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Town of Branford, CT  
 Planning & Zoning

Department of Planning & Zoning  
 Town Center Revitalization Review Board  
 Small Cities Program

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NOTE: Regulations held in hard copy by the Department of Planning and Zoning are the source for, and take precedence over, all regulations published online. You may obtain a printed copy from the department.

**ZONING REGULATIONS  
 TOWN OF BRANFORD,  
 CONNECTICUT  
 Chronological Guide to Amendments**

- Original Zoning Regulations effective December 3, 1956
- Major Revision adopted November 6, 1973, effective November 9, 1973
- MAY 24, 1985 (Sect. 34, Open Space Res. Dev)
- OCTOBER 18, 1984 (C.A.M. Amendment)
- JULY 30, 1987 (Sect. 6, Elderly Housing)
- AUGUST 28, 1987 (Sect. 21, 23, 24, 25, 31, 32, 35, 43)
- JANUARY 15, 1988 (Sect. 42, Parking and Sect. 6, Lot Area and Shape, Sect. 24.6, flood elevations, deleted)
- JUNE 1, 1988 (Schedule A, Motor Vehicle Washing)
- JUNE 1, 1988 (Schedule A, and Sect. 36, Day Nurseries)
- JUNE 1, 1988 (Sect. 21, 23, And Sect. 37, Town Center Overlay District)
- JULY 1, 1988 (Sect. 6, and Sect. 42, Community Shopping Center)
- JULY 1, 1988 (Sect. 43, Non-Accessory Ground Signs)
- MARCH 15, 1989 (Sect 23, and 42, Schedule A and Schedule B Limited Retail Development)
- OCTOBER 15, 1989 (Sect. 6 and 35, and Schedule B, Coverage, Floor Area, Impervious Surface, Height)
- FEBRUARY 23, 1990 (Sect. 6 and 25, Accessory Uses;

**On This Site**

- Planning and Zoning Commission
- Department of Planning and Zoning
- Town Plan of Conservation and Development
- Town Center Revitalization Review Board
- Small Cities Program
- also*
- Zoning Board of Appeals hearing notices and decisions

Sect. 25, Streetline Setbacks)

SEPTEMBER 1, 1990 (Sect. 6, Lot Area And Shape)

NOVEMBER 16, 1990 (Sect. 24, Uses; Schedule A, Line C-28; Sect. 31, Site Plan and Special Use Requirements; Sect. 44, Grading Excavation, Removal or Deposit of Earth Materials and Related Activities; Sect. 46, Soil Erosion and Sediment Control)

FEBRUARY 1, 1991 (Schedule A, Recreational Facilities)

MARCH 1, 1991 (Sect. 6 and 36 and Schedule A, Accessory Apartments and Day Care)

APRIL 1, 1991 (Schedule A and Sect. 36, Dwellings containing three (3) or more units in a BR Zone)

DECEMBER 2, 1991 (Sect. 31, Site Plans; Sect. 32, Special Exceptions; Sect. 36, Storage Trailers; Storage Trailers; Sect. 5, Non-conforming Lots; Sect. 6, Definitions; Sect. 24, Permitted Uses)

JULY 1, 1993 (Sect. 36, Storage Trailers)

JANUARY 3, 1994 (Sect. 36, Contractor's Yards)

JUNE 1, 1994 (Schedule A, Line B-3, Educational and Other Institutional Uses In 2 CP zone)

JANUARY 1, 1995 (Sect. 38, Affordable Housing)

AUGUST 1, 1996 (New Sect. 5.11.3, Non-conforming Lots)

MAY 1, 1997 (Sect. 36.12, Communications Towers, Antennae and Telecommunications Facilities)

JUNE 1, 1997 (Sect. 31, Outdoor Lighting)

JUNE 1, 1997 (Sect. 31, Peer Review of Traffic Report)

FEBRUARY 11, 1998 (Sect. 36.13, Non-profit Cat Shelters)

MARCH 26, 1998 (Sect.6, Retaining Walls; Sect. 25.4.11 Retaining Walls Deleted; Sect. 32.5, Special Exception Standards for Traffic; Sect. 44.6, Blasting Deleted and Retaining Walls Added)

FEBRUARY 15, 1999 (New Sect. 6.40, Steep Slopes; delete Sections 43.5.1c and 43.5.4, Non-Accessory Ground Signs)

MAY 1, 2002 (Sect. 34, Open Space Residential

## Development Plans [OSRDP])

DECEMBER 2, 2002 (New Sect. 36.14, Self-storage; Schedule A [Commercial Uses] and Section 6 [Definitions], revised accordingly)

AUGUST 1, 2003 (Sect. 24 A-8, Rooming and Boarding, Permitted Uses; Schedule A, Part A [Residential and Related Uses] revised accordingly)

MARCH 11, 2004 (Sect. 6.42, Steep Slopes definition, revised; Sect. 31.4.2, Site Plan Map, revised; Sect. 44.2, General, revised)

APRIL 9, 2004 (Sect. 42.2, Required off Street Parking Spaces, revised)

JULY 1, 2004 (Sect. 25.11, Accessory Uses and Structures in Residence Districts, new Sect. 25.11b added and old Sect. 25.11b and succeeding sections renumbered accordingly; Sect. 6.37, Rear Yard definition added and old Sect. 6.37 and succeeding sections renumbered accordingly; Section 25, Schedule B: Standards, Residential, reference to Accessory Structures added to lines 6, 8 and 9; Schedule B: Standards, Residential, line 16 "required setback from Critical Coastal Resources" added; Schedule B: Standards, Mixed-use and Commercial, line 16 "required setback from Critical Coastal Resources" added)

DECEMBER 1, 2004 (new Sect. 6.14, Critical Coastal Resources definition, added and old Sect. 6.14 and succeeding sections renumbered accordingly; new Sect. 6.50, Tidal Wetlands definition, added and old Sect. 6.50 and succeeding sections renumbered accordingly; Sect. 25.4.12, Critical Coastal Resources, revised; Sect. 45.2, Coastal Management District, revised; new Sect. 45.5, Vegetated Buffers, added and old Sect. 45.5. and succeeding sections renumbered accordingly)

APRIL 1, 2005 (Sect. 31.4.2.7, Utilities, revised.)

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# PLANNING AND ZONING COMMISSION

TOWN OF BRANFORD • TOWN HALL DRIVE • P.O. BOX 150 • BRANFORD, CT. 06405 • 488-1255  
FAX 481-5561

## REGULATION AMENDMENT EFFECTIVE JANUARY 1, 2009

- 36.9 Accessory Apartments: The Commission may grant a Special Exception approval of an accessory apartment provided that in addition to all other applicable requirements of these Regulations, the following conditions are met:
1. The accessory apartment shall meet the definition of "accessory apartment" given in Section 6.
  2. No more than one accessory apartment shall be created within a single family residence.
  3. The owner(s) of the residence in which the accessory apartment is created shall occupy at least one of the dwelling units on the premises.
  4. The accessory apartment shall be designed so that, to the degree reasonably feasible, the exterior of the building continues to look like a one—family residence. In general, any new entrance shall be located on the side or in the rear of the building. ~~Any addition constructed to accommodate the accessory apartment shall not increase the floor area of the original house by more than 10 per cent.~~
  5. The lot on which the accessory apartment is located shall be of sufficient size and shape to accommodate parking and other normal requirements of residential uses, without compromising the character of the neighborhood.
  6. At least three off-street parking spaces shall be provided per section 42 of these Regulations.
  7. No accessory apartment shall have a gross floor area of less than 360 square feet and not more than 800 square feet. In no case shall an accessory apartment have a gross floor area of more than 30% of the structure in which it is located.
  8. The effective period of a special exception permit shall be two years. It is the responsibility of the applicant to submit a request for extension within 90 days prior to expiration of approval. The zoning enforcement Officer shall grant a two year renewal provided that 1) the applicant shall present proof that the property continues to be his principal residence and 2) the Zoning Enforcement Officer finds that the property is in compliance with the original special exception permit and there are no other zoning violations.

9. In order to encourage the development of housing units for persons with disabilities, the Commission may allow reasonable deviation from the stated conditions, where necessary, to install access and/or other facilities for disabled persons.
10. In order to encourage preservation of historic buildings and efficient use of existing housing stock, the Commission may allow reasonable deviation from the stated conditions where necessary to create an accessory apartment with workable proportions, provided that the original structure has been in existence for more than 50 years.
11. The Commission may require additional conditions deemed necessary to protect public health, safety, and welfare and the single family character of the neighborhood.

**NEW:**

12. **The owner of the accessory apartment property must file a deed restriction on the land records requiring the unit to be rented at or below prices that will preserve the unit for housing for which the renter will pay no more than thirty percent of their income, where that income is no greater than eighty percent of the state or metropolitan area median income, whichever is less.**

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## AMENDMENT OF BRANFORD ZONING REGULATIONS

EFFECTIVE JANUARY 1, 2009

New Section In Bold  
Deleted Section Crossed Out

### Proposed Section 5: Non-conformity

~~5.9 Change: No nonconforming use of land, buildings or other structures shall be changed to any use which is substantially different in nature and purpose from the former nonconforming use except such uses that are permitted uses in the District in which they are to be located. No nonconforming use of land, buildings or other structures if once changed to conform or to more nearly conform to these Regulations shall thereafter be changed so as to be less conforming again. No nonconforming building or structure if once changed to conform or more nearly conform to these Regulations shall thereafter be changed so as to be nonconforming or less conforming again.~~

**Any change of a non-conforming use to a different non-conforming use requires a Special Exception application in accordance with the requirements of Section 32, "Special Exceptions." The Commission may approve such change if the Commission determines that such change will result in a condition that either (1) more nearly conforms with existing regulations than does the existing non-conforming use; or (2) would significantly reduce any detrimental impacts the existing non-conforming use may have on the neighborhood; provided, however, that no Special Exception shall be approved for any use that is prohibited under these Regulations throughout the Town of Branford. In making this determination, the Commission must make a finding that the proposed change improves compliance with the Site Plan standards of Section 31.5 and the Special Exception standards of Section 32.5.**

No nonconforming use of land, buildings or other structures if once changed to conform or to more nearly conform to these Regulations shall thereafter be changed so as to be less conforming again. No nonconforming building or structure if once changed to conform or more nearly conform to these Regulations shall thereafter be changed so as to be nonconforming or less conforming again.