To: Regional Planning Commission  
From: Eugene Livshits, Senior Regional Planner  
Subject: Thursday, June 10, 2021 RPC Meeting at 5:15pm

NOTICE: As permitted by Governor Lamont’s Executive Order pertaining to the COVID-19 Pandemic, this meeting is being held remotely with no in-person attendance

AGENDA - ZOOM MEETING  
link to join at the time of the meeting: https://us02web.zoom.us/j/88503049100  
Call-in Number: 1-929-205-6099  
Meeting ID: 885 0304 9100

1. Administration
   
   1.1. Minutes of the May 13, 2021 RPC Meeting

2. Action Items
   
   2.1. City of New Haven: Proposed Zoning Ordinance Amendment to permit Accessory Dwelling Units and a plus 1 Density Increase in RM1, RM2, RS1 and RS2 Zoning Districts and to reduce Minimum Lot Size to 4000 SF. Submitted by: City of New Haven: May 14, 2021. Public Hearing: TBD


3. Other Business

The agenda and attachments for this meeting are available on our website at www.scr cog.org. Please contact SCRCOG at (203) 234-7555 for a copy of agenda in a language other than English. Auxiliary aids/services and limited English proficiency translators will be provided with two week’s notice.


127 Washington Avenue, 4th Floor West, North Haven, CT 06473  
www.scr cog.org  T (203) 234-7555  F (203) 234-9850  elivshits@scrcog.org
MEETING MINUTES

To: Regional Planning Commission
From: Eugene Livshits, Senior Regional Planner
Subject: Minutes for Thursday, March 11, 2021 Meeting

Present: Charles Andres, Kevin Curry, Tricia Mase, Jeffrey Kohan, Andrew Skolnick, Theresa Ranciato-Viele, Robert Satti, Ted Stevens, Eugene Livshits

As permitted by Governor Lamont’s Executive Orders, regarding the COVID-19 Pandemic, the meeting was held remotely with no in-person attendance

1 Administration

1.1 Minutes of the March 11, 2021 RPC meeting.

Motion to accept the minutes as presented: Andrew Skolnick. Second: Kevin Curry. Vote: Unanimous.

2 Statutory Referrals

2.1 City of Milford: Proposed Zoning Regulation Amendments to Article III. Section 3.10 – Limited Industrial District: LI; Article XI - Definitions

By resolution, the RPC has determined that the proposed zoning regulation amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.


2.2 Town of Wallingford: Proposed Zoning Regulation Amendments pertaining to Winery Food Truck Regulations.

By resolution, the RPC has determined that the proposed zoning regulation amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Motion: Kevin Curry. Second: Theresa Ranciato-Viele. Vote: Unanimous. Recuse: Jeffrey Kohan

3 Other Business

Motion to Adjourn: Kevin Curry. Second: Theresa Ranciato-Viele. Vote: Unanimous.
Referral 2.1: City of New Haven

Subject:

Proposed Zoning Ordinance Amendment to permit Accessory Dwelling Units and a plus 1 Density Increase in RM1, RM2, RS1 and RS2 Zoning Districts and to reduce Minimum Lot Size to 4000 SF

Staff Recommendation:

The proposed zoning ordinance amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

The City New Haven has proposed amendments to permit Accessory Dwelling Units within the RS-1, RS-2, RM-1, and RM-2 Zoning Districts

The amendments include definitions of Accessory Dwelling Unit, Accessory Dwelling Unit – Interior, Accessory Dwelling Unit – Attached, Accessory Dwelling Unit – Detached, and Building Envelope Dimensions. The specific definitions and additional standards for ADUs can be found in the agenda packet.

The purpose of the amendments is to allow a new type of housing units, increase affordable housing options, while respecting the scale of neighborhoods patterns of development. The lot and bulk standards for ADUs would be subject to the regulations for a principal building, and accessory buildings of the underlying Zoning District. 1 ADU is permitted on a lot in addition to the principal building, other accessory buildings or use may be permitted. A special exception would be required if the total number of dwelling units exceed 4. The minimum lot size for a lot with both a primary and an accessory dwelling unit is 4,000 square feet.

The ADU can be created within an existing principal structure, an accessory structure or within the Building Envelope Dimension.

Communication:

In researching this proposal, I notified the adjacent municipalities in the South Central Region.
April 30, 2021

Honorable Tyisha Walker-Myers, President
Board of Alders of the City of New Haven
165 Church Street
New Haven, CT 06510

RE: PETITION TO AMEND THE NEW HAVEN ZONING ORDINANCE TEXT FOR ALLOWING ADUS AND A PLUS 1 DENSITY INCREASE IN RM1, RM2, RS1 and RS2 ZONES AND TO REDUCE MINIMUM LOT SIZE TO 4000 SF.

Dear President Walker-Myers and Mr. Michael Smart;

The City Plan Department of the City of New Haven is pleased to present you and the honorable members of the Board of Alders with this Petition/Application to create a text amendment to the zoning ordinance. If approved, the text amendment will allow Accessory Dwelling Units (ADUS) within the envelope of existing structures in RM-1, RM-2, RS-1 and RS-2. This will encourage the creation of more affordable housing options in all neighborhoods, while preserving the fabric of our historic neighborhoods and building equity and income streams for owner occupants. The ADUs would not require additional parking, further enabling small scale housing production. The text change also proposes a reducing minimum lot size to a uniform 4000 sf across all residential zones. Minimum Lot sizes have historically been a structure of inequity in land use and allowing smaller buildable lots would reduce barriers to building new infill housing. This update is the first in a series of proposed text amendments to enable the production and preservation affordable housing.

The recommendation to allow ADUs in the New Haven Zoning Ordinance (NHZO) came from the work of the Affordable Housing Task Force (AHTF), recognizing the need for more housing options at all scales and in all neighborhoods. This recommendation is in alignment with the Board of Alders Legislative Agenda to encourage Safe, Affordable Housing and is a key initiative of Mayor Elicker’s Housing for All Initiative.

“The Board of Alders, on the advice of the City Plan Commission and its Staff, should implement zoning changes to permit a wider range of affordable housing options including expanded permitting of rooming houses, allowance for accessory dwelling units, ease minimum lot area requirements; increase in density allowances and more.”

AHTF

The zoning amendments proposed are complementary to the call for allowing for ADUs statewide in SB 1024, an affordable housing bill before the Connecticut General Assembly, championed by Desegregate CT. The recommendations for ADUS are also in alignment with Regional Plan Associations “Be My Neighbor” report and the AARP’s Future of Housing report.
City Plan is proposing an incremental roll out of zoning amendments related to ADUs. The first iteration would restrict as-of-right ADUS within existing building envelopes. This could be converting a third floor into a new unit, fitting out a basement unit or converting an existing garage into a unit. Any alteration in bulk would still go before the Board of Zoning appeals. It would also restrict ADUs to owner occupants.

After this initial text amendment, based on success of the ordinance, further text amendments will come before you to gradually reduce restriction on ADUs, and to incorporate design and setback standards. The City will explore incentives and financing programs for targeting ADUs to deeply affordable tenants and to provide assistance to low income homeowners.

During this past year, the pandemic laid bare, the need for affordable housing and options for housing choices across the City. ADUs provide more opportunities for elderly homeowners to stay in their homes with an additional income stream, small household or single people to have more affordable choices. New Haven already has a long-standing tradition of ADUs in carriage houses and third floors across the city.

It is with great pleasure that I offer this zoning update for consideration, and our department looks forward to presenting this Application to you and the Board of Alders.

Very truly yours,

Aicha Woods, Executive Director

CC: Albert Lucas, Director of Legislative Services
CITY OF NEW HAVEN
BOARD OF ALDERS

In re: Petition of the City Plan Department :City of New Haven for Zoning Ordinance Text :Amendments to allow Accessory Dwelling Units in RM-1, RM-2, RS-1 and RS-2: and to reduce Minimum Lot size to 4000 SF:

PETITION: ZONING ORDINANCE TEXT FOR ACCESSORY DWELLING UNITS IN RM-1, RM-2, RS-1, and RS-2 Zones AND REDUCING MINIMUM LOT SIZE TO 4000 SF.

WHEREAS, in accordance with the provisions of 1925 Special Act No. 490, Section 5, Article XIII, Sections 2A-2F and Article VII of the Charter of the City of New Haven (the "Charter") and Section 64(d)(1) of the New Haven Zoning Ordinance, the City Plan Department of the City of New Haven, which serves as staff to the New Haven City Plan Commission ("City Plan"), filed with the New Haven City Clerk for transmission to the Board of Alders of the City of New Haven (the "Board of Alders") a Petition (the "Petition") requesting that the Board of Alders adopt text amendments to the Zoning Ordinance with regards to allowing Accessory Dwelling Units (ADUs) as of right in RM-1, RM-2, RS-1 and RS-2 zones and to reduce the minimum lot size in RM-1, RM-2, RS-1 and RS-2 to 4000 SF in accordance with the text amendments are more particularly described in Schedule A attached (the "Text Amendments"); and.

WHEREAS all citizens of the City of New Haven should have access to a variety of safe, quality, affordable housing choices in all neighborhoods; and

WHEREAS the City of New Haven recognizes the need for a variety of strategies and zoning updates to address the complex issue of affordable housing; and
WHEREAS, the City should be a regional, statewide, and national model advocate for developing innovative strategies and approaches to addressing affordable housing needs; and
WHEREAS, the adoption on an ADU ordinance was a recommendation of the Affordable Housing Task Force
WHEREAS City Plan submitted sufficient plans, information, and related supporting materials; and
WHEREAS, pursuant to Article XIII, Section 2E of the Charter, the Board of Alders referred the Petition to the New Haven City Plan Commission for a public hearing; and
WHEREAS, on , 2021, the City Plan Commission held a public hearing on the Petition after providing due notice of such hearing in accordance with the provisions of law; and
WHEREAS, on , 2021, the City Plan Commission rendered an advisory report to the Board of Alders after considering the factors set forth in Article VII of the Charter and Sections 64(d)(2) of the Zoning Ordinance recommending approval of the Petition, CPC Report No. ; and
WHEREAS, on , 2021, the Affordable Housing Commission held a public hearing on the Petition after providing due notice of such hearing in accordance with the provisions of law; and
WHEREAS, the Board of Alders finds that the Text Amendments and their provisions are in accordance with the Comprehensive Plan of Development of the City and are consistent with the land uses and the zoning classifications of neighboring parcels and with the standards set forth in Article XIII, Sections 2B through 2E of the Charter; and furthers the goals of
increasing affordable housing choices throughout the city and

WHEREAS, the Board of Alders further finds that after public notice, hearing, and due comment from the public, interested parties, and the various agencies of the City of New Haven, including, without limitation, the Department of Transportation, Traffic and Parking, the Engineering Department, and the Office of Building, Inspection and Enforcement that the Text Amendments meet the objectives set forth in Zoning Ordinance, Article VII, Section 64(d) in that the Text Amendments are responsive to changes that have taken place in the City and in patterns of construction and land use, the supply of land and its peculiar suitability for various purposes, the purposes of zoning and the comprehensive plan of the City of New Haven.

NOW, THEREFORE BE IT ORDAINED by the Board of Alders of the City of New Haven that the Text Amendments are hereby adopted with the modifications of the existing zoning requirements requested by City Plan as described in Schedule A and B attached hereto and made a part of this Ordinance, Schedule A and B.
ARTICLE I. DEFINITIONS

Amendment to Section 1 – Definitions (to be inserted in existing Section 1 of the Zoning Ordinance in alphabetical order).

“Accessory Dwelling Unit” (ADU)- A residential living unit that is on the same parcel as a single-family dwelling or a multifamily structure. The ADU provides complete independent living facilities for one or more persons, including space for living, sleeping, cooking, and eating and sanitation.

“Accessory Dwelling Unit – Interior” (ADU-Interior)- A residential living unit that located within the building envelope of an existing primary residential structure and located as a subdivision of existing living space including but not limited to basement and attic spaces.

“Accessory Dwelling Unit – Attached” (ADU-Attached)- A residential living that is located within an addition to an existing primary residential structure with a separate entrance.

“Accessory Dwelling Unit – Detached” (ADU-Attached)- A residential living that is located in an accessory structure that is detached from the primary residential structure.

“Building Envelope Dimensions” - The complete three-dimensional form of a structure including the structure’s area, footprint, bulk, height, and mean roofline.

ARTICLE IV. - RESIDENCE DISTRICTS: GENERAL PROVISIONS

In addition to the requirements contained elsewhere in this ordinance, the following provisions shall apply to all areas of the city contained within any residence district.

Section 21. - Conversion to a greater number of dwelling units and/or rooming units.

No existing building shall be converted to a greater number of dwelling units and/or rooming units unless in compliance with the requirements contained in the District Regulations for lot area per dwelling unit, lot area per sleeping room, lot area per square foot of gross floor area, and usable open space, and unless in addition:
(a) One additional off-street parking space is provided for each dwelling unit in the building added by conversion (except that only one parking space shall be required for each two elderly housing units) and one off-street parking space is provided for each three beds in the building after conversion in the case of a rooming, boarding or lodging house. Such off-street parking spaces shall be provided on the same lot as the building being converted or (except in RS Districts) within 300 feet walking distance of an outside entrance to the dwelling unit or rooming units to which such parking space is assigned.

(b) Stairways leading to the second or any higher floor are located within the walls of the building wherever practicable, and stairways and fire escapes are otherwise located on the rear wall in preference to either side wall and in no case on a front wall or side wall facing a street.

Section 22. – Reserved (Existing) Proposed: **Accessory Dwelling Units**

Accessory Dwelling Units are permitted within the RS-1, RS-2, RM-1, and RM-2 Zoning Districts and subject to the regulations of this Section and the bulk regulations of the subject zone if not expressly modified by this section.

A. **PURPOSE AND INTENT**
   a. Create new housing units while respecting the look and scale of neighborhood patterns of development.
   b. Increase affordable housing choices especially for very low-income residents.
   c. Support more efficient use of existing housing stock and infrastructure.
   d. Offer environmentally friendly housing choices with less average space per person and smaller associated carbon footprints.
   e. Provide housing that responds to changing family needs, smaller households, and increasing housing costs; and
   f. Provide accessible housing for seniors and persons with disabilities.

B. **APPLICABILITY**
   Accessory dwelling units are allowed in the following zone districts: (RM-1, RM-2, RS-1, and RS-2, subject to the provisions of this section.)
C. UNDERLYING ZONING AND DENSITY
Unless specifically addressed in this section, accessory dwelling units (ADUs) are subject to the regulations for a principal building and accessory buildings of the underlying zone district with regard to lot and bulk standards (e.g., height, setback/yard requirements, building coverage).

1. Where permitted pursuant to this Section 22, one accessory dwelling unit may be permitted on a lot in addition to the principal single-family or multi-family dwelling. Other permitted accessory buildings or uses, as defined herein, may be allowed in addition to the principal single-family or multi-family dwelling. If, with the addition of an ADU, the total number of residential dwelling units exceeds four (4) a special exception is required.

2. Accessory dwelling units shall be subject to the same zone district height limitations and setbacks as applicable to the principal dwelling on the property. An existing accessory structure whose height or setback(s) does not meet the requirements for a dwelling in the zone district may be converted into an accessory dwelling unit, but the structure may not be altered in any manner that would increase the degree of non-compliance.

3. If an existing accessory structure is deemed inappropriate for conversion, a new accessory dwelling unit may be constructed within the Building Envelope Dimensions of the existing structure. The Delay of Demolition Ordinance applies for contributing historic structures.

4. Accessory dwelling units shall not be considered a unit of density and therefore are not included in the density calculation for a single-family residential property.

5. There shall be no minimum required off street parking for an ADU.

D. METHODS OF CREATION

1. An ADU may be created within an existing principal structure or in an accessory structure or within the Building Envelope Dimensions thereof. An ADU shall confirm to Design Standard in Paragraph D below and all other requirements of Section 22.

E. DESIGN STANDARDS

1. Lot Standards: The minimum lot size for a lot that has both a primary dwelling unit and an accessory dwelling unit is 4,000 square feet.

2. Lot Coverage: Any Property with an ADU shall comply with all Building coverage standards applicable to the Zoning District in which the Property is located.
3. **Floor Area**: the ADU shall always be smaller or equal to than a primary dwelling unit located within the principal structure;

4. **Living Area**: an ADU shall have a minimum livable area of area of not less than 400 square feet. An ADU shall have a maximum gross floor area of not more than 1,200 square feet or size of principal dwelling, whichever is smaller.

5. **Height** Internal ADUs shall not exceed the existing height of the principal structure. If dormers or roof alteration are required for making an attic space comply with building code, the alterations shall comply with underlying zoning or seek a variance.

6. **Detached ADUS** will not exceed the height of an existing accessory structure or that structures Building Envelope Dimensions. If raising the roof height is necessary to make an accessory structure habitable, the alterations shall comply with underlying zone or seek a variance.

7. **Setbacks** All applicable setbacks of the Zoning District in which the property is located shall apply.

8. **Compliance with requirements of a Local Historic District**: For any Property located in a Local Historic District; a certificate of Appropriateness for any ADU visible from any public road or way, issued by the Historic District Commission is required.

**F. ADMINISTRATION AND APPROVAL**

1. **Application Information**. Prior to constructing an ADU, an owner shall file an application in a form approved by the City of New Haven Building Department. The information required on the applications for creating or legalizing an ADU shall be the same information that is required to construct a single-family dwelling unit. The application shall demonstrate that the proposed ADU:

   a. Complies with all development and design standards of this section.
   b. Complies with applicable Building and Fire Safety Codes.
   c. Does not have current Housing Code violations.
   d. Water supply and sewage disposal facilities are adequate for the projected number of residents.

2. **Occupancy and Use**. Occupancy and use standards for an ADU shall be the same as those applicable to a primary dwelling on the same site.

3. **Approvals** the Building Official, City Plan, and Engineering Departments shall evaluate the application for the proposed ADU for compliance with the standards of this subsection.

4. **City Plan Site Plan review exemption**. An ADU, in accordance with Section 22,
shall not require Site Plan review.

G. PROPERTY OWNERSHIP AND OCCUPANCY

1. Accessory dwelling units shall only be permitted when the property owner or a member of his/her extended family lives on the property, within either the principal dwelling or accessory dwelling unit. Before issuance of a (insert name of approval permit or certificate of occupancy), the owner shall submit a notarized letter stating that he/she or a member of his/her extended family will occupy one of the dwelling units on the premises as a primary residence except for:

2. A bona fide, temporary absence of three years or less for activities such as temporary job assignments, sabbaticals, or voluntary service (indefinite periods of absence from the dwelling shall not qualify for this exception); or

3. Admittance to a hospital, nursing home, assisted living facility or other similar facility.

H. DEED RESTRICTION

Before obtaining a building permit for an accessory dwelling unit, the property owner shall file with the New Haven City Clerk’s office in a form acceptable to the New Haven City Clerk, a declaration of restrictions in reference to the deed under which the property was acquired by the present owner stating:

1. That either the principal or accessory dwelling unit on the property shall be occupied by the owner of the property or a member of his/her extended family.

2. The accessory dwelling unit shall not be sold separately from the principal dwelling unit, nor shall the lot be subdivided to provide a separate lot for the accessory dwelling unit.

3. The above restrictions shall run with the land and are binding upon any successor owner of the property.

4. The deed restrictions shall lapse upon removal of the accessory dwelling unit. Upon verification of such removal, the City Clerk shall record appropriate documentation releasing such encumbrance. Any fees associated with such release shall be borne by the property owner.

5. The deed restrictions shall be reconsidered after a period on one year and if found to be a significant barrier to production of ADUs this requirement may be changed through a further text amendment.
ARTICLE III. RESIDENCE DISTRICTS: DISTRICT REGULATIONS

Section 11. RS-1 Districts: Special Single-Family.

Description and purpose. These districts exist for the protection of certain fully developed single-family areas of relatively small total size but of unique and irreplaceable value to the community as a whole. The specific purpose of these districts is to stabilize and preserve the low-density residential character of these areas to the maximum possible extent. To this end the use of land and buildings within these areas is limited primarily to single-family homes. The particular character, size and surroundings of these areas create little need for the location within their boundaries of further such non-residential uses as generally support a low-density residential area, and the location of any further such uses within these areas would undesirably limit or diminish the number of homes in them. It is hereby found and declared that these regulations are necessary for the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential areas of diverse types.

All RS-2 Districts are subject to the general provisions for residence districts set forth in Article IV as well as to all other provisions of this ordinance.

Uses permitted. In an RS-1 District, a building or other structure may be erected, altered, arranged, designed or used, and a lot or structure may be used for any of the following purposes and no other:

(a) Residential uses as follows. The General Provisions for Residence Districts in Article IV shall also apply.

(1) Single-family detached dwellings. There shall be only one principal building on a lot. Building requirements:

a. Minimum lot area: 7,500 4,000 sq. ft.
b. Minimum average lot width: 60-50 ft., except for nonconforming lots under subsection 67(e).
c. Maximum building coverage: Total coverage of principal and accessory buildings not to exceed 30% of lot area.
d. Maximum building height: Such height shall not exceed either three stories or an average height of 35 feet.
   Provided that, no point on a side or rear building wall shall be so located that it is closer to a side or rear lot line than one foot for each two feet that such point is above the average finished lot grade along such side or rear building wall.
e. Minimum yards:
   Front—25 ft., except that where 75% or more of the entire street frontage (in feet) on the same side of the same street between the nearest two intersecting streets has been developed with buildings with front yards smaller than 25 feet, the required front yard shall be the same as the yard presently followed by existing buildings along the greatest quantity of street frontage (in feet).
   Rear—25 ft.
   Side—One at least eight ft. and the other at least twelve ft.; in the case of a corner lot, at least eight ft. for the one side yard.
f. **Minimum parking:** One *parking space* for the first bedroom, and one-half parking space for each additional bedroom, rounded to the next higher number if a fraction. All parking spaces shall be located on the same *lot* and shall conform to section 29 and the remainder of the General Provisions for Residence Districts in Article IV.

g. **Maximum impervious surface coverage:** Total coverage of *building(s)* and paved area (parking and walkways) shall not exceed 70% of the *lot area*.

2. **Residential accessory buildings, structures and uses,** as regulated by paragraph (1) Section 22 above and by the General Provisions for Residence Districts.

3. **Notwithstanding the foregoing, Section 22 applies to RS-1.** Conversion of an existing *building* to a greater number of *dwelling units* by variance as follows:

   Supplemental statement of purpose: Preservation of the unique residential character of RS-1 District areas requires that variances for uses not allowed in these districts be granted only where absolutely necessary and only for the least possible departure from the provisions of these districts. Any other provision of this ordinance to the contrary notwithstanding, no variance shall be granted from the use regulations of these districts except for conversion of existing buildings to a greater number of dwelling units in accordance with the standards of this section. These standards are hereby found and declared to be minimum standards for stabilizing and preserving the character of RS-1 District areas and their value to the community as a whole, and any variance of the use regulations of these districts other than in accordance with these standards is hereby declared to violate the spirit of this ordinance and the general purpose and intent of these regulations.

   A variance for conversion of an existing *building* to a greater number of *dwelling units* may be granted only in accordance with the following standards:

   a. It must be clearly demonstrated that continued use of the *building* with its existing number of *dwelling units* would create such hardship as would practically destroy or greatly decrease its value, provided that:

      1. The evidence offered to demonstrate such hardship shall not relate to such deterioration of the *building* as would suggest its removal and reuse of the land for *single-family detached dwellings* in accordance with the provisions of these districts; and

      2. Before granting a variance for conversion of a *principal building*, the Board shall find that such hardship cannot be sufficiently mitigated by subdivision of the *lot* for one or more additional lots conforming to the standards of these districts for *single-family detached dwellings* or by conversion of an existing *accessory building* to a *single-family detached dwelling* where such subdivision or such conversion would have a lesser impact upon the surrounding area than would conversion of the *principal building* to a greater number of *dwelling units* in accordance with the standards of this paragraph (3).

   b. The *building* shall have been erected more than 30 years before conversion, and any increase of its *gross floor* area beyond 20% during the ten years immediately preceding conversion shall not be deemed to contribute to hardship under subparagraph 11(a)(3)a. or be considered in determining the maximum number of allowable *dwelling units* under subparagraph 11(a)(3)c. of this paragraph 11(a)(3).

   c. **Notwithstanding the foregoing, Section 22 allows one (1) ADU in accordance with Section 22 with no impact on density requirement.** Any variance granted for conversion of a *building* to a greater number of *dwelling units* shall be for the minimum number of *dwelling units* necessary to mitigate the hardship and in no case for more *dwelling units* than are allowable under the requirement that the *building* and *lot* in question contain an average of:
1,500 sq. ft. of gross floor area.
7,500 sq. ft. of lot area; and
60 ft. of average lot width
per dwelling unit after conversion. (In the case of a corner lot, the width of the lot for purposes of this subparagraph 11.A.3.c shall be deemed to be the average of its two street frontages.)

d. Off-street parking spaces shall be provided on the same lot as the building being converted equal to the number of dwelling units on the lot after conversion.

e. Stairways leading to the second or any higher floor shall be located within the walls of the building wherever practicable, and stairways and fire escapes shall otherwise be located on the rear wall in preference to either side wall and in no case on a front wall or side wall facing a street.

f. Except for the provision of stairways and fire escapes in accordance with the preceding subparagraph, there shall be no major structural change in the exterior of the building in connection with the conversion, and after conversion the building shall retain substantially the appearance it had before such conversion.

(b) Non-residential uses as follows: The standards in paragraph 11(a)(1) above relating to minimum lot area, minimum average lot width, building coverage, minimum building height, and minimum yards shall apply to non-residential uses except as indicated below.

Accessory uses customarily incidental to the following uses are permitted in connection with such uses.

Parking spaces required by this ordinance for the following uses may be located (by special exception under subsection 63(d) of this ordinance) on a separate lot in any district in which the principal use is permitted, provided the standards of section 29 are met.

Section 29 relating to parking and all other pertinent sections of the general provisions for residence districts in Article IV shall apply to all such uses.

(1) (2) omitted here for brevity (not a proposed text change)

RS-1 Special Single-Family
RS-2 General Single-Family
Minimum front yard: 25 feet.

Minimum rear yards: 25 feet.

Minimum side yards: one eight and one 12 feet. In the case of corner lots, at least eight feet for the one side yard. Size of side yard is also related to height of building walls (see text of each district).

Minimum average lot width: 60 feet.

Accessory buildings may extend into side and rear yards (See General Provision for Residence Districts).

Fences may extend into all yards (See General Provisions for Residence Districts).

Other Requirements:

Minimum lot area: 7,500 square feet.

Maximum building coverage (all buildings): 30% of lot area.

Maximum building height: Three stories or an average height of 35 feet.

Minimum parking: One parking space for the first bedroom, and one-half parking space for each additional bedroom, rounded to the next higher number if a fraction. All parking spaces shall be located on the same lot.

Note(s)—These pages are for illustration only. For greater detail, and for non-residential construction, refer to text of each district and to the General Provisions for Residence Districts.

Section 12. RS-2 Districts: General Single-Family.

Description and purpose. These districts exist for the protection of areas, most of them large in size, that have been and are being developed predominantly for single-family dwellings. Accordingly, the use of land and buildings within such areas is limited to single-family detached dwellings, and to such non-residential uses as generally support and harmonize with a low-density residential area. The non-residential uses permitted in RS-2 Districts, subject to adequate conditions and safeguards, are hereby found and declared to be the only appropriate such uses for such areas. It is hereby found and declared, further, that these regulations are necessary to the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential areas of diverse types.
All RS-2 Districts are subject to the general provisions for residence districts set forth in Article IV as well as to all other provisions of this ordinance.

Uses permitted. In an RS-2 District a building or other structure may be erected, altered, arranged, designed or used, and a lot or structure may be used for any of the following purposes and no other:

(a) Residential uses as follows. The General Provisions for Residence Districts in Article IV shall also apply.

(1) Single-family detached dwellings. There shall be only one principal structure on a lot.

Building requirements:

a. Minimum lot area: 7,500 square feet.

b. Minimum average lot width: 60 feet, except for nonconforming lots under subsection 67(e).

c. Maximum building coverage: Total coverage of principal and accessory buildings not to exceed 30% of lot area.

d. Maximum building height: Such height shall not exceed either three stories or an average height of 35 feet.

Provided that no point on a side or rear building wall shall be so located that it is closer to a side or rear lot line than one foot for each two feet that such point is above the average finished lot grade along such side or rear building wall.

e. Minimum yards:

Front—25 ft., except that where 75 percent or more of the entire street frontage (in feet) on the same side of the same street between the nearest two intersecting streets has been developed with buildings with front yards smaller than 25 feet, the required front yard shall be the same as the yard presently followed by existing buildings along the greatest quantity of street frontage (in feet).

Rear—25 ft.

Side—one at least eight ft. and the other at least 12 ft.; in the case of a corner lot, at least eight ft. for the one side yard.

f. Minimum parking: One parking space for the first bedroom, and one-half parking space for each additional bedroom, rounded to the next higher number if a fraction. All parking spaces shall be located on the same lot and shall conform to section 29 and the remainder of the General Provisions for Residence Districts in Article IV.

g. Maximum impervious surface coverage: Total coverage of building(s) and paved area (parking and walkways) shall not exceed 70 percent of the lot area.

(2) Residential accessory buildings, structures and uses, as regulated by paragraph (1) Section 22 above and by the General Provisions for Residence Districts.

(3) Notwithstanding the foregoing, Section 22 applies to RS-2 Conversion of an existing building to a greater number of dwelling units by a variance as follows:

Any other provisions of this ordinance to the contrary notwithstanding, no variance shall be granted from the use regulations of these districts for conversion of an existing building to a greater number of dwelling units except in accordance with the following standards:

a. It must be clearly demonstrated that continued use of the building with its existing number of dwelling units would create such hardship as would practically destroy or greatly decrease its value, provided that:
1. The evidence offered to demonstrate such hardship shall not relate to such deterioration of the building as would suggest its removal and reuse of the land for single-family detached dwellings in accordance with the provisions of these districts; and,

2. Before granting a variance for conversion of a principal building, the Board shall find that such hardship cannot be sufficiently mitigated by subdivision of the lot for one or more additional lots conforming to the standards of these districts for single-family detached dwellings or by conversion of an existing accessory building to a single-family detached dwelling where such subdivision or such conversion would have a lesser impact upon the surrounding area than would conversion of the principal building to a greater number of dwelling units in accordance with the standards of this paragraph (3).

b. The building shall have been erected more than 30 years before conversion, and any increase of its gross floor area beyond 20% during the ten years immediately preceding conversion shall not be deemed to contribute to hardship under subparagraph a of this paragraph (3).

c. Any variance granted for conversion of a building to a greater number of dwelling units shall be for the minimum number of dwelling units necessary to mitigate the hardship and in no case for more dwelling units than are allowable under the requirement that the lot in question contain an average of 7,500 sq. ft. of lot area per dwelling unit after conversion.

d. Off-street parking spaces shall be provided on the same lot as the building being converted equal to the number of dwelling units on the lot after conversion.

e. Stairways leading to the second or any higher floor shall be located within the walls of the building wherever practicable, and stairways and fire escapes shall otherwise be located on the rear wall in preference to either side wall and in no case on a front wall or side wall facing a street.

f. Except for the provision of stairways and fire escapes in accordance with the preceding paragraphs, there shall be no major structural change in the exterior of the building in connection with the conversion, and after conversion the building shall retain substantially the appearance it had before such conversion.

(b) Non-residential uses as follows: The standards in paragraph (a)(1) above relating to minimum lot area, minimum average lot width, maximum building coverage, maximum building height, and minimum yards shall apply to non-residential uses.

Accessory uses customarily incidental to the following uses are permitted in connection with such uses.

Parking spaces required by this ordinance for the following uses may be located (by special exception under subsection 63(d) of this ordinance) on a separate lot in any district in which the principal use is permitted, provided the standards of section 29 are met.

Section 29 relating to parking and all other pertinent sections of the General Provisions for Residence Districts in Article IV shall apply to all such uses.

(1) Omitted here for brevity (not a proposed text change)

Section 13. RM-1 Districts: Low-Middle Density.

Description and purpose. These districts exist for the protection of areas that have been and are being developed predominantly for low-middle density dwellings of various types. Accordingly, the use of land and buildings within these areas is limited in general to dwellings at a density of about 12 dwelling units per acre, and to such non-residential uses as generally support and harmonize with a middle density area. The non-residential uses permitted in RM-1 Districts, subject to adequate conditions and safeguards, are hereby found and declared to
be the only appropriate such uses for such areas. It is hereby found and declared, further, that these regulations are necessary for the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential areas of diverse types.

All RM-1 Districts are subject to the general provisions for residence districts set forth in Article IV as well as to all other provisions of this ordinance.

*Uses permitted.* In an RM-1 District a **building** or other **structure** may be erected, altered, arranged, designed or used, and a **lot** or **structure** may be used for any of the following purposes and no other:

(a) **Residential uses as follows.** The General Provisions for Residence Districts in Article IV shall also apply.

1. **Dwellings: Single-family, two-family and multi-family.**

   **Building** requirements:
   
   a. **Minimum lot area:** 6,000 sq. ft.
   
   b. **Minimum average lot width:** 50 ft., except for nonconforming lots under subsection 67(e).
   
   c. **Notwithstanding the foregoing,** Section 22 **allows one (1) ADU in accordance with Section 22 with no impact on density requirement**

   **Minimum lot area per dwelling unit:** 3,500 sq. ft., except 2,500 sq. ft. in the case of an **efficiency unit** and 1,750 sq. ft. in the case of an **elderly housing unit;** except, further, that in any case of a **dwelling** existing on the effective date of the application of these regulations thereto, there may be located therein by conversion an average of one **dwelling unit** per 1,000 sq. ft. of **gross floor area** in the **dwelling** on said effective date, whether or not the standards of lot area per dwelling unit are met, provided that an increase in dwelling units by conversion which would result in an excess of three dwelling units within the same structure shall be permitted only by special exception under subsection 63(d) of this ordinance.

   d. **Maximum building coverage:** Total coverage of principal and accessory buildings not to exceed 30% of **lot area.**

   e. **Maximum building** height: such height shall not exceed either three **stories** or an **average height** of 35 feet.

   Provided that no point on a side or rear **building** wall shall be so located that it is closer to a **side** or rear **lot line** than one foot for each two feet that such point is above the average **finished lot grade** along such side or rear **building** wall.

   f. **Minimum yards:**

   **Front**—20 ft., except that where 75% or more of the entire street frontage (in feet) on the same side of the same street between the nearest two intersecting streets has been developed with buildings with front yards smaller than 20 feet, the required **front yard** shall be the same as the **yard** presently followed by existing buildings along the greatest quantity of street frontage (in feet).

   **Rear**—25 ft.

   **Side**—One at least eight ft. and the other at least 12 ft.; in the case of a corner lot, at least eight ft. for the one **side yard.**

   g. **Minimum parking:** One **parking space per dwelling unit** (except that only one **parking space** shall be required for each two elderly housing units) located either on the same **lot** as the principal **building** or within 300 feet **walking distance** of an outside entrance to the **dwelling unit** to which such **parking space** is assigned, and conforming to section 29 and the remainder of the General Provisions for Residence Districts in Article IV.
Residential accessory buildings, structures and uses, as regulated by paragraph (1) above and by the General Provisions for Residence Districts.

Parking spaces required by this ordinance for the permitted residential uses may be located on a separate lot without a special exception in a multi-lot residential development and by special exception under subsection 63(d) of this ordinance in all other instances in any district in which the principal use is permitted, provided the standards of section 29 (residential parking) are met.

Non-residential uses as follows: The standards in paragraph (a)(1) above relating to minimum lot area, minimum average lot width, maximum building coverage, maximum building height, and minimum yards shall apply to non-residential uses.

Accessory uses customarily incidental to the following uses are permitted in connection with such uses.

Parking spaces required by this ordinance for the following uses may be located (by Special Exception under subsection 63(d) of this ordinance) on a separate lot in any district in which the principal use is permitted, provided the standards of section 29 are met.

Section 29 relating to parking and all other pertinent sections of the general provisions for residence districts in Article IV shall also apply to all such uses.

omitted here for brevity (not a proposed text change)

RM-1 Low Middle Density

1 Minimum front yards: 20 feet.
2 Minimum rear yards: 25 feet.
3 Minimum side yards: one eight and one 12 feet. (In the case of corner lots, at least eight feet for the one side yard.) Size of side yard is also related to height of building walls (see text of each district).
4 Minimum average lot width: 50 feet.
5 Accessory buildings may extend into side and rear yards. (See General Provisions for Residence Districts).
For projections into required **yards** see General Provisions for Residence Districts.

**Other requirements:**

- Minimum **lot area:** 6,000 - 4,000 square feet.
- Maximum **lot area per dwelling unit:** 3,500 sq. ft.; 2,500 sq. ft. per **efficiency unit**; 1,750 sq. ft. per **elderly housing unit**.
- Maximum **building coverage** (all buildings): 30% of lot area.
- Maximum **building height**: Three stories or an **average height** of 35 feet.

Minimum parking: One **parking space** per **dwelling unit**, located either on the same **lot** or within 300 feet walking distance.

Note(s)—These pages are for illustration only. For greater detail, and for non-residential construction, refer to text of each district and to the General Provisions for Residence Districts.

(Ord. No. 1368, § 5, 2-7-05; Ord. No. 1726, Sched. A, 12-2-13)

**Section 14. RM-2 Districts: High-Middle Density.**

*Description and purpose.* These districts exist for the protection of areas that have been and are being developed predominantly for high-middle density dwellings of various types. Accordingly, the use of land and **buildings** within these areas is limited in general to dwellings at a density of about 22 dwelling units per acre, and to such non-residential uses as generally support and harmonize with a middle density area. The non-residential uses permitted in RM-2 Districts, subject to adequate conditions and safeguards, are hereby found and declared to be the only appropriate such uses for such areas. It is hereby found and declared, further, that these regulations are necessary to the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential areas of diverse types.

All RM-2 Districts are subject to the general provisions for residence districts set forth in Article IV as well as to all other provisions of this ordinance.

Uses permitted. In an RM-2 District a **building** or other **structure** may be erected, altered, arranged, designed or used, and a lot or structure may be used for any of the following purposes and no other:

(a) **Residential uses as follows:** The General Provisions for Residence Districts in Article IV shall also apply.

**Building requirements:**

1. **Dwellings-single-family, two-family and multi-family.**
   a. **Minimum lot area:** 5,400 - 4,000 sq. ft.
   b. **Minimum average lot width:** 50 ft., except for nonconforming lots under subsection 67(e).
   c. **Notwithstanding the foregoing, Section 22 allows one (1) ADU in accordance with Section 22 with no impact on density requirement**
   - **Minimum lot area per dwelling unit:** 2,000 sq. ft., except 1,400 sq. ft. in the case of an **efficiency unit** and 1,000 sq. ft. in the case of an **elderly housing unit**; except, further, that in any case of a **dwelling** existing on the effective date of the application of these regulations thereto, there may be located therein by conversion an average of one **dwelling unit** per 1,000 sq. ft. of gross **floor area** in the **dwelling** on said effective date, whether or not the standards of **lot area per dwelling unit** are met.
   d. **Maximum building coverage:** Total coverage of **principal** and **accessory buildings** not to exceed 30% of **lot area**.
e. **Maximum building height**: Such height shall not exceed either four stories or an average height of 45 feet. Provided that no point on a side or rear building wall shall be so located that it is closer to a side or rear lot line than one foot for each two feet that such point is above the average finished lot grade along such side or rear building wall.

f. **Minimum yards**:

- **Front**—17 ft., except that where 75% or more of the entire street frontage (in feet) on the same side of the same street between the nearest two intersecting streets has been developed with buildings with front yards smaller than 17 feet, the required front yard shall be the same as the yard presently followed by existing buildings along the greatest quantity of street frontage (in feet).
- **Rear**—25 ft.
- **Side**—one at least eight ft. and the other at least 10 ft.; in the case of a corner lot, at least eight ft. for the one side yard.

g. **Minimum parking**: One parking space per dwelling unit (except that only one parking space shall be required for each two elderly housing units) located either on the same lot as the principal building or within 300 feet walking distance of an outside entrance to the dwelling unit to which such parking space is assigned, and conforming to section 29 and the remainder of the General Provisions for Residence Districts in Article IV.

(2) **Residential accessory buildings, structures and uses**, as regulated by Section 22 and by the General Provisions for Residence Districts.

(3) **Parking spaces** required by this ordinance for the foregoing residential uses may be located on a separate lot without a special exception in a multi-lot residential development and by special exception under subsection 63(d) of this ordinance in all other instances in any district in which the principal use is permitted, provided the standards of section 29 (residential parking) are met.

(b) **Non-residential uses as follows**: The standards in paragraph (a)(1) above relating to minimum lot area, minimum average lot width, maximum building coverage, maximum building height, and minimum yards shall apply to non-residential uses.

**Accessory use** customarily incidental to the following uses are permitted in connection with such uses. **Parking spaces** required by this ordinance for the following uses may be located (by special exception under subsection 63(d) of this ordinance) on a separate lot in any district in which the principal use is permitted, provided the standards of section 29 are met.

Section 29 relating to parking and all other pertinent sections of the general provisions for residence districts in Article IV shall apply to all such uses.

(1) Such non-residential uses as are permitted, and in the same manner, as in RM-1 Districts. **RM-2 High Middle Density**
1 Minimum front yards: 17 feet.
2 Minimum rear yards: 25 feet.
3 Minimum side yards: one eight and one 10 feet. (In the case of corner lots, at least eight feet for the one side yard.) Size of side yard is also related to height of building walls (see text of each district).
4 Minimum average lot width: 50 feet.
5 Accessory buildings may extend into side and rear yards. (See General Provisions for Residence Districts).
6 For projections into required yards see General Provisions for Residence Districts.

Other Requirements:

Minimum lot area: 5,400 4,000 square feet.
Maximum lot area per dwelling unit: 2,000 sq. ft.; 1,400 sq. ft. per efficiency unit; 1,000 sq. ft. per elderly housing unit.
Maximum building coverage (all buildings): 30% of lot area.
Maximum building height: Four stories or an average height of 45 feet.

Minimum parking: One parking space per dwelling unit, located on the same lot, within 300 feet walking distance or in a multi-lot residential development.

Note(s)—These pages are for illustration only. For greater detail, and for non-residential construction, refer to text of each district and to the General Provisions for Residence Districts.

(Ord. No. 1726, Sched. A, 12-2-13)
Section 15. RH-1 Districts: Special high density.

Description and purpose. These districts exist for the protection of certain multi-family areas of relatively small total size but of unique and irreplaceable value to the community as a whole. The specific purpose of these districts is to stabilize and preserve the existing residential character of these areas to the maximum possible extent. To this end, the use of land and buildings within these areas is limited primarily to relatively high density residential uses, as the particular character, size and surroundings of these areas create little need for the location within their boundaries of further other such non-residential uses as generally support a residential area. Moreover, these areas are found especially along major streets traversing large residential sections of the city, and the outward movement of office or other commercial uses along these streets would constitute a serious threat to the residential quality of the areas to either side of them. Encroachment of office or other commercial uses along these streets would violate the spirit of this ordinance and its general purpose and intent and, any other provision of this ordinance to the contrary notwithstanding, no variance shall be granted for such uses in these districts. It is hereby found and declared that these regulations are necessary to the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential areas of diverse types.

All RH-1 Districts are subject to the General Provisions for Residence Districts set forth in Article IV as well as to all provisions of this ordinance.

Uses permitted. In an RH-1 District a building or other structure may be erected, altered, arranged, designed or used, and a lot or structure may be used for any of the following purposes and no other:

(a) Residential uses as follows. The General Provisions for Residence Districts in Article IV shall also apply.

(1) Dwellings—single-family, two-family and multi-family.

Building requirements:

a. Minimum lot area: 7,500 sq. ft.

b. Minimum average lot width: 60 ft., except for nonconforming lots under subsection 67(e).

c. Maximum building coverage for principal building or principal buildings: 25% of lot area.

d. Maximum building height: No direct limit.

Provided that no point on a side or rear building wall shall be so located that it is closer to a side or rear lot line than one foot for each two feet that such point is above the average finished lot grade along such side or rear building wall.

e. Minimum yards:

Front—25 ft., except that where 75% or more of the entire street frontage (in feet) on the same side of the same street between the nearest two intersecting streets has been developed with buildings with front yards smaller than 25 feet, the required front yard shall be the same as the yard presently followed by existing buildings along the greatest quantity of street frontage (in feet). Provided that, the front yard shall in any case be increased if necessary to maintain a ratio of one foot between the front building wall and the center line of the street to two feet of average height measured along the front building wall, except as provided in subsection 30(b).

Rear—25 ft.

Side—10 ft. for each side yard.

f. Maximum gross floor area: No such building or buildings shall have a gross floor area greater than 0.5 times the lot area; except that this floor area may be increased by 0.1 times the lot area (up to a maximum of 1.7 times the lot area) for each 1% of lot area by which the building coverage of the principal building or buildings is reduced below the maximum of 25% of lot area.
set by subparagraph (c) above. The maximum \textit{floor area ratio} allowable at each percent of \textit{building coverage} under this formula is as follows:

<table>
<thead>
<tr>
<th>Building Coverage in Percent</th>
<th>Floor Area Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>25</td>
<td>0.5</td>
</tr>
<tr>
<td>24</td>
<td>0.6</td>
</tr>
<tr>
<td>23</td>
<td>0.7</td>
</tr>
<tr>
<td>22</td>
<td>0.8</td>
</tr>
<tr>
<td>21</td>
<td>0.9</td>
</tr>
<tr>
<td>20</td>
<td>1.0</td>
</tr>
<tr>
<td>19</td>
<td>1.1</td>
</tr>
<tr>
<td>18</td>
<td>1.2</td>
</tr>
<tr>
<td>17</td>
<td>1.3</td>
</tr>
<tr>
<td>16</td>
<td>1.4</td>
</tr>
<tr>
<td>15</td>
<td>1.5</td>
</tr>
<tr>
<td>14</td>
<td>1.6</td>
</tr>
<tr>
<td>13 or less</td>
<td>1.7</td>
</tr>
</tbody>
</table>

In any case of a \textit{building} existing on the effective date of the application of these regulations thereto, which \textit{building} then becomes nonconforming in \textit{building coverage} and/or \textit{floor area ratio} under the above formula, there may be located therein by conversion no more than an average of one \textit{dwelling unit} per 1,000 square feet of gross floor area in the \textit{building} on said effective date.

Where a lot contains more than one \textit{principal building} in the same ownership, all such \textit{buildings} shall be considered together in determining the \textit{floor area ratio}.

g. \textit{Minimum usable open space}: 125 square feet per \textit{dwelling unit}, except 100 square feet in the case of \textit{elderly housing units} by special exception under subparagraph 63.(d) of this ordinance, provided that in the event that a minimum of 50 square feet of private \textit{usable open space} in the form of balconies, patios, decks, porches or private courts that are attached or are located immediately adjacent to the \textit{dwelling unit} that they serve is provided, then the balance of the \textit{usable open space} required under this subsection for such \textit{dwelling unit} shall be reduced by one-quarter. All \textit{usable open space} shall be subject to the following minimum standards in addition to others which may be applicable.

1. Common \textit{usable open space} shall be so located and designed as to emphasize convenience of tenant access and ease of use.

2. All common grade level \textit{usable open space} shall be landscaped and otherwise developed to maximize recreational utility. Landscape improvements shall include trees, shrubs, ground cover and, wherever possible, the retention of existing landscape features.

3. Any \textit{usable open space} provided above grade level, either in the form of a roof terrace or deck, shall include as improvements at least the following: a wearing surface in addition to a standard rooftop finish, safety railings or walls, passive recreational facilities such as benches, sheltered arbors vegetative landscaping, and lighting.

h. \textit{Minimum parking}: One \textit{parking space} per dwelling unit (except that only one \textit{parking space} shall be required for each two \textit{elderly housing units}) located either on the same \textit{lot} as the \textit{principal building}, within 300 feet \textit{walking distance} of an outside entrance to the \textit{dwelling unit} to which such \textit{parking space} is assigned or within a \textit{multi-lot residential development}, and conforming to
section 29 (residential parking) and the remainder of the General Provisions for Residence Districts in Article IV.

(2) **Residential accessory buildings, structures** and **uses**, as regulated by paragraph (1) above and by the General Provisions for Residence Districts, having a **building coverage** of no more than 10% of the **lot area** and an **average height** not exceeding 20 feet.

(3) **Parking spaces** required by this ordinance for the foregoing residential **uses** not meeting the standards of subsection 15(a)(1)h may be permitted by special exception under subsections 29(i) and 63(d) of this ordinance.

(b) **Non-residential uses as follows:** The standards in paragraph (a)(1) above relating to minimum **lot area**, minimum **average lot width**, maximum **building coverage**, maximum **building height**, minimum **yards**, and maximum **gross floor area** shall apply to non-residential **uses** except as indicated below.

**Accessory uses** customarily incidental to the following **uses** are permitted in connection with such **uses**.

Parking spaces required by this ordinance for the following **uses** may be located in any district in which the **principal use** is permitted, provided the standards of section 29 (residential parking) are met.

Section 29 relating to parking and all other pertinent sections of the General Provisions for Residence Districts in Article IV shall also apply to all such **uses**.

(1) Such non-residential **uses** as are permitted, and in the same manner, as in RS-1 Districts.

(2) On lots in use for any of the **uses** described in section 11(b)(2)b. on or before October 15, 2003, any of the **uses** described in section 11(b)(2)b.1., 2. or 4. excluding dormitories, fraternities and sororities.

**Building requirements:**

a. **Minimum lot area:** One acre;

b. **Minimum side yard:** One at least ten feet and the other at least 12 feet, notwithstanding the requirements of section 15(a)(1)(d);

c. **Maximum building height:** Such height shall not exceed either four stories or an average height of 50 feet;

d. **Maximum building coverage:** Total building coverage for principal building or buildings not to exceed 30 percent of lot area;

e. **Maximum gross floor area:** No building or buildings shall have a gross floor area greater than 0.6 times the lot area equivalent to a maximum floor area ratio of 0.6; and

f. **Minimum parking:** The greater of one parking space for each eight seats in the largest place of assembly commonly having events open to the public, based upon the maximum occupancy of both fixed and movable seats; or one parking space for each full-time equivalent staff person, located on the same lot or within 300 feet walking distance on a separate lot in the district, shall be provided.

(Ord. No. 1377, § 1, 5-16-05; Ord. No. 1726, Sched. A, 12-2-13)

**Section 16. RH-2 Districts: General High Density.**

**Description and purpose.** These districts exist for the protection of areas that have been and are being developed predominately for high density dwellings, commonly apartment houses and other dwellings with a high ratio of floor area to land area. Accordingly, the use of land and buildings within these areas is limited to dwellings meeting a Floor Area Ratio designed for a density ranging from 22 to 74 dwellings units per acre and to such non-residential uses as generally support and harmonize with a high density area. The non-residential uses permitted in
RH-2 Districts, subject to adequate conditions and safeguards, are hereby found and declared to be the only appropriate such uses for such areas. It is hereby found and declared, further, that these regulations are necessary to the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential areas of diverse types.

All RH-2 Districts are subject to the General Provisions for Residence Districts set forth in Article IV except for Section 28 as well as to all other provisions of this ordinance.

**Uses permitted.** In an RH-2 District a building or other structure may be erected, altered, arranged, designed or used, and a lot or structure may be used for any of the following purposes and no other:

(a) **Residential uses as follows.** The General Provisions for Residence Districts in Article IV shall also apply.

(1) **Dwellings—Single-family** (except zero lot line developments per subsection 16(a)(2)), two-family and multi-family.

**Building requirements:**

a. **Minimum lot area:** 5,400 sq. ft.

b. **Minimum average lot width:** 40 ft.

c. **Maximum building coverage for principal building or principal buildings:** 50% of lot area.

d. **Maximum building height:** No direct limit.

Provided that, no point on a side or rear building wall shall be so located that it is closer to a side or rear lot line than one foot for each two feet that such point is above the average finished lot grade along such side or rear building wall.

e. **Minimum yards:**

   **Front**—Five ft., except that where 75% or more of the entire street frontage (in feet) on the same side of the same street between the nearest two intersecting streets has been developed with buildings with front yards smaller than five feet, the required front yard may be the same as the yard presently followed by existing buildings along the greatest quantity of street frontage (in feet). Provided that in the case of any building or structure which has an average height in excess of 60 ft., the front yard shall be increased proportionally (up to a maximum of 25 feet of required front yard) if necessary to maintain a ratio of one foot between the front building wall and the center line of the street to two feet of average height measured along the front building wall.

   **Rear**—20 ft.

e. **Maximum gross floor area:** No such building or buildings shall have gross floor area greater than 2.0 times the lot area.

In any case of a building existing on the effective date of this section, which building then becomes nonconforming in building coverage and/or floor area ratio, there may be located therein by conversion no more than an average of one dwelling unit per 1,000 square feet of gross floor area in the building on said effective date.

Where a lot contains more than one principal building in the same ownership, all such buildings shall be considered together in determining the floor area ratio.

g. **Minimum usable open space:** 125 square feet per dwelling unit, except 100 square feet in the case of elderly housing units, only by special exception, provided that in the event that a minimum of 50 square feet of private usable open space in the form of balconies, patios, decks, porches or private courts that are attached or are located immediately adjacent to the dwelling unit that they serve is provided, then the balance of the usable open space required under this.
subsection for such dwelling unit shall be reduced by one-quarter. All usable open space shall be subject to standards enumerated in subsection (a)(1)g. of section 15 of this ordinance.

h. Minimum parking: .75 parking space per dwelling unit (three parking spaces for each four dwelling units), except that only .33 parking space (one parking space for each three elderly housing units) shall be required for each elderly housing unit, and only .50 parking space per dwelling unit (one parking space for each two dwelling units) shall be required for each dwelling unit located on a lot owned by a public housing authority (such as the Housing Authority of the City of New Haven). All parking spaces required under this section shall be located on the same lot as the principal building, within 300 feet walking distance of an outside entrance to the dwelling unit to which such parking space is assigned or in a multi-lot residential development. Such parking spaces shall conform to section 29 (residential parking) and the remainder of the General Provisions for Residence Districts in Article IV.

(2) Zero Lot Line developments.

Building requirements:

a. Minimum lot area: 2,000 sq. ft. for interior lots and 3,500 sq. ft. for end and corner lots;

b. Minimum average lot width: 18 ft. for interior lots and 35 ft. for end and corner lots;

c. Maximum building coverage for principal building and accessory buildings combined not to exceed 60% of lot area for interior lots and 50% of lot area on end and corner lots.

d. Maximum building height: Average height of 45 ft.

Provided that, no point on a side or rear building wall shall be so located that it is closer to a side or rear lot line than one foot for each two feet that such point is above the average finished lot grade along a rear or side building wall, excepting side yards for connecting buildings on adjoining lots.

e. Minimum yards:

Front—The lesser of five ft. or the existing average front yards (excluding projections), measured in feet, between the nearest two intersections on the same side of the street on which the zero lot line development is to be located (excluding any structure or building to be removed in connection with the proposed zero lot line development).

Rear—20 ft. for interior, end and corner lots that are also end lots; zero ft. for corner lots that are not end lots.

Side—All side yards of zero ft. must be located adjacent to a common zero-foot side yard located on a lot that is part of the zero-lot line development.

f. Minimum usable open space: 125 square feet per dwelling unit, except 100 square feet in the case of elderly housing units, only by special exception, provided that in the event that a minimum of 50 square feet of private usable open space, either in the form of balconies, patios, decks, porches or private courts that are attached or are located immediately adjacent to the dwelling unit which they serve is provided, then the balance of the usable open space required for such dwelling unit shall be reduced by one-quarter. All usable open space shall be subject to standards enumerated in subsection(a)(1) g. of section 15 of this ordinance.

g. Minimum parking: .75 parking space per dwelling unit (three parking spaces for each four dwelling units), except that only .33 parking space (one space for each three elderly housing units) shall be required for each elderly housing unit. All parking spaces required under this section shall be located on the same lot as the principal building, within 300 feet walking distance of an outside entrance to the dwelling unit to which such parking space is assigned or
in a **multi-lot residential development**. Such **parking spaces** shall conform to section 29 (residential parking) and the remainder of the General Provisions for Residence Districts in Article IV. A maximum of two curb cuts shall be permitted for any **zero lot line development**.

**h.** In connection with an application for site plan approval for a **zero lot line development**, the applicant shall submit a deed, agreement, easement, or similar instrument and/or a homeowners’ association's operating documents (such as articles of association, articles of organization, articles of incorporation, operating agreement, bylaws, and/or rules and regulations) for approval by the City Plan Commission with respect to the allocation of responsibility for the maintenance, repair and replacement of shared walls, driveways, parking areas, open space, and any other shared facilities, which approved instrument or documents shall be filed in the New Haven land records prior to the issuance of a building permit for the construction of the **zero lot line development**.

(3) **Residential accessory buildings, structures and uses**, as regulated by paragraph (1) above and by the General Provisions for Residence Districts.

(4) **Rooming, boarding and lodging houses** (excluding hotels, motels and tourist homes), as well as the keeping of only one or two **roomers, boarders or lodgers**, where renting of rooms is not subordinate to some other enterprise. Such **rooming, boarding and lodging houses** shall be regulated by the standards in paragraph (1) above, except that minimum parking shall be one **parking space** for each three beds, located either on the same **lot** as the **rooming, boarding or lodging house** or within 300 feet **walking distance** of an outside entrance to the **rooming, boarding or lodging house**; and in addition minimum **lot area per sleeping room** shall be 500 square feet.

(5) **Parking spaces** required by this ordinance for the foregoing residential **uses** may be located on a separate **lot** in any district in which the **principal use** is permitted, provided the standards of section 29 (residential parking) are met.

(6) Automobile trailer camps, in accordance with the provisions of the Automobile Trailer Camp Ordinance, when located on a tract of not less than ten acres and permitted by special exception under subsection 63(d) of this ordinance with a time limit of not more than five years.

**b.** **Non-residential uses** as follows: The standards in paragraph (a)(1) above relating to minimum **lot area**, minimum **average lot width**, maximum **building coverage**, maximum **building height**, minimum **yards**, and maximum **gross floor area** shall apply to non-residential **uses**.

**Accessory uses** customarily incidental to the following **uses** are permitted in connection with such **uses**.

**Parking spaces** required by this ordinance for the following **uses** may be located on a separate **lot** in any district in which the **principal use** is permitted, provided the standards of section 29 (residential parking) are met. Section 29 relating to parking and all other pertinent sections of the General Provisions for Residence Districts in Article IV shall also apply to all such **uses**.

(1) Such non-residential **uses** as are permitted, and in the manner, as in RM-2 Districts.

(2) As of right:
   a. Charitable and philanthropic organizations, provided no more than 50% of the **gross floor area** of any **building** is occupied by offices of such organizations.

   Minimum parking: One **parking space** for each 500 square feet of **gross floor area** of the **building** located on the same lot, within 300 feet **walking distance** or in a **multi-lot residential development**.

   b. Professional offices of the types specified in the regulations for RO Districts (other than charitable and philanthropic organizations) located in the basement, ground floor level or second floor of a **building** that fronts on an Urban Principal Arterial or an Urban Minor Arterial, as classified by the
State of Connecticut Department of Transportation, with an aggregate gross floor area no greater than 15% of the total gross floor area of the building in which such offices are located.

c. Retail uses located at the basement and/or ground floor level of a building that fronts on an Urban Principal Arterial or an Urban Minor Arterial, as classified by the State of Connecticut Department of Transportation, as follows: (i) uses listed in subsections 31(b)(1) through (10) and (13) (but not subject to the conditions of section 31); section 42C (but not including Package Alcoholic liquor); section 42D (but not including a Funeral home, gun and weapons repair, firearms training, firing range, shop or a swap shop); section 42G; section 42H (but not including gun shops); section 42I; and (ii) a Restaurant, caterer, music, or dancing school. The aggregate gross floor area of the foregoing uses shall not exceed 15% of the total gross floor area of the building in which they are located.

Where both professional offices and retail uses are located in the same building, the combined gross floor area of the professional offices and retail uses shall be no greater than 15% of the total gross floor area of the building in which they are located. In addition, no parking spaces shall be required for the professional offices and retail uses permitted under this subsection.

(3) Where permitted by special exception under subsection 63(d) of this ordinance.

a. Fraternities and sororities (whether or not residential in whole or in part), whether or not located on land owned by an educational institution. Noise, odors, lights, signs and all other possible disturbing aspects connected with the operation of such uses shall be enclosed, screened or otherwise controlled to the extent that the operation of any such use shall not unduly interfere with the use and enjoyment of properties or streets in the surrounding area.

Minimum parking: One parking space for each three beds if residents are permitted to keep automobiles, plus one parking space for each four seats in each place of assembly based upon the maximum occupancy of both fixed and movable seats, located on the same lot or within 300 feet walking distance.

b. Other social organizations, including clubs, lodgings, veterans’ and fraternal organizations (whether or not residential in whole or in part); but excluding any activity carried on as a gainful business other than incidental concessions. Noise, odors, lights, signs and all other possible disturbing aspects connected with the operation of such uses shall be enclosed, screened or otherwise controlled to the extent that the operation of any such use shall not unduly interfere with the use and enjoyment of properties or streets in the surrounding area.

Minimum parking: One parking space for each three employees, plus one parking space for each four seats in each place of assembly based upon the maximum occupancy of both fixed and movable seats, located on the same lot or within 300 feet walking distance.

c. Professional offices of the types specified in the regulations for RO Districts (other than charitable and philanthropic organizations) located in the basement, ground floor level or second floor of a building that does not front on an Urban Principal Arterial or an Urban Minor Arterial, as classified by the State of Connecticut Department of Transportation, with an aggregate gross floor area no greater than 15% of the total gross floor area of the building in which the offices are located.

Professional offices of the types specified in the regulations for RO Districts (other than charitable and philanthropic organizations) located in the basement, ground floor level or second floor of a building that does not front on an Urban Principal Arterial or an Urban Minor Arterial, as classified by the State of Connecticut Department of Transportation, with an aggregate gross floor area no greater than 15% of the total gross floor area of the building in which the offices are located.

d. Retail uses located at the basement and/or ground floor level of a building that does not front on an Urban Principal Arterial or an Urban Minor Arterial, as classified by the State of Connecticut Department of Transportation, as follows: (i) uses listed in subsections 31(b)(1) through (10) and (13) (but not subject to the conditions of section 31); section 42C (but not including Package Alcoholic liquor); section 42D (but not including a Funeral home, gun and weapons repair, firearms training, firing range, shop or a swap shop); section 42G; section 42H (but not including gun shops); section 42I; and (ii) a Restaurant, caterer, music, or dancing school. The aggregate gross floor area of the foregoing uses shall not exceed 15% of the total gross floor area of the building in which they are located.

Where both professional offices and retail uses are located in the same building, the combined gross floor area of the professional offices and retail uses shall be no greater than 15% of the total gross floor area of the building in which they are located. In addition, no parking spaces shall be required for the professional offices and retail uses permitted under this subsection.
Section 17. RO Districts: Residence-Office.

Description and purpose. These districts exist in order to set aside and protect certain areas for development of professional and service offices in addition to high density dwellings. Accordingly, the use of land and buildings within these areas is limited to dwellings meeting a flexible floor area ratio formula designed for a density ranging from 22 to 74 dwelling units per acre depending upon building height and coverage, to professional and service offices, and to such other non-residential uses as generally support and harmonize with a high density area of this type. The non-residential uses permitted in RO Districts, subject to adequate conditions and safeguards, are hereby found and declared to be the only appropriate such uses for such areas. It is hereby found and declared, further, that these regulations are necessary to the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential areas of diverse types.

All RO Districts are subject to the General Provisions for Residence Districts set forth in Article IV as well as to all other provisions of this ordinance.

Uses permitted. In an RO District a building or other structure may be erected, altered, arranged, designed or used, and a lot or structure may be used for any of the following purposes and no other:

(a) Residential uses as follows. The General Provisions for Residence Districts in Article IV shall also apply.

(1) Such residential uses as are permitted, with such standards as are required for them, in RH-1 Districts.

(b) Non-residential uses as follows. The standards in paragraph (a)(1) above relating to minimum lot area, minimum average lot width, maximum building coverage, maximum building height, minimum yards and maximum gross floor area shall apply to non-residential uses.

Accessory uses customarily incidental to the following uses are permitted in connection with such uses.

Parking spaces required by this ordinance for the following uses may be located (by special exception under subsection 63(d) of this ordinance) on a separate lot in any district in which the principal uses are permitted, provided the standards of section 29 are met. Section 29 relating to parking and all other pertinent sections of the general provisions for residence districts in Article IV shall also apply to all such uses.

(1) Such non-residential uses as are permitted, and in the same manner, as in RM-2 Districts.

(2) As of right:

a. Offices and studios of doctors, dentists, architects, artists, designers, accountants, lawyers, engineers, tutors, real estate and insurance agents, brokers, and members of other recognized professions (excluding veterinarians, dancing and music studios having more than one student at a time, barber shops, beauty parlors, and other similar uses), together with incidental laboratory and mechanical equipment; government offices; and offices of insurance companies, charitable and philanthropic organizations and other similar service enterprises and organizations. All such offices shall meet the following standards:
1. No storage of a stock in trade or sale of commodities on the premises.
2. No visits by the general public as purchasers of goods or as customers as distinguished from patients or clients.
3. No offensive emission of smoke, dirt, dust, vibration, odor, light, heat, glare, noise, electrical disturbance, or radioactive particles or rays.
4. Maximum coverage for accessory buildings: 10% of lot area.
5. Minimum parking: Three parking spaces per practitioner in the case of doctors and dentists, and one parking space for each 600 square feet of net floor area used or intended to be used for offices in all other cases, located on the same lot or within 300 feet walking distance.

RH-1 Special High Density
RH-2 General High Density
RO Residence-Office

1 Minimum front yards: 25 feet for RH-1 and RO; 5 feet for RH-2. Size is also related to height of building wall (see text for each district).
2 Minimum rear yards: 25 feet for RH-1 and RO; 20 feet for RH-2. Size is also related to height of building wall (see text for each district).
3 Minimum side yards: 10 feet for each side in RH-1 and RO; zero feet in RH-2. Distance is also related to height of building wall (see text for each district).
4 Minimum average lot width: 60 feet for RH-1 and RO; 40 feet for RH-2.
5 Accessory buildings may extend into side and rear yards. (See General Provisions for Residence Districts).

Other Requirements:
Minimum lot area: 7,500 \( \text{4,000} \) square feet for RH-1 and RO; 5,400 \( \text{4,000} \) square feet for RH-2.
Maximum *floor area ratio (F.A.R.)*: 0.5 to 1.7, depending upon *building coverage* (see text), except for RH-2 where F.A.R. is 2.0.

Maximum *building coverage: principal building(s)* 25% or less for the RH-1 and RO, (see text), 50% for the RH-2, *accessory building*, 10%.

Maximum *building height*: no direct limit, except for *zero lot line developments*.

Minimum *usable open space*: 125 sq. ft. per *dwelling unit*.

Minimum parking: For the RH-1 and RO districts, one parking space per dwelling unit. For the RH-2 district, .75 parking space per dwelling unit, located on the same lot, within 300 feet walking distance or in a multi-lot residential development; also for RO, one parking space for each 600 square feet of net floor area of office space; and for RH-2 one parking space for each 500 square feet of gross floor area of space used for charitable or philanthropic uses located on the same lot, within 300 feet walking distance or in a multi-lot residential development.

Note(s)—These pages are for illustration only. For greater detail, and for other non-residential construction, refer to text of each district and to the general provisions for residence districts.

(Ord. No. 1726, Sched. A, 12-2-13)
<table>
<thead>
<tr>
<th>Lot Area (Square Feet)</th>
<th>RS1</th>
<th>RS2</th>
<th>RM1</th>
<th>RM2</th>
<th>RH1</th>
<th>RH2</th>
<th>RO</th>
<th>BA</th>
<th>BB</th>
<th>BC</th>
<th>BD</th>
<th>BD-1</th>
<th>BD-2</th>
<th>BD-3</th>
<th>BE</th>
<th>IL</th>
<th>IH</th>
</tr>
</thead>
<tbody>
<tr>
<td>RS1</td>
<td>7500</td>
<td>4,000</td>
<td>7500</td>
<td>4,000</td>
<td>6000</td>
<td>4,000</td>
<td>5400</td>
<td>4,000</td>
<td>2500</td>
<td>4,000</td>
<td>5400</td>
<td>4,000</td>
<td>7500</td>
<td>4,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>RS2</td>
<td>7500</td>
<td>4,000</td>
<td>7500</td>
<td>4,000</td>
<td>6000</td>
<td>4,000</td>
<td>5400</td>
<td>4,000</td>
<td>2500</td>
<td>4,000</td>
<td>5400</td>
<td>4,000</td>
<td>7500</td>
<td>4,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>RM1</td>
<td>6000</td>
<td>4,000</td>
<td>7500</td>
<td>4,000</td>
<td>6000</td>
<td>4,000</td>
<td>5400</td>
<td>4,000</td>
<td>2500</td>
<td>4,000</td>
<td>5400</td>
<td>4,000</td>
<td>7500</td>
<td>4,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>RM2</td>
<td>5400</td>
<td>4,000</td>
<td>5400</td>
<td>4,000</td>
<td>6000</td>
<td>4,000</td>
<td>6000</td>
<td>4,000</td>
<td>2500</td>
<td>4,000</td>
<td>5400</td>
<td>4,000</td>
<td>7500</td>
<td>4,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>RH1</td>
<td>2500</td>
<td>4,000</td>
<td>2500</td>
<td>4,000</td>
<td>2500</td>
<td>4,000</td>
<td>2500</td>
<td>4,000</td>
<td>2500</td>
<td>4,000</td>
<td>2500</td>
<td>4,000</td>
<td>2500</td>
<td>4,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>RH2</td>
<td>2500</td>
<td>4,000</td>
<td>2500</td>
<td>4,000</td>
<td>2500</td>
<td>4,000</td>
<td>2500</td>
<td>4,000</td>
<td>2500</td>
<td>4,000</td>
<td>2500</td>
<td>4,000</td>
<td>2500</td>
<td>4,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>RO</td>
<td>2500</td>
<td>4,000</td>
<td>2500</td>
<td>4,000</td>
<td>2500</td>
<td>4,000</td>
<td>2500</td>
<td>4,000</td>
<td>2500</td>
<td>4,000</td>
<td>2500</td>
<td>4,000</td>
<td>2500</td>
<td>4,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>BA</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>BB</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>BC</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>BD</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>BD-1</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>BD-2</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>BD-3</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>BE</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>IL</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>IH</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Lot Area per Dwelling Unit (Square Feet)</th>
<th>1 Standard</th>
<th>2 Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Efficiency</td>
<td>NA</td>
<td>2500</td>
</tr>
<tr>
<td>Elderly</td>
<td>NA</td>
<td>1750</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Yards (In Feet)</th>
<th>Front</th>
<th>25</th>
<th>25</th>
<th>20</th>
<th>17</th>
<th>25</th>
<th>5</th>
<th>25</th>
<th>See Section 43</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rear</td>
<td>25</td>
<td>25</td>
<td>25</td>
<td>2</td>
<td>25</td>
<td>10</td>
<td>25</td>
<td>See Section 43</td>
<td></td>
</tr>
<tr>
<td>Side</td>
<td>8,12</td>
<td>8,12</td>
<td>8,12</td>
<td>8,10</td>
<td>10,10</td>
<td>0</td>
<td>10</td>
<td>See Section 43</td>
<td></td>
</tr>
<tr>
<td>Corner</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td>10</td>
<td>0</td>
<td>10</td>
<td>See Section 43</td>
<td></td>
</tr>
</tbody>
</table>

| Usable Open Space per Dwelling Unit (Square Feet) | X | X | X | X | 125 | 125 | 125 | X | X | X | X | NA | 50 | X | X | X |

| Elderly Housing Units | 100 | 100 | 100 |

| Average Lot Width (In Feet) | 60 | 60 | 50 | 50 | 60 | 60 | 40 | 60 | X | X | X | X | X | NA | NA | X | X | X |

<table>
<thead>
<tr>
<th>MAXIMUM STANDARDS</th>
</tr>
</thead>
</table>

| Total Building Coverage (%) | 30 | 30 | 30 | 30 | 25 | 50 | 25 | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |

| Building height, Lesser of: Number of Stories | 3 | 3 | 3 | 4 | No Direct Limit | No Direct Limit | 200 feet | No Direct Limit |

| Average Height (In Feet) | 35 | 35 | 35 | 45 | No Direct Limit | No Direct Limit | No Direct Limit |

| Floor Area Ratio (FAR) | NA | NA | NA | NA | .5-1.7 | 2.0 | .5-1.7 | 2.0 | 2.0 | 2.0 | 6.0 | 6.0 | 6.0 | 6.0 | 6.0 | 6.0 | 6.0 | 6.0 | 3.0 | 4.0 |
### Table 2. Summary of Density, Bulk, Parking and Loading Regulations

Note(s)—This Summary Schedule is for convenience in use of the ordinance. In case of conflict, the District Regulations shall prevail. Terms in boldface italics are defined in Section 1 Note(s)— of this Ordinance.

#### Notes:

1. See Ordinance text for standard for developed blockfronts with lesser setbacks.

2. Corner lot: Any yard facing a street is a front yard. Rear and side yards are by owner choice.

3. Variable. Lower building coverage permits a higher floor area ratio (FAR), which is a ratio of gross building area to land area.

4. See subsection 15(b)(2) for expansion of certain institutional uses.

<table>
<thead>
<tr>
<th>PARKING AND LOADING</th>
<th>Elderly</th>
<th>ADUs</th>
<th>Standard</th>
<th>For Public Housing Authority Lots</th>
<th>For Commercial or Industrial Use: General Office, Per 600 N.S.F.</th>
<th>6 Retail, Per 200 N.S.F. Sales/Service Area</th>
<th>Per Medical Practitioner</th>
<th>Other Uses</th>
<th>Commercial or Industrial Use Loading</th>
</tr>
</thead>
<tbody>
<tr>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>1</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>See § 45 Zoning Ordinance Text For Other Uses Not Listed Here</td>
</tr>
<tr>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>0.75</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>*10</td>
</tr>
<tr>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>1</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>*10</td>
</tr>
<tr>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>1</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>*10</td>
</tr>
<tr>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>0</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>*10</td>
</tr>
<tr>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>3</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>*10</td>
</tr>
<tr>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>X</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>*10</td>
</tr>
</tbody>
</table>

Key: NA-Not Applicable; X-Not Permitted.
For **single family dwellings** that are **detached dwellings** in the RS1 and RS2 Districts, one parking space for the first bedroom and \( \frac{1}{2} \) parking space for each additional bedroom, rounded to the next higher whole number if a fraction. All parking spaces shall be located on the same lot. For an efficiency unit, one parking space.

For stores less than 5,000 square feet. One parking space per 100 square feet sales or service area is required for space over 5,000 square feet.

See section 15(b)(2) for expansion of certain institutional uses.

Ten-foot height bonus available under § 43(c)(2).

When a rear or side lot line in a BD-2 District abuts a residential district, FAR shall not exceed 2.5.

See section 45(a), section 45(a)(7) and section 12(b)(1)h.

(Ord. No. 1377, 5-16-05; Ord. No. 1412 (Rev. Sched. A, § 2), 5-1-06; Ord. No. 1726, Schedule)
Referral 2.2: Town of North Branford

Subject:

Proposed Zoning Regulation Amendments to establish a new Section 42A.9 – Special Permit Use in R-40 Zoning Districts to permit a Multiple Dwelling Community

Staff Recommendation:

The proposed zoning regulation amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

A private applicant in the Town of North Branford has proposed Section 42A.9 – Multiple Dwelling Community. The use would be allowed via Special Permit in the R-40 Zone. The community would consist of individual detached condominium style homes. The land, roadway, sidewalks and open space would be in common ownership, and maintained by a condominium association.

The application for the Special Use Permit must be submitted in writing and accompanied by the following documents: Existing Conditions Map of the site, at a scale of not less than 1” = 40’, showing no less than the following: “1. existing contours at a maximum interval of five feet; 2. existing natural soils, confirmed by field samples and tests and classified as per the Soil Survey of New Haven County, Soil Conservation Service; 3. wetlands and watercourses (as defined by State law), large trees, wooded areas, rock outcroppings, significant open space and conservation features, recognized landmarks, historic sites, and existing buildings and other structures.” There is a requirement for an Affordable Housing Plan, and identification of an acceptable qualified Plan Administrator submitted for review and approval by the Commission.

The site for a multiple dwelling community should be a minimum of 5 and a maximum of 15 contiguous acres of buildable area. The proposed amendment defines the calculation for determining the buildable area. There must be 50 feet of frontage on Town or State road, 25 feet minimum distance between units, 50 feet minimum distance to abutting public street, 40 feet minimum rear yard setback, and 40 feet minimum side yard setbacks. The maximum building height is 35 feet, maximum building coverage is 15% of lot area, minimum floor area is 900 square feet, and minimum open space is 10% of lot area. The maximum units per acre is 2.25 if at least 15% of the units are affordable (80% of Median) or 2.75 units per acre if at least 20% of the units are affordable (80% of median).

Additional standards are requirements for the proposed use can be reviewed in the Agenda Packet.

Communication:

In researching this proposal, I notified the adjacent municipalities in the South Central Region.
NOTICE TO REGIONAL COUNCIL OF GOVERNMENTS
of proposed zoning text and/or zoning map change application
Pursuant to CGS §8-3b

<table>
<thead>
<tr>
<th><strong>DATE</strong></th>
<th>May 24, 2021</th>
</tr>
</thead>
</table>
| **TO**    | South Central Regional COG – via email elivshits@scrcog.org  
                      Lower Connecticut River Valley COG – via email tdownes@rivercog.org |
| **FROM**  | North Branford Planning and Zoning Commission |
| **APPLICANT** | Panico Design, LLC |
| **LOCATION** | Residence R-40 District |
| **ACTION** | Zoning Text Amendment Application PZC #2021-5 |

Proposed Zoning Text Amendment to establish a NEW Special Use Permit (new Section 42A.9) in an R-40 Zoning District to permit a Multiple Dwelling Community (condominium) on parcels containing a minimum of 5 acres and maximum of 15 acres net buildable area as defined by the proposed new use regulations.

See attached copy for full details.

**PUBLIC HEARING** | July 8, 2021

**COMMENTS TO** | townplanner@townofnorthbranfordct.com
Proposed Zone Text Amendments for New Section 42A.9 “Multiple Dwelling Community”

42A.9 Multiple Dwelling Community

42A.9.1 General

The Planning and Zoning Commission may grant a SPECIAL USE PERMIT to allow the development of a multiple dwelling community on unique sites in the R-40 zone. This community shall be individual detached condominium style homes promoting individual unit ownership while retaining land, roadway, sidewalks and open space in common ownership, and the responsibility for maintenance, of a condominium association. The Commission shall follow the procedures specified herein and, before granting a SPECIAL USE PERMIT under this section, shall find that the standards and conditions specified herein have met and that the SPECIAL USE PERMIT will be in harmony with the purpose and intent of the Town’s Plan of Conservation and Development and these Regulations.

42A.9.2 Application and Procedure

A. Application for SPECIAL USE PERMIT to allow for a multiple dwelling community shall be submitted in writing and shall be accompanied by all the documents listed in Section 42A.7.6.1.

B. At time of application before the Commission, an Affordability Plan and identification of an acceptable qualified Plan Administrator shall be submitted for review and approval. The Affordability Plan shall include provisions for administration of and compliance with the provisions of these Regulations, identification of those units which are to be designated affordable, notice/advertisement procedures to the general public of the availability of affordable units, application procedures and requirements, procedures for verification and periodic confirmation of unit occupancy eligibility and income, and compliance with the affordability requirements. The Affordability Plan shall also include drafts of documents that will be used in the administration of the affordability restrictions and any explanations which will be provided to the unit occupants concerning such restrictions.

C. Site development plan approval

1. Site development plan approval shall conform to the standards of Sections 41 and 62.5 of these Regulations, the provisions of this section, and any conditions imposed as part of the special use permit approval.

2. The site development plan shall be in conformance with the standards of Section 42A.7.6.4.
42A.9.3 Standards

A multiple dwelling community shall conform to the following standards in addition to other applicable sections of these Regulations.

A. Acreage

The site shall contain a minimum of 5 and a maximum of 15 contiguous acres of buildable area. For the purpose of determining buildable area, the acreage of the site shall be separated into: (1) wetlands and watercourses, (2) the area of 100-year floodplain and open water (ponds, lakes, etc.), slopes in excess of 25% for greater than 100 feet in all directions, and the remaining unencumbered contiguous area.

The following multipliers shall be applied to these areas to calculate the net buildable area for each:

1. 25% of wetlands and watercourses – (area × 0.25) = usable land counted to buildable area.

2. 10% of 100-year floodplain and open water (ponds, lakes, etc.) – (area × 0.10) = usable land counted to buildable area.

3. 75% of slopes in excess of 25% - (area × 0.75) = usable land counted to buildable area.

B. Frontage

The site shall have a minimum of 50 feet of frontage on a Town or State road.

C. Condominium Dwelling Unit Bulk Standards

The following condominium bulk standards shall be applicable within the development:

<table>
<thead>
<tr>
<th>Condominium Dwelling Unit Bulk Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum distance from internal private</td>
</tr>
<tr>
<td>access driveway (front of unit to edge</td>
</tr>
<tr>
<td>of pavement or, if applicable, back edge</td>
</tr>
<tr>
<td>of sidewalk closest to unit)</td>
</tr>
<tr>
<td>24 feet</td>
</tr>
<tr>
<td>Minimum distance between units</td>
</tr>
<tr>
<td>25 feet</td>
</tr>
<tr>
<td>Minimum distance to abutting public</td>
</tr>
<tr>
<td>street</td>
</tr>
<tr>
<td>50 feet</td>
</tr>
<tr>
<td>Minimum rear yard setback to property</td>
</tr>
<tr>
<td>lines</td>
</tr>
<tr>
<td>40 feet</td>
</tr>
<tr>
<td>Minimum side yard setback to property</td>
</tr>
<tr>
<td>lines</td>
</tr>
<tr>
<td>40 feet</td>
</tr>
<tr>
<td>Maximum building height</td>
</tr>
<tr>
<td>-------------------------</td>
</tr>
<tr>
<td>Maximum building stories</td>
</tr>
<tr>
<td>Maximum building coverage</td>
</tr>
<tr>
<td>Minimum floor area</td>
</tr>
<tr>
<td>Minimum Open Space or Area Preserved as Conservation Area</td>
</tr>
</tbody>
</table>

Table 42A.9.3C

D. Unit Density – Maximum Number of Dwelling Units

The maximum number of dwelling units permitted shall be determined by multiplying the acreage of the site’s net buildable area per Section 42A.9.3A by the “units per acre” factor from Table 42A.9.3E and rounding off the results to the nearest whole number (for example, 2.5=3; 2.49=2).

E. Affordable Units Calculations

In order to promote diversity in housing options, a multiple dwelling community shall include a minimum number of the dwelling units as restricted affordable dwellings per Table 42A.9.3E:

<table>
<thead>
<tr>
<th>Minimum % of Affordable Units</th>
<th>Income Limit Category</th>
<th>Maximum Units per Acre</th>
</tr>
</thead>
<tbody>
<tr>
<td>15%</td>
<td>80% of Median</td>
<td>2.25</td>
</tr>
<tr>
<td>20%</td>
<td>80% of Median</td>
<td>2.75</td>
</tr>
</tbody>
</table>

Table 42A.9.3E

F. Multiple Dwelling Community Development Requirements

1. Affordable Units Requirements

   a. Any multi dwelling community development proposal submitted pursuant to this section shall include free standing, individual units. All proposed affordable dwelling units shall be held or conveyed by deeds containing covenants and restrictions which shall require that such dwelling units be rented or sold at an affordable rate to persons with an income not exceeding eighty (80%) percent median income for the Town of North Branford or Statewide, whichever is least, based on data published by the U.S. Department of Housing and Urban Development as in effect on the first day of a signed rental lease or sale.

   b. The affordable dwelling units shall be of a construction of equal quality to market-rate dwellings within the development.

   c. The affordable dwelling units shall have bedroom counts consistent and proportional to market rate units.
d. The affordable dwelling units shall be dispersed throughout the development and built on a pro rata basis as construction proceeds.

e. The affordable dwelling units shall have an indefinite affordability term and shall remain deeded affordable perpetually.

f. The affordable dwelling units shall be occupied only as an occupant's principal residence. Subletting of rental affordable dwelling units or rental by occupant of owned affordable dwellings shall be prohibited.

2. Other Requirements of Multiple Dwelling Community Development

a. The site shall be served by public sewer or public water supply. The site must at a minimum utilize one, wherever possible the site shall utilize both if practical.

If public water is used, septic systems may be used. If public sewer is used, private wells may be used in accordance with the following:

(1) If private wells or private septic systems, whether individual or community, are proposed. Suitability for said systems shall be confirmed and approved by the East Shore Health District.

(2) If public water and/or public sewer are proposed the applicant shall contact and provide confirmation from the applicable public utility franchised for such that there is adequate supply and capacity to serve the community.

(3) All systems shall be designed, constructed, and operated in conformance with all State and local standards and requirements, and shall be certified by a Connecticut licensed professional engineer.

(4) Adequate water supply and pressure shall be provided to address domestic and fire suppression demands of the community.

b. The development shall be accessed by a private internal access driveway connecting directly with an abutting Town of State road. The ownership and maintenance of such driveway shall be provided by the establishment of a homeowners’ association under the terms of the Connecticut Common Interest Ownership Act.

(1) The private internal access driveway shall maintain a minimum pavement width of 22 feet.

(2) The private internal access driveway shall have an adequate turn around to accommodate emergency vehicles.

(3) The private internal access driveway shall have minimum curb radii of 20 feet where intersecting a public road.
(4) The private internal access driveway shall have a minimum slope of 1% and a maximum slope of 12%.

(5) The private internal access driveway, where intersecting another internal access driveway or abutting public road shall have a maximum slope of 3% for at least 50 feet; and the angle of intersection shall be as close to 90 degrees as possible, but in no means shall an intersection angle be less than 60 degrees within 100 feet of the intersection.

(6) The construction of the private internal access driveway shall be as follows:

- Subbase: 6 inches of Gravel
- Base: 3 inches of Processed Stone
- Pavement: 3 inches of bituminous, in two courses

c. Notwithstanding any other requirement in these Regulations, all areas not covered by buildings or paved areas shall be suitably landscaped with retention of existing vegetation and/or new trees, shrubs, and ground cover plantings. Shrubs and shade trees are required to create a residential environment similar to that of the surrounding residential neighborhood.

(1) Internal access driveway street trees shall be planted at a rate of 1 tree for every 1 unit.

(a) Street trees shall be 2.5 inches caliber at time of planting.

(b) Street trees may be clustered in groups, soldier style or a combination of both; but shall be dispersed throughout the site.

(c) Existing trees shall be preserved if possible and may be counted toward the total.

(2) Sidewalks are encouraged by the Commission. Sidewalks may be required by the Commission if:

(a) The development is directly adjacent to a street containing sidewalks and proposed sidewalks can easily be connected.

(b) The development boundary is directly adjacent to another developable property which is adjacent to a property or street with sidewalks.

(c) In no case shall sidewalks be required if topography, limited street accessibility, or poor traffic conditions would make sidewalks promote unsafe activity on other roads and streets.
d. Notwithstanding any other requirement of these Regulations, parking shall be designed to provide safe circulation, and satisfy the following minimum requirements:

(1) Individual dwelling parking may be within a garage, driveway, or both in order to eliminate the need for parking on the private internal driveway.

(2) At least one (1) parking space per dwelling unit shall be within an attached garage.

(3) Minimum parking shall be at a rate of two (2) spaces per dwelling unit.

(4) Additional visitor parking shall be provided at a minimum rate of one (1) space per dwelling unit and shall be grouped but proportionally dispersed throughout the site to provide easy access for all units.

(5) When calculating parking, tandem parking may be used for visitor spaces within driveways but shall not be used in calculating primary parking for units.

(6) No parking or storage of recreational vehicles shall be allowed on site, except if parked within an enclosed attached garage of a dwelling unit.

e. Notwithstanding any other requirement in these Regulations, a stormwater quality and quantity management system shall be designed and certified by a Connecticut licensed professional engineer.

f. The stormwater management plan shall be submitted which promotes low impact design (LID) measures and best management practices (BMPs), and which complies with all local, state, and federal requirements.

g. Adequate sight distance in conformance with the Town of North Branford Road Standards, subject to Town Engineer approval, shall be provided; and if necessary, easements may be considered to be granted to the Town of North Branford or State of Connecticut, as the case may be, to prevent/limit future planting, construction or modification to intersections where line of sight is required. Maintenance of such grounds outside of the public street right-of-way shall be the responsibility of the Condominium Association.

h. Exterior elevations and floor plans shall be provided consistent with these Regulations.

i. Material selection and building designs shall conform to the neighborhood aesthetics in like form and quality.
j. Appropriate sediment and erosion control measures shall be provided consistent with these Regulations.

k. Areas of open space for playgrounds or other outdoor activity shall be the greater of: 1,000 total square feet, or 100 square feet per dwelling unit. The area can be contiguous or multiple smaller areas spread throughout the site. If spread throughout the site, no area shall be less than 300 square feet.

(1) These areas shall be clearly identified and easily accessible and have surface treatment suitable for recreational activities.

(2) These areas shall be delineated from other portions of the site/yards with landscaping, or decorative fencing.

l. Lighting

(1) All exterior lighting shall be full cut-off, LED fixtures, and shall reduce light pollution as much as possible, consistent with these Regulations.

(2) Exterior lighting on individual dwelling units shall be designed in such a way to illuminate driveways, walkways, and doors; and enhance the character and appearance of the units.

(3) Exterior lighting shall not spill from one unit to another, or cause glare upon another unit.

(4) Individual dwelling unit exterior lighting requirements and guidelines shall be included in the Condominium Association Declaration of Covenants and Restrictions and By-Law documents to prevent future discrepancies.

m. Condominium Dwelling Unit Landscaping

(1) Individual dwelling units shall be landscaped per a Commission approved unit landscaping plan.

(2) The unit landscaping plan shall provide landscaping typical for each unit, detailing plant installation size, plant type and quantity, and surface treatment.

n. Accessory Structures

(1) Accessory structures may be permitted but shall only be allowed directly behind individual units. No accessory structure shall be permitted in any required yard area.
(2) Accessory structures shall be a maximum of 5% of the footprint square footage of the principal unit (for example, for a principal dwelling unit footprint of 1,200 square feet, the accessory structure may be no larger than 60 square feet in size).

o. Refuse and Recycling

(1) Refuse and recycling shall be coordinated and provided as follows:

(a) Containers for individual dwelling units shall be screened from the street within the unit garage or an approved outdoor enclosure connected to the individual dwelling unit.

(b) Any centralized refuse and recycling enclosure area shall be fully screened with finish material types and styles consistent with the dwelling units and centrally located to provide convenient access by all units. On larger sites these facilities shall be proportionally dispersed throughout the site.

p. Signage

(1) Signage shall be permitted in compliance with the requirements of Section 52 of these Regulations.

(2) Development Signage shall be of a decorative variety and shall be submitted to the Commission for approval prior to construction.

   a. Signage design may be submitted after approval of site plan and special use permit.

   b. Signage shall not interfere with sight lines.

   c. All signage, if illuminated, shall be externally illuminated.

(3) Individual units shall contain unique numerical identifiers and shall be clearly shown of the front of the unit for police and emergency services; and shall comply with the requirements of Chapter 205 of the Code of the Town of North Branford.

42A.9.3. Decision

The Commission may approve a Special Use Permit to allow a Multiple Dwelling Community development if it finds the following, in addition to the General Standards for Special Use Permits as set forth in Section 42.4 of these Regulations:
A. The Commission shall have found that the proposed development is in harmony with the area in which it is proposed and has been designed and sited to protect neighboring property values while respecting the site’s natural and man-made features.

B. The Commission shall have found that the proposed development is appropriately related to the Town’s general goals regarding housing, open space, and community facilities.

C. The Commission shall consider the proximity of the proposed development to other like developments and uses.