

Zoning Regulations Windsor

SECTION 10 - AGRICULTURAL ZONE

10.0 INTENT

The intent of this zone is to provide for the retention of suitable areas for agricultural uses because of the singularly primary role of agriculture in the socio-economic chain, because of its value in the community's cultural heritage and as visual open space, and to provide, where appropriate, for low-density transitional residential uses.

10.1 AREA AND HEIGHT STANDARDS

Density of occupancy - 0.3 families per acre
Minimum lot area allocated to one family - 3 acres
Minimum lot width - 150 feet
Minimum front yard - 40 feet
Minimum side yard - 15 feet
Minimum rear yard - 25 feet
Maximum coverage - 15% of the site
Maximum building height - 2 1/2 stories or 35 feet

10.2 MISCELLANEOUS STANDARDS

10.2.1 Living area requirements and allowable lot reductions shall be those prescribed for the AA zone.

10.2.2 The applicable requirements of Section 4.2 shall apply to any residential use or structure.

10.2.3 Easements, as per Sections 2.1.4 and 2.1.13.

10.3 PERMITTED USES

10.3.1 Field crop growing; flower gardening; livestock and poultry raising, excluding the commercial raising of pigs and the keeping of more than three pigs over six months old for any purpose; nurseries and greenhouses; orchards; seed growing; tobacco growing; truck or market gardening; and offices for the practice of veterinary medicine.

10.3.2 Dwellings occupied by the owner, a member of the owner's family employed on the farm or by a permanent paid employee.

10.3.3 Residential subdivisions with ten lots or less which conform to the requirements of Section 10.1.

10.4 ACCESSORY USES

The following accessory uses are allowed subject to conditions specified below, including that, for Sections

10.4.1 through 10.4.4, no building shall be located closer than 50 feet of any property line:

10.4.1 All types of buildings which are customarily a part of the use such as barns, sheds, silos, stables, chickenhouses, garages for motor vehicles and farm machinery.

10.4.2 Greenhouses, hothouses and other facilities for vegetables or flower-growing; pumping stations and water lines for irrigation purposes and private roads for access to all parts of the cultivated land and for fire protection.

10.4.3 Warehouses, processing plants, refrigeration plants and other secondary uses frequently a part of the primary agricultural use.

10.4.4 Housing for permanent workers and camps or living quarters for workers, not exceeding the ratio of two workers per cultivated acre. Nothing shall prohibit cooperative action by a group of farm owners or an association representing farm owners from jointly providing housing for temporary (seasonal) workers, provided that the ratio of two workers per cultivated acre shall be maintained.

10.4.5 Accessory uses associated with single-family dwellings, as per applicable provisions of Section 4.4.

10.5 SPECIAL USES

The following uses are allowed subject to the applicable provisions of Section 2.4 and as hereunder provided:

10.5.1 Single-Family Residential Developments with More than Ten Lots

Single-family residential developments with more than ten lots in compliance with the following standards and requirements:

A As per Sections 10.1 and 10.2.

B As per Section 4.5.2, except that operating MDC sewers are not required.

10.5.2 Single-Family Cluster Subdivisions

At the discretion of the Commission, a subdivider may be allowed to reduce lot requirements in the AG zone, provided that the following conditions are met:

A The Commission shall find that the plan is designed appropriately in relation to soil types, wetland areas or watercourses, topography, natural features, scenic vistas and that there is land on the site deemed desirable for open space or other public purposes.

B All standards of Section 10.1 shall be met except that the density of occupancy shall be 0.6 families per acre and that a minimum lot area of one acre shall be required.

C For a subdivision to be developed in accordance with this Section, the developer must dedicate to the Town for public purposes at least the same percentage of the entire tract as that by which the lot area has been reduced.

D The dedication of land for public purposes, as per Section 2.1.12.

E Scenic or conservation easements may be required as per Section 2.1.13.

10.5.3 Hospitals, Sanatoriums or Nursing Homes

Hospitals, sanatoriums and nursing homes in accordance with the standards of the State Department of Health, but not correctional institutions or hospitals for the mentally ill.

10.5.4 (This Section was deleted; see Section 2.4.15P.)

10.5.5 Commercial Kennels or Animal Hospitals

Commercial kennels and animal hospitals, but only if located not less than 500 feet from a residential or NZ zone and subject to all applicable codes and regulations of local and State agencies.

10.5.6 Riding Clubs or Stables

Provided that the site is at least ten acres.

10.5.7 Cemeteries

Cemeteries subject to the following requirements:

A A 20-foot wide, thickly planted buffer shall be provided along all property lines except for the frontage of the parcel abutting a public right-of-way.

B The parcel shall have a minimum frontage of 50 feet on a public right-of-way.

10.5.8 Clubs, Social or Fraternal Organizations Clubs, social or fraternal organizations, including those utilizing hardware or paraphernalia (e.g., guns, racing or show automobiles, snowmobiles, motorcycles) on premises, and including those serving alcoholic beverages for on-premises consumption, subject to the following requirements:

A The Commission shall find that a need exists for the proposed facility and that it will be in harmony with adjacent uses and will not threaten the health, welfare and safety, create excessive nuisances or downgrade property values in the neighborhood.

B Structures and outdoor activity areas shall be at least 250 feet from any property line. This requirement shall not apply where a structure or outdoor activity area is located within, and at its closest point at least 250 feet from, the Connecticut River Stream Channel Encroachment lines. This exception shall not apply when these structures or outdoor activity areas are within 250 feet of a residence.

C The site shall be provided with appropriately paved accessway(s) (hard-surfaced) for at least the 50 feet closest to the street and shall be appropriately screened. This requirement shall not apply where the street providing access to the site is not paved.

D If approval of the serving of alcoholic beverages for on-premises consumption is requested, it may be granted provided it meets the requirements outlined in Section 2.4.15G(4).

10.5.9 Garaged or Open Storage of Commercial Vehicles

The garaged or open storage of commercial vehicles may be allowed subject to the following requirements:

A The storage area shall be set back at least 200 feet from roadways providing access to the site, with trees, shrubs and/or fencing to provide sufficient screening.

B A landscaped buffer not less than 50 feet wide consisting of trees and shrubs and/or fencing, around the rest of the perimeter of the site shall be provided.

C Existing streets shall be capable of accommodating the increased traffic generated by the use.

D The site shall be provided with appropriately paved accessway(s) (hard-surfaced) for at least the 50 feet closest to the street.

E No major maintenance and/or repair work of vehicles shall be permitted.

F Wholesaling or retailing activities shall not be permitted.

10.5.10 Antenna Towers Greater than 100 Feet in Height

This section was deleted on 7/8/97.

10.5.11 Transfer of Residential Density

As per Section 4.5.8.

10.5.12 Farmers' Stands of Permanent Construction, Intended for the Roadside Sale of Farm Produce

Subject to the following conditions:

A Stands shall be located on only those farms producing one-half or more of the total produce being sold at the stand at any one time.

B Stands shall be allowed to operate only from the beginning of May through the end of November.

C Compliance with the applicable site development requirements of Section 3.

D No parking shall be allowed within the required front yard.

E Upon any change of zone of the property from AG, such structure shall be razed within a two-year period.

10.5.13 Sale of Nursery Stock and Related Products

A Nursery and related products as referred to in this Section shall be: shrubs, trees, plants, seeds and landscape materials such as mulch, stones, etc. This shall not allow the sale of gardening/farming implements such as rakes, shovels, lawn mowers or vehicles.

B Compliance with the applicable site development requirements of Section 3.

C No parking shall be allowed within the required front yard.

D A small office may be allowed as incidental to the operation of this use.

E The Commission may require that any and all storage of bulk material and the overnight parking of vehicles be inside a building; otherwise, these shall not occur within 100 feet from any street or property line and shall be screened from abutting properties.

10.5.14 Congregate Housing

As per Section 4.5.12.

10.5.15 Active Adult Subdivisions

Definition of Active Adult Subdivisions: Active Adult Subdivisions are limited to households with at least one person 55 years of age or older. No resident shall be under 18 years of age.

The Commission may allow development of Active Adult Subdivisions, in the Agricultural Zone as provided below:

A Overall Requirements

(1) The site must contain a minimum of 10 acres and have frontage and a means of access on an arterial street. The Commission may, if it determines that the resulting traffic pattern is superior to the traffic pattern resulting from a direct connection to the arterial street, approve an alternate means of access.

(2) The maximum number of lots permitted shall be determined by multiplying the acreage of the entire tract, less those areas excluded from density calculations by Section 4.2.1, by a density factor of 1.3.

(3) The site shall contain existing wooded areas of sufficient density and size and of appropriate species to provide adequate screening and privacy between proposed dwellings and any other use within the subdivision and any use within the subdivision and existing surrounding development. Active Adult Subdivision applications shall clearly outline the method to reasonably ensure the survival of natural site features critical to the provision of screening and privacy (e.g., tree wells, mounds, root area drainage systems, retaining walls, etc.) and/or the species to be planted to provide equivalent screening.

(4) All streets, roads, drives, parking areas, walks and pedestrian ways shall be built in accordance with both the Town of Windsor Engineering Standards and Specifications and the Town of Windsor Subdivision Regulations, except that sidewalks may be provided in alternative pedestrian travel locations through the open space as acceptable to the Commission.

(5) The Commission shall find that the plan is designed appropriately in relation to soil types, wetland areas, watercourses, topography, scenic vistas and other natural features.

(6) Because of the reduction of lot sizes allowed, building and site design become critical elements in ensuring compliance with the intent of this Section. Therefore, as part of its review and evaluation of any Active Adult Subdivision application, the Commission shall consider landscaping and the design and location of all buildings.

(7) The minimum amount of land dedicated to the Town or to a private association of the residents of such a subdivision shall be determined by multiplying the acreage of the entire tract by the percentage by which the required minimum lot area is to be reduced from the AA lot area standard. The Commission shall determine whether or not said land will be dedicated entirely to the Town, entirely to the homeowners' association, or to a combination of the two. Portions of dedicated land may exist as appropriately landscaped, oversized islands within the proposed cul-de-sacs. The Commission may allow the area required for dedication to be reduced as provided for in Section 4.5.3A(5). The characteristics of the land dedicated shall be as per Section 4.7.2(E) of the

Subdivision Regulations. The following standards and requirements shall also be complied with:

(a) The dedication of land shall be as per Section 2.1.12.

(b) The plans of the subdivision shall contain warning language approved by the Town attorney advising the future residents of the subdivision that agricultural use of the property may continue and may create noise or other conditions that are typical of conventional agricultural practices.

(c) The dedication of land, including that within street(s), to a private homeowners' association shall be included in a written program submitted as part of the subdivision application. The program shall include, among other items which the Commission deems necessary to protect the interests of the subdivision residents and the Town, the fee structure for use of the facilities and areas involved and on whom the responsibility falls for maintenance thereof. It shall also demonstrate, after review by the Town Attorney, how the responsibility will be legally bound upon that party (e.g., by covenant or deed).

(d) The land dedicated to the Town or the private homeowners' association may be used for purposes such as recreation, open space, and/or agriculture as approved by the Commission, with appropriate regard to buffers to minimize the health and quality of life impacts on existing surrounding and proposed housing units from noise, dust, use of chemicals, etc. The commission may require improvements such as walkways, walkway seating areas, extra lighting, gazeboes, etc., to facilitate the use and enjoyment of common areas.

(e) Maintenance of association-owned properties--the maintenance of all common areas not intended to be individually owned shall be provided by an organization organized under Chapter 828 of the Connecticut General Statutes (CGS 47-200 et seq) and formed for that purpose.

(8) Additional scenic or conservation easements may also be required as per Section 2.1.13.

B Lot/Building Requirements

(1) Lot Requirements: Minimum area - 12,750 square feet;

No building shall be closer than 25 feet from a sidewalk or 35 feet from a curb; Minimum side yards - 10 feet; Minimum rear yard - 40 feet; and Lawn sprinkling system or 10 inches of topsoil.

(2) Building Requirements: Minimum living area - as per Section 4.2.2A(1); All dwelling units shall be handicapped-adaptable; Maximum building height - 2 1/2 stories, or 35 feet; and All Active Adult Subdivisions shall be single-family detached units; and All dwelling units shall have:

(i) Full basement;

(ii) Central air conditioning;

(iii) Electric garage door openers;

(iv) Brick encased chimneys, or a construction that provides equal or better fire protection as determined by the Fire Marshal, where chimneys are required;

(v) Protection by automatic sprinklers designed and installed in accordance with the applicable National Fire Protection Association Standards; and

(vi) Thermal insulation as per Section 11.2.4C(1).

10.5.16 Places of Assembly and Congregation

As per Section 4.5.18 C, D, and E (Also see Section 10.5.8).