) feet from the boundary of such abutting property, and any single-family or multifamily structure must be located at least seventy-five (75) feet from the boundary of such abutting property. Where existing topography, site conditions, property ownership and/or landscaping will effectively screen the buildings from an abutting residentially zoned area, the Planning and Zoning Commission may modify the above building setbacks.

9.1.5 Uses Permitted in the GCC

The following land uses are allowed within the GCC, whether in separate buildings or in mixed use buildings.

A. Residential

- 1. Single-family residential (55 and older)
- 2. Duplex Residence (55 and older)
- 3. Multi-Family (55 and older)
- 4. Accessory Structures and uses
- 5.

B. Community Facility

- 1. Community water and effluent disposal systems.
- 2. Emergency Services (Non-municipal)
- 3. Public Utility Distribution
- 4. Public Utility Substation
- 5. Public Recreation Facility
- 6. Accessory Structures and Uses

C. Commercial

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FLOATING ZONES

1. Boutique Inn/Spa/Hotel
 2. Bed and Breakfast
 3. Recreational Facility
 4. Restaurant* as an accessory use to:
 - a. Boutique Inn/Spa/Hotel
 - b. Golf Course Facility (ie. club house).
- * outdoor dining shall be permitted provided that it does not constitute a nuisance due to hours of operation, noise or loitering.
5. Accessory Structures and Uses:
 - a.

D. Recreational Uses

1. Golf Course (not less than 9 holes - Minimum yardage for a nine-hole golf course shall be 3,000 yards.
2. Bicycle Trails and Facilities
3. Tennis Facilities
4. Hiking
5. Fishing

9.1.6 Procedures to Create Golf Course Community -Active Adult (GCC)

- A. **Procedures.** If a proposed GCC contains more than one parcel, the owner of each parcel must sign the application. For these purposes, the Master Plan shall not be construed as a "Site Plan" but as a component of the zoning map change and subsequent Site Plan Application.
- B. **Informal Review.** All prospective applicants considering development within the Golf Course Community -Active Adult are encouraged to review with the Planning and Zoning Commission, on an informal and pre-application basis, a draft preliminary master plan and drafts of other information required by the Zoning Regulations. Although this process may enable a prospective applicant to obtain meaningful preliminary feedback, this informal review is not intended to include evaluation of application specifics. Neither the pre-application conference nor the formal consideration of the preliminary plan shall be deemed to constitute any portion of the official and formal procedure of applying for the Master Plan approval.
- C. **Application Requirements.** Petitions to amend the Zoning Map to Golf Course Community -Active Adult shall also provide the following information.

MASTER PLAN

- c. The purpose of the Master Plan is to help define spatial relationship of the development within the context of the surrounding community. The Master Plan is intended to address the following components which will ultimately be included in the final design of the development. Items to be addressed in the Master Plan stage include but are not limited to the following:
 - i. Encourage pedestrian friendly environment

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- ii. Promote the visual character and architectural scale of development within the district
 - iii. Minimize visual and functional conflicts between residential and nonresidential uses within and abutting the GCC
 - iv. Allow for more compact development that may be permitted in other zoning districts to reduce the impacts of sprawl
 - v. Encourage mixed uses within the same development
 - vi. Promote pedestrian and bicycle circulation and safety
 - vii. Encourage uses that minimize noise and congestion
 - viii. Allow for an appropriate density of land uses to achieve a critical mass of people and activities that is needed to support a GCC.
1. The Master Plan shall include the following elements:
 - a. boundary survey of the land to be included in the district at a scale no smaller than 1" = 50 feet, and prepared at the A-2 standard of accuracy by a Connecticut Licensed Land Surveyor;
 - b. existing topography with 2' contours to T-2 or T-3 level of accuracy show the general gradient of the site, existing structures, existing roads and rights-of-way, major topographic features, and limits of inland wetlands, watercourses and floodplains as mapped in the field by a qualified Soils Scientist and plotted by a Connecticut Licensed Land Surveyor;
 - c. existing land uses and zoning within five hundred (500) feet of the area to be rezoned;
 - d. names of all property owners located within five hundred (500) feet of the boundary of the property to be rezoned, as listed on the Town Assessor's records;
 - e. location of proposed land uses within the area to be rezoned; the number of residences, and the allocation among various types of residences; the aggregate square footage of each type of dwelling unit; the aggregate maximum number of bedrooms for each type of residential use; the residential density and the method used to calculate it;
 - f. proposed contours with intervals adequate to indicate drainage and grades;
 - g. location and size of proposed buildings and structures, including:
 - the square footage of each proposed building
 - the allocation of uses for each type of building
 - the height of each building or structure
 - the location and use of existing buildings or structures, and the intended use thereof
 - h. public and private streets and circulation patterns and potential traffic improvements proposed by the applicant;
 - i. general locations of on and off-street parking, loading and delivery areas;
 - j. existing and proposed pedestrian facilities and circulation routes;

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- k. potential location of public transit connections or stops;
 - l. public and private open spaces, both improved and natural, and the square footage or acreage thereof;
 - m. general locations of utilities and drainage facilities to serve the area to be rezoned;
 - n. general landscaping plans, including existing vegetation to be preserved and general location of landscape buffers;
 - o. proposed project phasing of residential, commercial, and recreational components, including phasing of public improvements and provisions to address construction traffic;
 - p. the location of all inland wetlands and watercourses as delineated by a certified soil scientist in Connecticut;
 - q. identification of any known natural and/or cultural resources (i.e., stone walls, foundations, archeological sites, etc).
2. **Comprehensive parking study** ("Master Parking Study") The following information should be included in the Master Parking Study:
- a. overall analysis of parking demand for the area including shared use analysis if applicable;
 - b. types, approximate locations and number of parking spaces to be provided; and,
 - c. comparison of parking demand and parking to be provided.
3. **Comprehensive traffic study** ("Master Traffic Study") The following information should be included:
- a. existing and projected background traffic counts on major streets located in and adjacent to the area;
 - b. analysis of anticipated traffic to be generated by the land uses proposed for the area including projected levels of service and queuing at key intersections;
 - c. description of traffic improvements, including pedestrian; public transit improvements, to mitigate traffic impacts;
 - d. anticipated phasing of traffic improvements within project area, and
 - e. the Study shall be prepared by a licensed, State of Connecticut Professional Engineer. Said document shall be signed and sealed by the licensed preparer.
4. **Comprehensive stormwater drainage study** ("Master Stormwater Drainage Study"). The following information should be included:
- a. analysis of existing and proposed peak rates of storm water discharge from the property for 10, 25, 50 and 100 year storm events;
 - b. description of stormwater drainage improvements to be constructed, including phasing based on a 50 and 100-year storm event;
 - c. preliminary description of stormwater quality measures to be incorporated into the area to be rezoned, and
 - d. the Study shall be prepared by a licensed, State of Connecticut Professional Engineer. Said document shall be signed and sealed by the licensed preparer.

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5. Design guidelines ("Design Guidelines") for the district, including information on the following:
 - a. Design intent and project vision.
 - b. All new buildings shall meet the following minimum architectural design standards:
 - Building Placement. Buildings shall define the streetscape through the use of setbacks along the build-to line for each block. The build-to line shall be generally continued across side yard setback areas between buildings by using landscaping. The streetscape shall also be reinforced by lines of closely planted shade trees, and may be further reinforced by walls, hedges or fences which define front yards.
 - Architectural Character. Buildings may be either traditional in their architectural character, or be a contemporary expression of traditional styles.
 - Scale. The scale of new construction, including the arrangement of windows, doors and other openings within the façade, shall be compatible with historic buildings in the region.
 - Building Mass. Buildings of forty (40) feet or more in width shall be visually divided into smaller increments to reduce their apparent size and contribute to a human scale development. The mass of these buildings shall be de-emphasized in a variety of ways through architectural details such as divisions or breaks in materials, window bays, separate entrances and entry treatments, variation in rooflines, awnings, or the use of sections that may project or be recessed up to ten (10) feet.
 - Roof Materials. Roof materials and color should be traditional, meaning they should be within the range of colors found on buildings in the region. The use of fascias, dormers and gables is encouraged to provide visual interest.
 - Exterior Wall Materials. Exterior wall materials, color and texture should be similar to that found on buildings in the region.
 - Colors. Colors found on exterior surfaces shall be harmonious with surrounding development and shall visually reflect the traditional colors of the region.
 - Accessory Structures. All accessory structures, screen walls and exposed areas of retaining walls shall be of a similar type, quality and appearance as the principal structure.
 - c. Site Circulation to include:
 - pedestrian, including materials to be used for walkways and the location thereof
 - bicycle trails, and the location and construction method thereof
 - public transit access, including the design of bus shelters and the location thereof
 - motor vehicles, including the hierarchy of road widths and specifications and the width of each type of roadway; the location of parking areas and the methods of screening or buffering them from public areas, and the methods of illuminating them so to avoid glare on adjoining parcels
 - d. Streetscape and landscaping standards, including materials, street furniture, illumination, cross walks, and preservation of existing specimen trees.

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FLOATING ZONES

- e. Lighting and signage standards, including an overall sign plan, with method of illumination specified.
- f. Waste disposal facilities, such as dumpster areas and the screening or enclosure thereof.
- g. Treatment of service areas, loading and delivery areas and above-ground utilities such as transformer boxes.

SPECIFIC SITE AND DESIGN CRITERIA

- i. **Purpose**
The site and design review process for the district seeks to encourage visual harmony, respect historic integrity, and encourage creative design solutions. These guidelines are not limited to dictate style but rather to provide a framework of common principles that foster design compatibility within the district where the GCC is situated. This section supplements the Master Plan process and the existing site plan review and applies only to that district.
- ii. **Applicability**
The site and design guideline criteria within this section shall be applicable to all residential buildings and non-residential buildings within the GCC. This includes any new building construction; a change in building use (adaptive reuse if an existing building) or a significant alteration of the existing building facades; additional of a new accessory structure, or significant change to an existing accessory structure. This section is part of the Master Plan review process is specifically for the GCC, and the Planning and Zoning Commission is the permit granting authority.

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iii. **Framework for Review Process**

The Master Plan review process will use the following as a framework for consideration:

- A. **Architectural Character**
 - 1. Building façade and exterior architectural features
 - 2. Building height and setbacks
 - 3. Rooftop features and cornice lines
 - 4. Exterior materials and colors
 - 5. Exterior illumination
- B. **Building Massing Considerations**
 - 1. Building placement and orientation
 - 2. Relationship to parking and adjacent uses
 - 3. Relationship to building to sidewalk, recreation facilities and open space
- C. **Site Improvements**
 - 1. Fences, walls and raised planters
 - 2. Street and parking lot lighting
 - 3. Street furniture-benches, trash containers, etc.
 - 4. Plaza, squares and public spaces
 - 5. Site landscaping and parking lot screening
 - 6. Safety issues

iv. **Parking**

The following guidelines are included to ensure that new off-street parking areas are constructed in accordance with the desired design character, the provisions of this ordinance, and other town ordinances pertaining to parking.

- a. Parking areas that abut public rights shall be screened with one or a combination of the following:
 - 1. Raised planters planted with a minimum of 80% evergreen shrubs not to exceed a total height of three (3) feet (including planter)
 - 2. Landscaping consisting of a max of trees and shrubs provided that 80% of the shrub plantings are evergreen
- b. Where possible, parking areas shall be interconnected in a manner that allows the unobstructed flow of pedestrians between uses and parking areas.
- c. In large parking lots (twenty (20) or more spaces) provision for a bicycle rack shall be provided in a location that is safely segregated from automobile traffic and parking.

v. **Pedestrian and Bicycle Access**

Provision for safe and convenient pedestrian access shall be incorporated into plans for new construction of buildings and parking areas and should be designed in concert with landscaping plans noted below. Construction should consider pedestrian access to buildings, sidewalks and parking areas and should be completed with consideration of pedestrian safety, handicapped access and visual quality.

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vi. Landscaping
Landscaping shall be incorporated into new properties in such a way as to create visual relief and interest. Landscape plans shall be consistent with the intent of this regulation and meet the specific guidelines as set forth herein. Landscape plans shall show the location, type, and size of all proposed plantings as well as enough of the surrounding context such that the Planning and Zoning Commission may determine the plan's appropriateness.

- A. Parking Areas
1. Large parking areas shall be relieved by landscape islands of a minimum of eight (8) feet in width, equal in depth to the depth of a typical parking space and located such that there is one island per fifteen (15) continuous spaces.
 2. Alternatively, at least 5% of the interior area of the lot shall be devoted to landscaping. Areas described in the above shall have at a minimum one shade tree with a minimum caliper of 2 1/2 inches diameter breast height (DBH). Trees planted in such locations shall be planted in protected pervious areas which have a minimum dimension of five (5) feet.
 3. Where lots abut public rights of way, shade trees shall be provided.

- B. Trash and Service Areas
1. All service loading and trash storage area viewable from a public right of way or from an adjacent residential area shall be screened by one or a combination of masonry, wood or evergreen plantings to reduce their visual impact.
 2. Loading and service areas shall not face any residential area unless no other location is possible.

vii. Height
To accomplish the purpose of this Article, the special permit granting authority is authorized to grant a Special Permit to allow an increase in the height of structure either in existence, as reconstructed or as new construction, so that the total height does not exceed fifty-five (55) feet or four (4) stories within this zoning district. The Commission may allow an increase only upon a finding that the additional height is consistent with the scale of adjacent structures.

viii. Articulation
Buildings should reinforce the character of the streetscapes by creating visual interest and reinforcing pedestrian scale. The apparent bulk and large wall expanses of multi-story buildings as well as single story buildings of 15' height or more should be minimized by incorporating one or preferably a combination of the following:

- A. Windows
- B. Architectural Details
- C. Canopies
- D. Overhangs
- E. Indented Bays
- F. Change of Building Materials

The top of such buildings should display a distinct profile or outline incorporating such elements as a projecting parapet, cornice, upper level setback or pitched roofline. When immediately adjacent a building with such articulation, new buildings should provide a treatment that is respectful, such as providing a consistent cornice line where possible.

ix. Utilities

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Underground utilities for new buildings are required unless physically restricted or blocked by existing underground obstructions.

- x. **Lighting**
Site lighting, security lighting and architectural/landscape lighting should provide the user with illumination levels appropriate for the designed activity (i.e. parking, walking, outdoor dining) while meeting minimum requirements. Illumination levels should also be reasonably uniform throughout the site and strive to minimize glare.
Provide adequate lighting levels in all pedestrian areas, including building entries, along walkways, parking areas, and other public areas. Provide the following in lighting plans:
 - A. An overlapping pattern of light shall be provided.
 - B. Lighting at consistent lumens with a gradual transition to unlighted areas. Highly contrasting pools of light and dark can be temporarily blinding and should be avoided.
 - C. In each lighted area, design lighting levels that will allow pedestrians to identify a face fifteen (15) yards away (generally, a minimum of 4 foot-candles). Adequate lighting reduces anonymity and gives pedestrians an opportunity to choose another route.
 - D. Adequate lighting at all building entrances, exits and corridors between buildings, at least four (4) foot-candles during active use, especially where doors are recessed.
 - E. Confine site lighting to the project site; use shields or other methods to eliminate glare on adjacent properties.
 - F. Indicate specific lighting levels in each lighted area.

- xi. **Quality of Site Furnishings**
Provide for the following site plan elements:
 - A. Appropriate materials in site furnishings and features, such as durable and easily maintained walls and paving.
 - B. Safety materials, such as non-slip walkways surfaces.

- xii. **Access**
Access to the development may be by a private road connecting to a public street. Said access road may be in part by way of a boulevard-styled roadway not less than fifty-four (54) feet in width and having a walkway of at least five (5) feet in width along the boulevard-styled roadway. No two-lane roadway shall extend from boulevard-styled roadway a distance of more than one thousand eight hundred (1,800) feet. The access road may be gated.

In addition to the preceding, the following limitations shall be incorporated relative to specific uses within an GCC.

- a. **Residential Use**
 - i. **Site Area.** This area utilized for residential development shall contain not less than fifty (50) contiguous acres.
 - ii. **Density.** Density shall not exceed sixteen (16) units per golf hole within the GCC. Such density limits are subject to other approval criteria which may decrease the permitted density of development. The Commission may permit higher densities in non-aquifer areas if the applicant can demonstrate that a potable water supply can be provided, and that there will be no adverse impact to the neighborhood.

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- iii. **Parking.** Parking shall be provided at a ratio of 1.1 parking space for each room and 1 parking space for each inn and/or spa employee which shall be determined by the maximum number of employees employed on the shift employing the greater number of employees.
- iv. **Height.** The inn and/or spa building shall not exceed three (3) stories as measured from the final grading on the front side of the inn and/or spa.
- v. **Additional Facilities.** An inn and/or spa having not less than fifty (50) rooms may contain restaurants, banquet facilities, meeting rooms, a spa, swimming pool, gymnasium, health club, and membership clubs.
- vi. **Set Backs.** The inn and/or spa building shall be set back twenty-five (25) feet from the access road and seventy-five (75) feet from adjacent lots. The Commission may, but need not, require a buffer areas of undisturbed shrubs or trees.
- vii. **Utilities.** All utilities to the inn and/or spa shall be underground.
- viii. **Sewer and Water Services.** The inn and/or spa building shall be connected to and serviced by public sewers. Water services may be furnished from on-site wells but the provider of such services shall be subject to regulation by the Connecticut Department of Public Health.
- ix. **Roadway Design.** All roadways and parking lots with the inn and/or spa development shall be privately owned and privately maintained.
- x. **Lighting.** All outdoor lighting within the inn and/or spa development property shall be shown on the site plan.
- xi. **Signs.** All signs shall be shown on the Site Plan.
- xii. **Applications.** An applicant for inn and/or spa development shall submit a site plan in accordance with the applicable section of the Zoning Regulations.
- xiii. **Approval by Health Director.** The applicant shall submit the written request to the Lisbon Health Director for comment on the compliance of the proposed use with all pertinent provisions of the Public Health Code. A copy of such written request shall be submitted to the Commission as part of the special permit application.

Public Hearing

The Commission shall conduct a public hearing on any application for a GCC in accordance with the provisions of the Zoning Regulations. In addition, the applicant or his agent shall provide notice by mail to all property owners within one hundred (100) feet of the parcel for which a Zone Change is requested. Such mailing shall be sent to at least one owner of each such property not more than fifteen (15) days nor less than ten (10) days before the date set for the public hearing, by transmitting the text of the public hearing notice as provided by the Commission or its agent. The applicant shall provide a copy of the list of property owners within one hundred (100) feet including names of all the property owners, street address per the Assessor's map and Assessor's map(s) and parcel number(s) for each property. Such list shall be provided at the time of application submission. Evidence of such mailing, in the form of United States Post Office Certificates of Mailing, shall be submitted to the Commission prior to the hearing date. Failure to provide notice as required herein may result in denial of the application.

Approval Considerations

As an exercise of its legislative authority, the Commission may approve, approve with modifications, or deny any application to amend the Zoning Map to GCC. The Commission may also require that certain amenities, such as improved or natural open space areas or community facilities, be allocated to particular phases of the development so as to ensure that such amenities proceed apace with the other components of the development. In considering any petition to amend the Zoning Map to GCC, the Commission shall make a finding, in addition to the findings required by Site Plan approval, that the Master Plan, including Master

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9 (Nine)**

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Stormwater Drainage Study, Master Parking Study, Phasing Plan, Master Traffic Study and Design Guidelines are consistent with the standards and purposes of an GCC set forth in this section.

Filing of Approved Master Plan and Zoning Map Amendment

Following approval of an GCC amendment to the Zoning Map, the Master Plan, together with the approved Master Parking Study, Master Traffic Study, Phasing Plan, Master Stormwater Drainage Study and Design Guidelines, shall be filed in the office of the clerk of the Town of Lisbon. The approved map amendment shall be identified on the Zoning Map with a numbered GCC designation (e.g. GCC 1, GCC 2).

Modification of Approved Zoning Map Amendments

Approved GCC zoning map amendments may be modified by the Commission following the procedure to approve a zoning map amendment to GCC. The Commission may waive any of the application requirements contained in this section in the event of minor modifications for which such requirements are not necessary in the opinion of the Planning and Zoning Commission to adequately review and decide the application for modification.

Expiration of GCC District

Site Plan approval for a phase of an approved GCC Master Plan or the entire GCC must be obtained no later than five (5) years following the approval of the GCC or, in the event of an appeal of such approval, within five (5) years following the final adjudication of the appeal that the GCC is valid ("final approval"). All components of the GCC shall be completed no later than ten (10) years after final approval of the GCC, provided that the Commission may grant extensions of time where the developer demonstrates that it is making a good faith effort to complete the development and there are no outstanding violations of these regulations or the Inland Wetlands and Watercourses Regulations with respect to the GCC. Any failure to meet these deadlines shall result in the expiration of the Master Plan which shall become null and void. If the Plan becomes null and void, the Planning and Zoning Commission may place notice of such, on the land records of the Town.

Site Plan Review

Following approval of an GCC Master Plan, all applications for Site Plan approval for the structures and other improvements within such Plan shall be filed with the Commission pursuant to the following process:

- A. **Informal Review.** All applicants are encouraged to review all Site Plan applications with the Senior Planner on an informal basis prior to the filing of any application.
- B. **Application Process.**
 1. Applications for Site Plan approval in an GCC district must be filed with the Commission and conform to the Zoning Regulations, except as provided otherwise herein. Each proposed use, Site Plan, building or structure, and other component of the application shall include all structures and other improvements within the entire Master Plan or within a project phase as approved by the Commission as part of its approval of the Master Plan, and shall substantially conform to such Master Plan.
 2. If any of the activities proposed in the Site Plan application are regulated by the Lisbon Inland Wetlands and Watercourses Agency by authority granted by the Connecticut General Statutes, the Commission shall not render a decision on the application until the Commission has rendered a decision on the application to conduct such regulated activities.

C. **Application Requirements**

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FLOATING ZONES

All applicants for Site Plan approval shall provide the application materials required by the Zoning Regulations. The following additional information shall also be submitted.

1. Summary Zoning Table demonstrating compliance with all zoning requirements applicable to the Master Plan.
 2. Plan Sheets including all applicable information required by these Regulations for Site Plans, as well as the following information, if applicable:
 - a. location or key map, depicting the location of the Site Plan within the area that is zoned GCC, if the application pertains to an area that is less than the entire area zoned GCC;
 - b. roadway and right-of-way widths, sidewalk widths, roadway cross-sections and paving materials;
 - c. identification of all land and improvements intended to be dedicated to the Town of Lisbon;
 - d. parking plan, including on-street parking areas;
 - e. exterior building elevations of all sides of each building, including building height and exterior building materials; and
 - f. interior floor plans of each floor of each building, provided that the location of interior walls and partitions shall be considered preliminary and subject to change.
 3. Soil Erosion and Sediment Control Plan in compliance with the Zoning Regulations.
 4. Statement of Consistency with Plans, Studies and Guidelines. A statement shall be provided demonstrating reasonable consistency with the following documents that were approved as part of the GCC map amendment:
 - a. Master Plan
 - b. Master Parking Study
 - c. Master Traffic Study
 - d. Master Stormwater Draining Study
 - e. Design Guidelines
 5. The applicant shall submit a Permanent Maintenance Plan that establishes a yearly maintenance plan which establishes a schedule of maintenance activities to ensure the aesthetic quality and cleanliness of the site. The maintenance plan shall include, but not be limited to, a timetable for all maintenance activities with respect to private storm drainage systems, utilities and other infrastructure including, but not limited to, landscaping and screening, roads, parking areas, sidewalks, trails and berms, lighting, signage, storage, refuse and litter control, snow removal and other site amenities proposed in the plans.
- D. Approval Considerations. In reviewing any proposed Site Plan Application, the Commission shall determine the following:
1. that the application is consistent with the criteria set forth in the Zoning Regulations;
 2. that the application is reasonably consistent with the Master Plan, Master Parking Study, Master Traffic Study, Phasing Plan, Master Stormwater Drainage Study, and Design Guidelines. A determination of reasonable consistency with the Master Plan shall constitute a conclusive presumption that the use, the location of a building, the square

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**SECTION
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FLOATING ZONES

footage, height and size of a building, and the density of any residential use, are in compliance with the criteria of the Master Plan. If, in its judgment, the Commission determines that changes have been made to the Master Plan, including without limitation the size, density, mix of uses, Site Plan, appearance, and/or design of the development that effect the application's fulfillment of the objectives of a GCC, the application may be found not reasonably consistent with the Master Plan; and

3. that all other applicable provisions of the Lisbon Zoning Regulations have been satisfied, except as otherwise provided by this section.
- E. Surety. The Commission may require the posting of bonds pursuant to the provisions of these Regulations and/or other forms of security deemed appropriate to a particular project at the discretion of the Commission.
- F. Modification of Approved Plans. Modifications of approved Site Plans in an GCC shall be governed by the Zoning Regulations.

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Approved July 6, 2010

Affective August 2, 2010

New Section 10.23 – Outdoor Dining:

10.23 Outdoor Dining:

10.23.1 Intent. The Town of Lisbon recognizes the importance of outdoor dining facilities to the vitality and success of our commercial districts. The outdoor dining regulations are in place to promote the health, safety and welfare of our resident, businesses and visitors. Seasonal Outdoor dining facilities as accessory uses to restaurants may be permitted via Special Permit application and subject to the following conditions:

10.23.2 Standards.

- a. Outdoor dining facilities shall only be allowed in conjunction with legally established restaurants located on the same parcel and shall only operate during the hours of operation of the associated restaurant. Outdoor dining facilities may be operated between March 1st and November 30th.
- b. Sound systems shall not exceed 86 decibels. No outdoor music shall be played before 10:00 a.m. or after 10:00 p.m. Monday-Saturday and no outdoor music shall be played before 11:00 a.m. or after 8:00 p.m. on Sunday.
- c. Outdoor dining facilities shall be used only for dining by seated patrons. No bars for the service of alcohol, food preparation areas or dance areas shall be permitted in an outdoor dining area.
- d. Aesthetics, location and configuration.
 1. The outdoor dining area shall be subject to architectural review by the Commission. The outdoor space shall be designed as an integral component of the restaurant.
 - [a] The Planning and Zoning Commission may require aesthetically pleasing barriers, such as wooden railings with lattice work, solid vegetative hedges (either in-ground or in planters) or decorative metal barriers, to accomplish these objectives or to enhance the aesthetic appeal of the dining area.
 2. Outdoor dining facilities shall also be located and configured so as to:
 - [a] Ensure, to the satisfaction of the Planning and Zoning Commission, the safe and unhindered passage of pedestrians and/or vehicles;
 - [b] be enclosed with a sturdy barrier not less than 36 inches in height and shall clearly designate the area where food and /or beverages shall be permitted to be served and consumed.
 - [c] be located directly adjacent to and/or above the lawfully operating Restaurant Use and be directly under Applicant's control. The Outdoor/Seasonal Dining Facility

may be located immediately adjacent to the front of the Restaurant Use, on the side or rear of the Restaurant Use; and

- [d] Prevent the escape of litter from the dining area.
- [e] The capacity of any outdoor dining facilities shall be limited to 50 seated patrons with such seating capacity included when calculating parking requirements. However, the total number of seats for the Outdoor Dining Facility shall not exceed 25% of the maximum number of approved indoor seats for the Restaurant Use. The final number of seats for the Outdoor Dining Facility will be determined by the Planning and Zoning Commission upon review of the amount of space available, the ADA and the Building Code.
- [f] The area of any outdoor dining facility shall not exceed 750 square feet.
- e. During each day of operation of an outdoor dining facility, a restaurant employee shall regularly patrol the area within 500 feet of the outdoor dining facility to collect any trash or litter which may have been generated by restaurant operations or customers. The Applicant must keep the Outdoor/Seasonal Dining Facility sanitary, neat and clean at all times, free from accumulation of food, litter, snow, ice and other potentially dangerous or unsanitary matter.
- f. Outdoor dining facilities shall be permitted in a front yard, subject to the following conditions:
 - 1. Outdoor dining facilities situated at grade shall not be located within 20 feet of the front property line.
 - 2. Outdoor dining facilities located above grade shall not be located within the required front setback.
- g. Outdoor dining facilities located in any yard except a front yard shall not be located within any required setback and shall be screened from the satisfaction of the Planning and Zoning Commission.
- h. The following information and/or standards shall be submitted and/or met as part of the application process in addition to other standard contained with these regulations.
 - 1. A detailed, labeled and scaled site plan and elevations of the location of the outdoor dining area, number and arrangement of tables and chairs, barriers, means of ingress and egress, sidewalk, above-ground utilities and any other sidewalk obstruction, parking and planter areas;
 - 2. Manufacturer's information and cut sheets on all proposed tables, chairs, barriers, lighting and accessory furniture (Plastic table and chairs shall be prohibited). All furniture and fixtures shall be high quality, durable and attractive;
 - 3. A signed statement by the owner of the building confirming the ownership of the building and, if the owner is not the Applicant, granting permission to the Applicant to pursue the conditional use permit;
 - 4. A detailed description of the type of food and beverage served at the establishment. When applicable, a copy of the Applicant's liquor permit and any other documentation giving the Applicant permission to serve alcohol;

5. The Seasonal Dining Facility must be in compliance with the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq. (as used in this section, the "ADA"), and at a minimum allow for 5 feet of continuous pedestrian access along the public sidewalk free from all obstruction, and must not create any pedestrian hazards;
 6. The applicant shall submit a plan to store furniture when the outdoor dining area will not be operated, and;
 7. The Outdoor/Seasonal Dining Facility must have adequate illumination during evening hours in accordance with the Outdoor Dining Design Guidelines. All lighting will be designed to minimize the intrusive effect of glare and illumination upon abutting areas, especially residential properties.
- 10.23.3 Permit Duration. A permit for Outdoor/Seasonal Dining Facility shall be valid for two (2) years from approval, except that the Commission may limit the permit period to a shorter period where there are special concerns for the impact of the facility on the surrounding area.
- 10.23.4 Permit Renewal. An application for renewal of the Outdoor/Seasonal Dining Facility must be received at least 30 days prior to expiration of the permit. No permit shall be renewed if it is determined that there are substantial, outstanding violations of any condition of the permit for which the renewal is sought.
- 10.24.5 Revocation of Permit. Following a public hearing, the Commission may revoke the permit if it is determined that the terms of such permit have been violated.

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