

### 3. RESIDENTIAL (R) ZONES

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#### 3.1. *Purposes*

The various residential districts are intended to provide suitable areas for residential use and development appropriate to the environmental characteristics of the land and the character of the neighborhood.

The differentiation among the residential districts is intended to provide for variety in the size and density of residential neighborhoods and a diversity of housing opportunities after consideration of soil types, terrain, and infrastructure capacity.

The residential districts may allow for certain non-residential uses when it can be demonstrated that they are compatible with nearby residential uses and preserve neighborhood character and property values.

The Special District R-20 Zone is established to promote the goals and objectives of the “North Main Street Plan” adopted by the Commission in April 2002, especially by preserving; to the extent possible, existing buildings and features while allowing for appropriate development.

#### 3.2. *Principal Uses and Structures*

##### **A. PERMITTED WITHOUT ZONING PERMIT**

1. **Conservation Uses** - Open space or conservation uses.
2. **Agricultural Uses** - Farming, forestry, truck gardening, and nursery gardening, including a farm stand for the display and sale of seasonal produce and other agricultural products provided they are grown on the premises.
3. **Structures to provide for wheelchair or similar access to a residence**, in conjunction with reasonable documentation to ensure that the structure is located within the premises stated in the Development Permit Application.<sup>1</sup>
4. **Equestrian Facilities**, except as limited in Sec. 3.2.C.14<sup>2</sup>

##### **B. PERMITTED WITH ZONING PERMIT (ZEO)**

1. **Residential Uses** - A single-family detached dwelling.
2. **Group Home** - A group home as defined in these Regulations.

##### **C. PERMITTED BY SPECIAL PERMIT (COMMISSION)**

1. **Governmental Uses** - Municipal or other governmental educational uses, offices, fire stations, police facilities, sewage or refuse disposal facilities, vehicle or material storage or storage buildings, public parking or recreational facilities, with the following permitted maximum lot coverage: <sup>3</sup>

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<sup>1</sup> 2011-007-A: Amended effective 4/1/11

<sup>2</sup> 2011-011-A: Amended effective 4/8/11

<sup>3</sup> 2014-088-A: Amended effective 11/21/14

| <b>Zone</b>         | <b>Lot Coverage (Buildings)</b> |
|---------------------|---------------------------------|
| <b>RAAA Zone</b>    | 5.0 percent                     |
| <b>RAA Zone</b>     | 7.0 percent                     |
| <b>RA Zone</b>      | 10.0 percent                    |
| <b>R-20 Zone</b>    | 12.0 percent                    |
| <b>SD R-20 Zone</b> | 12.0 percent                    |
| <b>R-10 Zone</b>    | 18.0 percent                    |
| <b>R-7.5 Zone</b>   | 20.0 percent                    |

2. **Institutional Uses** – Museums, educational, philanthropic, and religious uses, including residential or other uses customarily accessory to the above as determined by the Commission, and other public uses on land owned or leased by the Town of Ridgefield.<sup>4</sup>
3. **Recreational Uses** - Recreational uses, golf clubs, private clubs; including residential or other uses customarily accessory to the above as determined by the Commission.
4. **Public Utility Uses** - Public utility substations.
5. **Interior Lot or Accessway** - After May 1, 2007, establishment of an interior lot or establishment of a new accessway for up to five (5) lots provided that:
  - a. such accessway shall be not less than 25 feet wide; and
  - b. the traveled way shall be not less than twelve (12) feet wide for one lot and sixteen (16) feet wide for more than one lot; and
  - c. each lot owner depending upon an accessway for access to a highway must either own in fee simple a proportionate part of the accessway or permanent easement over it, and
  - d. accessways shall not be contiguous, and
  - e. the accessway shall be constructed with a twelve (12) inch thick gravel base or an eight (8) inch thick traprock base, and
  - f. the grade of the accessway shall not exceed twelve (12) percent, and
  - g. the accessway shall have provision for proper drainage, and
  - h. the area of the accessway shall not, for any lot, be included in the calculation of area for compliance with the minimum lot area requirement in Subsection 3.5.A or the minimum non-wetland area requirement in Subsection 3.5.B; and
  - i. The lots to be served by an accessway shall be subject to a recorded declaration of easements and restrictions that provides for the use and maintenance of the accessway at the sole cost and expense of, and shared proportionally by, the lot owners.
6. **Adaptive Reuse of Historic or Architecturally Significant Buildings**<sup>5</sup> - To encourage the preservation, restoration and maintenance of existing residential buildings, streetscapes, accessory structures, and properties of historical or architectural significance, or those otherwise deemed by the Commission to be worthy of preservation, the Commission may grant Special Permit approval for the adaptive reuse of said structures for business, professional or business enterprise purposes, including accessory dwelling units on upper floors, where the Commission finds, based on evidence submitted and its own deliberations, that:
  - a. the structure has historic or architectural significance or is otherwise worthy of preservation;
  - b. the property on which the structure is located shall have frontage on the following roads only:
    - i. U.S. Route 7 (Ethan Allen Highway and portions Danbury Road north of the intersection of State Route 35); or
    - ii. the west side of Main Street between North Salem Road (at the northerly boundary of Assessor's Lot E14-0104) and Pound Street.

<sup>4</sup> 2009-083: Amended effective 11/12/09

<sup>5</sup> 2009-076 Amended effective 11/25/09

- c. the applicant demonstrates that the nature and conduct of such use and any proposed improvements will enhance and preserve:
    - i. the exterior integrity and appearance of the structures;
    - ii. the aesthetic appearance of the property; and,
    - iii. the general character of the neighborhood;
  - d. the nature of the proposed adaptive reuse will be compatible with the character of the area, including the type of use and occupancy, hours of operation and traffic generated thereby, and;
  - e. the adaptive reuse will maintain a substantially residential appearance and will not generate significantly higher traffic levels on a regular basis or conflict with the character of the area;
7. **Day Care (Children)** - A day care center provided that:
- a. off-street parking and loading requirements shall comply with the applicable provisions of these regulations; and
  - b. there shall be safe and adequate provision for boarding and off boarding children from vehicles without hazard to pedestrians and traffic. Such provision shall be made on the lot where the facilities are located and without use of any part of the public street right-of-way for turning; and
  - c. lot size, building size, setbacks and lot coverage conform to those applicable to the zoning district; and
  - d. the use shall be located in a building on a lot having such size, shape, landscaping, screening, outdoor play yard space and parking so as to provide for the health and safety of the children using the facility; and
  - e. no area for active recreation may be located in a front yard or within ten (10) feet of a property line. A sight-obscuring and impermeable wall or fence of at least five (5) feet in height shall be installed along the entire perimeter of all recreation areas. In addition to such walls or fences, an exterior landscape buffer of at least five (5) feet in width shall be planted and maintained along the entire perimeter of any recreation areas. Buffering shall also meet the applicable requirements of these regulations; and
  - f. if the center is not located in a single use, freestanding building, the center must be adequately sound insulated so as to guard against noise interference with neighboring uses; and
  - g. the Commission shall specify the limit of the maximum number of people to be cared for and, in determining the maximum number of people permitted at the center, the Commission may consider the number of sessions per day and the impact of the overlap of two (2) or more sessions on the neighborhood; and
  - h. all exterior lighting shall comply with the requirements of Section 7.8 of these Regulations.
8. **Day Care (Adult)** - A facility providing day-time care for adults provided that it shall comply with the applicable standards of Subsection 3.2.C.7 of these Regulations, unless exempted under the Connecticut General Statutes.

9. **Multi-Family Conversion** - Conversion of an existing single family detached dwelling in the R-20 Zone, R-10 Zone, or R-7.5 Zone into a multifamily dwelling structure provided that:
  - a. said single-family dwelling structure appeared on the Assessor's list of October 1, 1972; and
  - b. said single-family dwelling structure is served by public water and sewer; and
  - c. the additional off-street parking which may be required shall be provided within the premises on which the structure is located; and
  - d. there shall be no external alterations of the structure except as may be necessary to meet the requirements of this Subsection or as may necessary or essential for proper access and egress from the structure; and
  - e. fire escapes and outside stairways shall, where practicable, be located to the rear of the structure; and
  - f. approval of any external alteration shall be based on reasons of health and safety, and on considerations relating to the compatibility of the proposed alterations with the surrounding neighborhood, the preservations of the natural topographical features and the historical values and character of the area; and
  - g. all proposed interior alterations or modifications shall meet all applicable controls of this Subsection, and have the approval of the Health Department, the Building Department, and the Fire Department of the Town of Ridgefield or any other agency having jurisdiction; and
  - h. in no event shall the total number of dwelling units on a property exceed the maximum density permitted within the district in which the property is located.
10. **Special District R-20 Zone.**
  - a. All subdivisions and any development plans within any parcel located in Special District R-20 (SD R-20) Zone shall be the subject of Special Permit approval pursuant to Subsection 9.2.A of the Regulations.
  - b. Architectural Advisory Committee Review. Architectural and landscaping designs for development within parcels in the SD R-20 zone shall be submitted for review and comments by the Architectural Advisory Committee.
  - c. Access drives. Access and drives shall be located and designed to reduce traffic conflicts along the street.
  - d. Two-and three-family structures. To maintain significant features and/or front and side setbacks that contribute to the overall character of the district, the Commission may authorize the construction of two- or three-family structures providing that the lot density remains unaltered.
11. **Instructional Uses** - Facilities for education in the arts.
12. **Bed & Breakfast** - Bed and breakfast accommodations as defined in these Regulations (see Section 8.11. Residential Lodging).<sup>6</sup>
13. **Cemeteries** - Cemeteries on a minimum of five (5) acres.
14. **Equestrian facilities**<sup>7</sup> where the following exists or occurs:
  - a. Boarding stables;
  - b. Riding and training academies and schools;
  - c. Equestrian competitions, exhibitions and similar events where non-residents and members of the public are invited to participate and/or attend.

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<sup>6</sup> A-26-1: Adopted 06-23-26

<sup>7</sup> 2011-011-A: Amended effective 4/8/11

### 3.3. Accessory Uses<sup>8</sup>

#### A. PERMITTED WITHOUT ZONING PERMIT

1. **Customary Uses** - Accessory uses subordinate and customarily incidental to a permitted principal use on the same property.
2. **Parking<sup>9</sup>** - Parking provided that any garage does not result in garage space on the property for more than the following number of motor vehicles unless a Special Permit has been granted by the Commission:

| Lot Size            | Maximum Number of<br>Garage Spaces |
|---------------------|------------------------------------|
| 4.0 Acres or More   | 8                                  |
| 2.0 Acres or More   | 7                                  |
| 1.0 to 1.99 Acres   | 5                                  |
| Less than 1.0 Acres | 4                                  |

The limitations contained herein shall not apply to motor vehicles used for agricultural purposes when such vehicles are owned or leased by the owner or tenant of the premises and used by him or her for such purpose.

3. **Home-Based Business** - A home office within the same dwelling used by such person as his or her primary residence provided that:
  - a. the area devoted to such accessory use shall not exceed twenty percent (20%) of the total square footage of the dwelling, exclusive of garage, attic, and basement area; and
  - b. the accessory use shall:
    - i. not change the exterior residential appearance or character of the building or be noticeable from the exterior of the building; and
    - ii. not materially change the traffic characteristics of the neighborhood; and
    - iii. not have any outside storage ; and
    - iv. not involve the display of signs or products in, on, or about the premises except as permitted by these Regulations, and
    - v. not involve retail sales at the premises.
    - vi. no commercial vehicle storage except as permitted in 3.3.A.5.
4. **Day Care (Children)** - Family day care home accessory to a single-family dwelling.
5. **Commercial motor vehicle** - One commercial vehicle per lot or premises, with or without logos, subject to all of the following:
  - a. the operator of the commercial vehicle must reside on the premises;
  - b. the vehicle must have a current Connecticut DMV registration;
  - c. the vehicle shall have no more than two axles;
  - d. the maximum Gross Vehicle Weight (GVW) shall not exceed 18,000 pounds;
  - e. the vehicle shall not exceed ten (10) feet in height, measured from the bottom of the tire to the top of the vehicle, including any load or equipment;
  - f. the cargo box, open or closed, shall not exceed ten (10) feet in length.
6. **Short-Term Rental** – Short-Term Rental as provided in these Regulations (see Section 2.2. Defined Terms and Section 8.11. Residential Lodging)

<sup>8</sup> A-26-1: Adopted 06-23-26

<sup>9</sup> 2013-090-A: Increased number of garage bays allowed as-of-right, effective 10/25/13

**B. PERMITTED WITH ZONING PERMIT (ZEO)**

1. **Home-Based Business** - A minor home occupation where such business is located within the same dwelling used by such person as his or her primary residence provided that:
  - a. the area devoted to such accessory use (including storage of any supplies or materials) shall not exceed twenty-five percent (25%) of the total square footage of the dwelling (exclusive of garage, attic and basement); and
  - b. not more than one (1) nonresident person shall be employed on the premises; and
  - c. The accessory use shall:
    - i. be conducted entirely within the principal dwelling by the resident occupant; and
    - ii. clearly be incidental and secondary to the use of the dwelling for living purposes; and
    - iii. not change the exterior residential appearance or character of the building or be noticeable from the exterior of the building; and
    - iv. not materially change the traffic characteristics of the neighborhood; and
    - v. not have any outside storage or display of merchandise, equipment, or machinery relative to the use; and
    - vi. not have any outside storage or parking of commercial vehicles, except in conformance with Section 3.3.A.5; and
    - vii. not include the keeping of stock in trade nor the sale or rental of any goods not produced within the premises; and
    - viii. not involve the display of signs or products in, on, or about the premises except for a sign as permitted by these Regulations; and
    - ix. not involve retail sales at the premises; and
  - d. parking areas for residents, employees or the general public shall not be located in an inappropriate location and any parking areas shall be screened, if necessary.
2. **Accessory Dwelling Unit<sup>10, 11</sup>** - An accessory dwelling unit or guest house provided that:
  - a. only one accessory dwelling unit shall be permitted for each lot; and
  - b. no accessory dwelling unit shall be approved if accessory to a two-family dwelling or any multi-family use or a common interest community; and
  - c. the lot shall conform to the minimum lot area requirement for the zone in which the property is located or be legally nonconforming; and
    - i. the principal dwelling and the proposed accessory dwelling shall be served by public water or private well(s), municipal sewers or private septic system(s) in compliance with the Public Health Code;
    - ii. on lots of less than one-half (0.5) acre, unless served by municipal sewer, the accessory dwelling shall be attached to or located within the principal dwelling structure;<sup>12, 13</sup> and
  - d. the owner of the property must reside on the premises and must be a natural person in whom no less than one-third (1/3) of the fee title to the subject premises is vested; and
  - e. the accessory dwelling unit shall:
    - i. not exceed 900 square feet in total habitable floor area for properties with a main dwelling 2,999 square feet and under. For properties with a main dwelling that is 3,000 square feet or more, the accessory dwelling unit shall not exceed 1,200 square feet in total habitable area. The square footage of the main dwelling unit shall be determined by the recorded figure on the Assessor's field card.
    - ii. contain no more two (2) bedrooms<sup>14</sup>; and
    - iii. have at least one (1) side of the accessory dwelling unit be at or above grade; and

<sup>10</sup> 2016-039-A: Amendment effective 07/01/16. Provides site plan approval authority to the Director of Planning for accessory dwelling units and eliminates the senior housing incentive.

<sup>11</sup> 2019-041-A: Amendment effective 06/07/19. Allows accessory dwelling units (and affordable ADUs) to be permitted via Zoning Permit instead of, and by deleting, Site Plan (Section 3.3.C).

<sup>12</sup> 2010-045-A: Amended effective 07/02/10. Eliminates requirement for one-acre of land when served by septic systems.

<sup>13</sup> 2017-082-A Amend effective 01/12/18. Acreage requirement eliminated for detached ADUs served by municipal sewer.

<sup>14</sup> A-21-1: Amendment effective 03/12/21. Changes to square footage requirements and increase to two bedrooms.

- f. the building shall, upon establishment of the accessory dwelling unit:
    - i. for accessory dwelling units located within the principle residence, maintain the exterior appearance and style (roof line, roof pitch, building materials, window style and spacing, etc.) of the principal residence;<sup>15 16</sup> and
  - g. no additional curb cuts shall be created to serve an accessory dwelling unit and access from the public right-of-way shall serve both the principal and accessory units; and
  - h. at least three (3) off-street parking spaces<sup>17</sup> (which may include garage spaces) shall be provided to serve both the principal dwelling and the accessory dwelling unit and such parking shall not be located in the required front yard setback.
  - i. prior to the issuance of a Development Application permit for construction and prior to occupancy of the accessory dwelling unit, a copy of the Accessory Dwelling Unit Zoning Permit shall be filed in the office of the Town Clerk.
- 3. **Accessory Dwelling Unit (Affordable)** - An accessory dwelling unit for affordable housing in accordance with the provisions of Subsection 3.3.B.2 of this regulation and Section 8-30g(k) of the Connecticut General Statutes, as amended, provided that:
  - a. The accessory dwelling unit is to be rented pursuant to the affordable housing provisions of CGS 8-30g to a tenant whose income is less than or equal to eighty percent of the State Median Income (SMI);
  - b. The application shall be accompanied by a proposed deed, which complies with CGS 8-30g, including a ten- (10) year affordable housing use deed restriction.
  - c. Before an accessory dwelling unit is occupied, the applicant shall submit satisfactory proof to the Planning Director that the aforesaid deed has been recorded in the Town Clerk's office.
  - d. Prior to occupancy by the initial "affordable housing" tenant(s) and thereafter, by January 31 each year and upon each change of tenant, the owner shall certify that:
    - i. The subject apartment is rented at or below the maximum rate prescribed in CGS 8-30g; and
    - ii. The tenant has certified to the owner, under penalty of false statement, that the tenant's income does not exceed eighty (80) percent of the area median income, as defined in CGS 8-30g.
  - e. An affordable accessory dwelling unit, approved under this regulation, shall be exempt from any zoning permit fees pertaining to the construction.
- 4. **Short-Term Rental** – Short-Term Rental as provided in these Regulations (see Section 2.2. Defined Terms and Section 8.11. Residential Lodging).

**C. PERMITTED BY SPECIAL PERMIT (COMMISSION)**

- 1. **Major Home Occupation** - A home-based business where such business use does not comply with the requirements of Subsection 3.3.A.3 (home office) or Subsection 3.3.B.1 (minor home occupation).
- 2. **Day Care (Children)** - A group day care home operated in a residential single family dwelling by the resident of the dwelling provided that:
  - a. lot size, building setbacks, and lot coverage conform to those applicable to the zoning district; and
  - b. signage, if any, will conform to the requirements of Section 7.2; and
  - c. there shall be safe and adequate provision for boarding and offboarding people from vehicles; and
  - d. a safe on-site vehicular turnaround or separate entrance and exit points must be provided.

<sup>15</sup> 2017-082-A Amendment effective 01/12/18. Limits external aesthetic requirements to attached ADUs.

<sup>16</sup> A-21-6 Amendment effective 11/05/2021 to eliminate architectural standards per PA 21-29

<sup>17</sup> A-21-6 Amendment effective 11/05/2021 reduce ADU parking requirement to 3 spaces per PA 21-29

- ed; and
  - e. no area for active play or play structures may be located in a front yard or within ten (10) feet of a property line. A sight-obscuring and childproof wall or fence of at least five (5) feet in height shall be installed along the entire perimeter of all play areas. In addition to such walls or fences, an exterior landscape buffer of at least five (5) feet in height shall be planted and maintained along the entire perimeter of any play areas; and
  - f. the site must be landscaped in a manner compatible with adjacent residences. The Commission retains the right to require additional screening and landscaping; and
  - g. no alterations that will alter the residential character of an existing residential structure used for a group day care home is permitted. Any new or remodeled structure must be designed to be compatible with the residential character of the surrounding neighborhood; and
  - h. if the proposed group day care home is within one-thousand (1,000) feet of another currently operating group day care home, the Commission may approve the application only if it determined that the cumulative effects will not have an adverse impact on the neighborhood due to traffic, noise and safety; and
  - i. no group day care home shall be located on a shared or common driveway or accessway used by two or more residences or premises including that of the applicant; and
  - j. the applicant must show that the traffic congestion resulting from the operation of the group day care home will not impair the public health, safety and welfare; and
  - k. all exterior lighting shall comply with the requirements of Section 7.8 of these Regulations.
- 3. **Day Care (Children)** - A day care center accessory to a permitted use provided that it complies with the requirements of Subsection 3.2.C.7 of these Regulations.
  - 4. **Day Care (Adult)** - Day care for adults when accessory to a single-family dwelling.
  - 5. **Day Care (Adult)** - A facility, accessory to a permitted use, providing day-time care for adults provided that it shall comply with the applicable standards of Subsection 3.2.C.7 of these Regulations.
  - 6. **Bed & Breakfast** – Bed and breakfast accommodations as provided in these Regulations (see Section 2.2. Defined Terms and Section 8.11. Residential Lodging).
  - 7. **Short-Term Rental** – Short-Term Rental as provided in these Regulations (see Section 2.2. Defined Terms and Section 8.11. Residential Lodging).
  - 8. **Other Accessory Uses** - Other accessory uses not listed in these Regulations where the Commission determines, in its sole discretion, that such use would be subordinate to and reasonably incidental to a permitted use.



### 3.4 Accessory Structures

#### A. PERMITTED WITHOUT ZONING PERMIT

1. **Minor Accessory Structures** - Minor accessory structures on residentially zoned properties with one- or two-family dwellings outside of the SD R-20 zone and where no special permit has been issued for increased lot coverage, such as: one (1) one-story detached tool or storage shed not exceeding 200 s.f. per premises; walls and fences; dog houses; birdbaths; gazebos, playhouses, arbors, pergolas and similar structures of less than 200 square feet; prefabricated swimming pools that are equal or less than 24 inches deep; swings, non-habitable tree houses and other playground equipment; decks not exceeding 200 square feet in area that are not more than 30 inches above grade at any point and are not attached to a dwelling and do not serve the exit door; similar structures which are subordinate and customarily incidental to a permitted principal use on the same property and anything that does not require a building permit.<sup>18, 19</sup>

#### B. PERMITTED WITH ZONING PERMIT (ZEO)

1. **Outbuilding** - Shed, detached garage<sup>20</sup>, farm outbuilding, cabana, studio, or similar outbuilding not intended, designed, or used for residential occupancy provided it shall not be located in the front yard.
2. **Outdoor Recreation Facility** - Pool, tennis court, paddle tennis court, basketball court, sport court, or similar non-illuminated outdoor recreation facility provided it:
  - a. is not illuminated, and
  - b. shall not be located in the front yard.
3. **Accessory Structures** – On the same lot as a permitted principal building, structure or use; structures such as, but not limited to: detached decks exceeding 200 square feet, gazebos, pergolas exceeding 200 square feet, outdoor kitchens, renewable energy systems, spas/hot tubs, etc., provided that it shall not be located in the front yard.<sup>26</sup>

#### C. PERMITTED BY SPECIAL PERMIT (COMMISSION)<sup>21, 22, 23</sup>

1. **Outdoor Recreation Facility** - A tennis court, paddle tennis court, basketball court, sport court, or other outdoor recreation facility located in the front yard of the lot, or any illuminated outdoor recreation facility located anywhere on the property.
2. **Outbuilding and other Accessory Building or Structure in Front Yard** – Shed, detached garage, farm outbuilding, cabana, studio, or any other detached/standalone accessory building or structure located in the front yard of the property.

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<sup>18</sup> 2014-017 Amendment effective 04/22/14

<sup>19</sup> 2014-087 Amendment effective 11/21/14

<sup>20</sup> 2008-072 Amendment effective 05/02/08

<sup>21</sup> 2010-105 Amendment effective 12/07/10

<sup>22</sup> 2019-041-A Amendment effective 06/07/19. Deleted Section 3.4.C (Site Plan) and moved outdoor recreation facilities in the front yard, and outbuildings and other accessory buildings or structures in the front yard from Site Plan to Special Permit.

<sup>23</sup> 2010-106 Amendment effective 12/07/10

<sup>26</sup> 2019-013-A Amendment effective 03/22/19

### 3.5. Area and Dimensional Standards

#### A. MINIMUM LOT AREA

In each residential zoning district, no lot shall be created which contains less than the following area, excluding the area of any accessway:

| Zone                | Area (acres) | Area (square feet) |
|---------------------|--------------|--------------------|
| <b>RAAA Zone</b>    | 3.0 acres    | 130,680 sq. ft.    |
| <b>RAA Zone</b>     | 2.0 acres    | 87,120 sq. ft.     |
| <b>RA Zone</b>      | 1.0 acres    | 43,560 sq. ft.     |
| <b>R-20 Zone</b>    | 0.46 acres   | 20,000 sq. ft.     |
| <b>SD R-20 Zone</b> | 0.46 acres   | 20,000 sq. ft.     |
| <b>R-10 Zone</b>    | 0.23 acres   | 10,000 sq. ft.     |
| <b>R-7.5 Zone</b>   | 0.17 acres   | 7,500 sq. ft.      |

#### B. MINIMUM NON-WETLAND AREA

In addition to the minimum lot area requirement above for each residential zoning district, no lot which includes wetlands within its boundaries shall contain less than the following amount of contiguous non-wetland area:

| Zone                | Area (acres) | Area (square feet) |
|---------------------|--------------|--------------------|
| <b>RAAA Zone</b>    | 1.8 acres    | 78,408 sq. ft.     |
| <b>RAA Zone</b>     | 1.4 acres    | 60,984 sq. ft.     |
| <b>RA Zone</b>      | 0.8 acres    | 34,848 sq. ft.     |
| <b>R-20 Zone</b>    | n/a          | n/a                |
| <b>SD R-20 Zone</b> | n/a          | n/a                |
| <b>R-10 Zone</b>    | n/a          | n/a                |
| <b>R-7.5 Zone</b>   | n/a          | n/a                |

#### C. MAXIMUM DENSITY

Except for an accessory dwelling unit as may be permitted by these Regulations, the maximum density for each lot shall not be greater than that specified below in each residential zoning district:

| Zone                | Density (units per area)     |
|---------------------|------------------------------|
| <b>RAAA Zone</b>    | 1.0 unit per 130,680 sq. ft. |
| <b>RAA Zone</b>     | 1.0 unit per 87,120 sq. ft.  |
| <b>RA Zone</b>      | 1.0 unit per 43,560 sq. ft.  |
| <b>R-20 Zone</b>    | 1.0 unit per 20,000 sq. ft.  |
| <b>SD R-20 Zone</b> | 1.0 unit per 20,000 sq. ft.  |
| <b>R-10 Zone</b>    | 1.0 unit per 10,000 sq. ft.  |
| <b>R-7.5 Zone</b>   | 1.0 unit per 7,500 sq. ft.   |

#### D. MINIMUM FRONTAGE AND LOT WIDTH

In each residential zoning district, each lot shall have:

1. a frontage not less than that specified below upon either a public or private road or be served by an accessway, except that when such lot has frontage partly or totally on a cul-de-sac, such frontage shall be not less than fifty (50) feet, and
2. a lot width at the front yard setback not less than that specified below

| Zone         | Minimum Frontage (feet) | Minimum Lot Width (feet) |
|--------------|-------------------------|--------------------------|
| RAAA Zone    | 200 feet                | n/a                      |
| RAA Zone     | 200 feet                | n/a                      |
| RA Zone      | 100 feet                | n/a                      |
| R-20 Zone    | 100 feet                | 100 feet                 |
| SD R-20 Zone | 100 feet                | 100 feet                 |
| R-10 Zone    | 75 feet                 | 75 feet                  |
| R-7.5 Zone   | 50 feet                 | 50 feet                  |

#### E. LOT SHAPE REQUIREMENT

Each lot created as of the enactment of this Subsection shall have a regularity factor of not less than fifty-five one hundredths (0.55) as determined by the following formula:

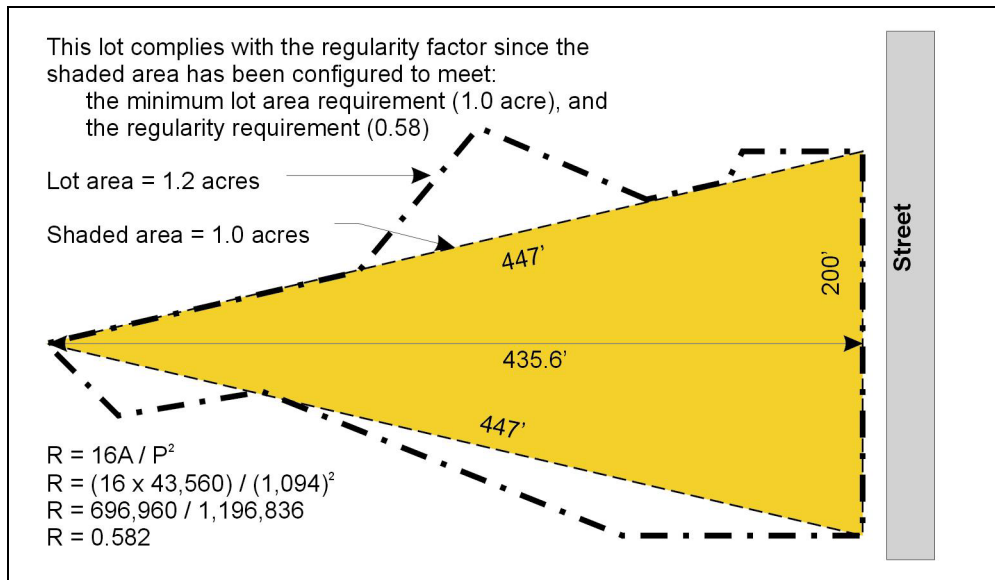
$$R = \frac{16A}{P^2}$$

R = Regularity factor

A = Area of lot in sq. ft.

P = Lot perimeter in feet

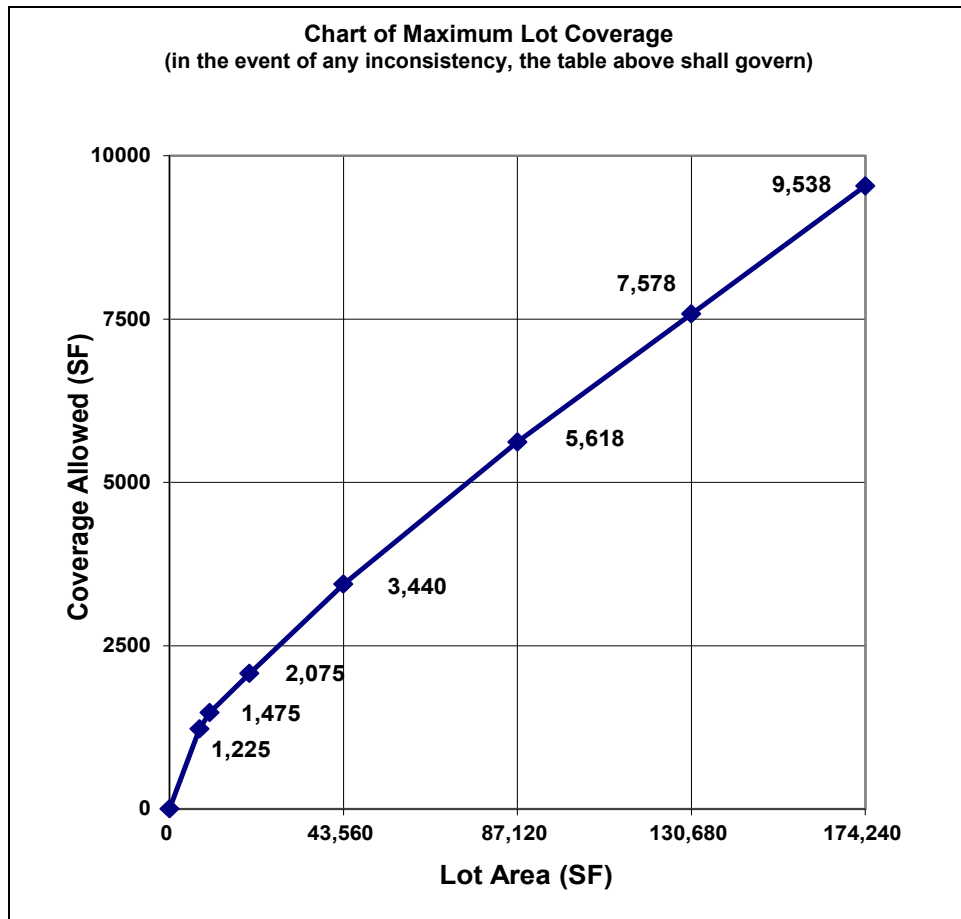
In calculating the regularity factor, the perimeter of the lot may be configured to exclude any portion of the lot area in excess of the minimum required lot size.



**F. MAXIMUM LOT COVERAGE**

After May 1, 2007 (and last amended effective 10/14/11)<sup>24</sup>, unless otherwise provided in these Regulations, the lot coverage (buildings) as defined in Sec. 2.2 (“Coverage” Related Terms) in any residential zoning district shall not exceed the following area:

| <b>Lot Area</b>      | <b>Allowed Lot Coverage<sup>25</sup></b>                   |
|----------------------|------------------------------------------------------------|
| Less than 7,500 SF   | 16% of the lot area                                        |
| 7,500 to 9,999 SF    | 1,225 SF plus 10.0% of the lot area in excess of 7,500 SF  |
| 10,000 to 19,999 SF  | 1,475 SF plus 6.0% of the lot area in excess of 10,000 SF  |
| 20,000 to 43,559 SF  | 2,075 SF plus 5.8% of the lot area in excess of 20,000 SF  |
| 43,560 to 87,119 SF  | 3,440 SF plus 5.0% of the lot area in excess of 43,560 SF  |
| 87,120 to 130,679 SF | 5,618 SF plus 4.5% of the lot area in excess of 87,120 SF  |
| 130,680 or more SF   | 7,578 SF plus 4.5% of the lot area in excess of 130,680 SF |



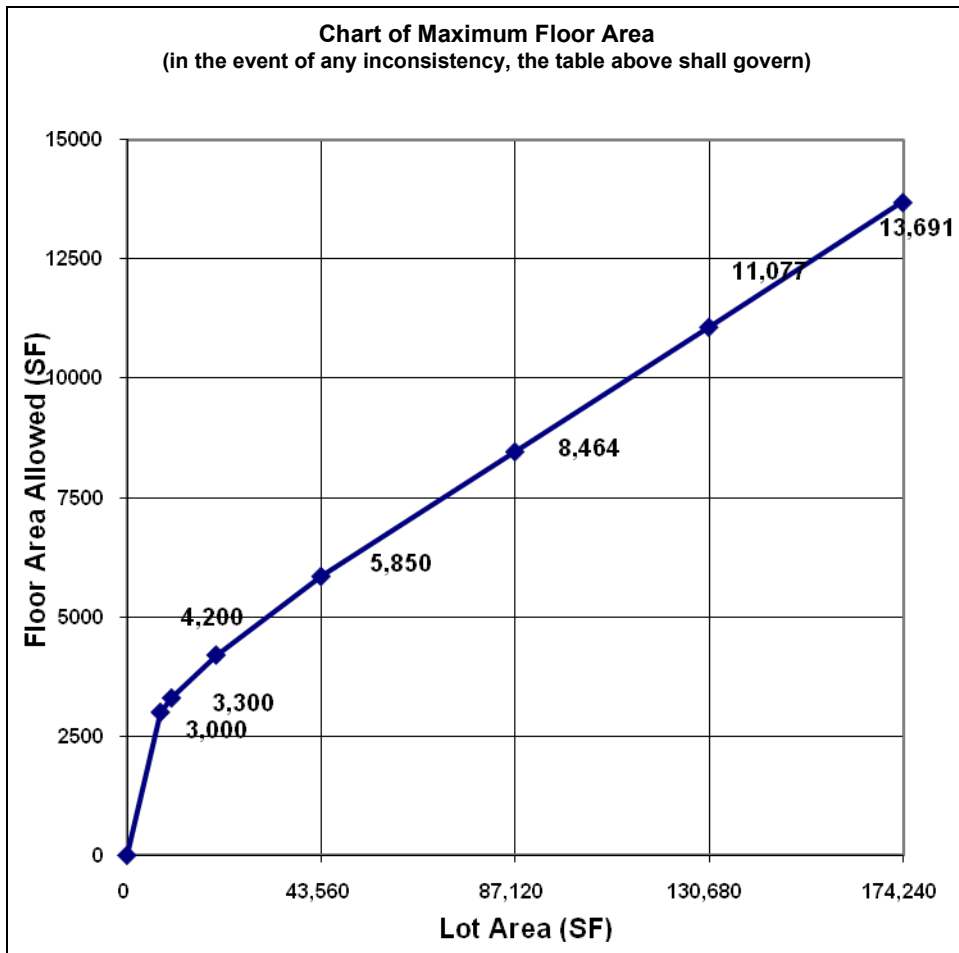
<sup>24</sup> 2009-071 Amended effective 11/25/09 (changes for lots one acre and larger in size)

<sup>25</sup> 2011-091 Amended effective 10/14/11 (changes for lots less than one acre in size)

**G. MAXIMUM FLOOR AREA RATIO**

After May 1, 2007 (and last amended 11/25/09)<sup>26</sup>, unless otherwise provided in these Regulations, the floor area as defined in Section 2.2 ("Floor Area" Related Terms) of all buildings in any residential zoning district shall not exceed the following area:

| Lot Area             | Allowed Floor Area                                         |
|----------------------|------------------------------------------------------------|
| Less than 7,500 SF   | 40% of the lot area                                        |
| 7,500 to 9,999 SF    | 3,000 SF plus 12.0% of the lot area in excess of 7,500 SF  |
| 10,000 to 19,999 SF  | 3,300 SF plus 9.0% of the lot area in excess of 10,000 SF  |
| 20,000 to 43,559 SF  | 4,200 SF plus 7.0% of the lot area in excess of 20,000 SF  |
| 43,560 to 87,119 SF  | 5,850 SF plus 6.0% of the lot area in excess of 43,560 SF  |
| 87,120 to 130,679 SF | 8,464 SF plus 6.0% of the lot area in excess of 87,120 SF  |
| 130,680 or more SF   | 11,077SF plus 6.0% of the lot area in excess of 130,680 SF |



<sup>26</sup> 2009-071 Amended effective 11/25/09

## H. MINIMUM YARD SETBACKS

Unless otherwise provided for in Section 8.5.D in these regulations, in each residential zoning district, no part of any building or structure shall be located less than the following distance from any front lot line or recorded right-of-way, or from any side or rear lot line.

| Zone                | Front Yard | Side Yard | Rear Yard |
|---------------------|------------|-----------|-----------|
| <b>RAAA Zone</b>    | 50 feet    | 50 feet   | 50 feet   |
| <b>RAA Zone</b>     | 35 feet    | 35 feet   | 35 feet   |
| <b>RA Zone</b>      | 25 feet    | 25 feet   | 25 feet   |
| <b>R-20 Zone</b>    | 25 feet    | 20 feet * | 20 feet * |
| <b>SD R-20 Zone</b> | 25 feet ** | 20 feet * | 20 feet * |
| <b>R-10 Zone</b>    | 25 feet    | 12 feet * | 12 feet * |
| <b>R-7.5 Zone</b>   | 25 feet    | 8 feet *  | 8 feet *  |

\* Setback shall be 25 feet for any non-residential type use permitted by Special Permit in a Residential (R) Zone.

\*\* In the Special District R-20 Zone, the minimum front yard setback shall be forty (40) feet from the recorded right-of-way of Main Street and twenty-five (25) feet from any other front lot line or recorded right-of-way.

**I. BUILDING HEIGHT (FEET)**

1. In each residential zoning district, no building or other structure shall exceed the following building height above finished average grade.

| <b>Zone</b>         | <b>Average Building Height<br/>Above<br/>Finished Average Grade</b> | <b>Total Building Height<br/>Above<br/>Finished Average Grade</b> |
|---------------------|---------------------------------------------------------------------|-------------------------------------------------------------------|
| <b>RAAA Zone</b>    | 35 feet                                                             | 45 feet                                                           |
| <b>RAA Zone</b>     | 35 feet                                                             | 45 feet                                                           |
| <b>RA Zone</b>      | 35 feet                                                             | 45 feet                                                           |
| <b>R-20 Zone</b>    | 35 feet                                                             | 40 feet                                                           |
| <b>SD R-20 Zone</b> | 35 feet                                                             | 40 feet                                                           |
| <b>R-10 Zone</b>    | 35 feet                                                             | 40 feet                                                           |
| <b>R-7.5 Zone</b>   | 35 feet                                                             | 40 feet                                                           |

2. In each residential zoning district, no building or other structure shall exceed the following building height above pre-existing average grade.

| <b>Zone</b>         | <b>Average Building Height<br/>Above Pre-Existing<br/>Average Grade</b> | <b>Total Building Height<br/>Above Pre-Existing<br/>Average Grade</b> |
|---------------------|-------------------------------------------------------------------------|-----------------------------------------------------------------------|
| <b>RAAA Zone</b>    | 40 feet                                                                 | 50 feet                                                               |
| <b>RAA Zone</b>     | 40 feet                                                                 | 50 feet                                                               |
| <b>RA Zone</b>      | 40 feet                                                                 | 45 feet                                                               |
| <b>R-20 Zone</b>    | 40 feet                                                                 | 45 feet                                                               |
| <b>SD R-20 Zone</b> | 40 feet                                                                 | 45 feet                                                               |
| <b>R-10 Zone</b>    | 40 feet                                                                 | 45 feet                                                               |
| <b>R-7.5 Zone</b>   | 40 feet                                                                 | 45 feet                                                               |

**J. MAXIMUM NUMBER OF STORIES**

In each residential zoning district, no building or structure or part thereof shall exceed the following number of stories above grade facing the street.

| <b>Zone</b>         | <b>Maximum Building Height<br/>Above Grade (Stories)<br/>Facing The Street</b> |
|---------------------|--------------------------------------------------------------------------------|
| <b>RAAA Zone</b>    | 2.5 stories                                                                    |
| <b>RAA Zone</b>     | 2.5 stories                                                                    |
| <b>RA Zone</b>      | 2.5 stories                                                                    |
| <b>R-20 Zone</b>    | 2.5 stories                                                                    |
| <b>SD R-20 Zone</b> | 2.5 stories                                                                    |
| <b>R-10 Zone</b>    | 2.5 stories                                                                    |
| <b>R-7.5 Zone</b>   | 2.5 stories                                                                    |

### **3.6. Dimensional Exceptions**

#### **A. HEIGHT EXCEPTIONS**

In residence zones, the height limitations of these Regulations may be exceeded in the following situations, provided that such features shall only be erected to such heights as are necessary to accomplish the purpose they are intended to serve:

1. A spire or belfry on a religious institution or public building may exceed the height limitation provided that:
  - a. the height of the spire or belfry shall not exceed fifty (50) feet unless a Special Permit has been approved by the Commission; and
  - b. the total area covered by such features shall not exceed ten percent (10%) of the roof area unless a Special Permit has been approved by the Commission.
2. Cupolas or chimneys may exceed the total building height limitation provided that:
  - a. the height of the cupola or chimney shall not be more than twenty percent (20%) higher than the total building height allowed unless a Special Permit has been approved by the Commission; and
  - b. the total area of such features which exceed the total building height limitation shall not exceed five percent (5%) of the roof area unless a Special Permit has been approved by the Commission.
3. Water tanks may exceed the height limitation where the Commission has granted a Special Permit for an increase in height.
4. Roof-top equipment for non-residential buildings (such as HVAC equipment, ventilators, skylights, bulkheads, or similar features) may exceed the total building height limitation provided that:
  - a. adequate appropriate visual screening as determined by the Planning Director shall be provided; and
  - b. such equipment which exceeds the total building height limitation shall not have a horizontal area greater than fifteen percent (15%) of the roof area of the building on which it is located unless a Special Permit has been approved by the Commission.

#### **B. YARD SETBACK EXCEPTIONS**

1. A basement hatchway may project into a required side yard or rear yard setback not more than six (6) feet.
2. A one-story open porch may project into the required front yard setback not more than twenty percent (20%) of the minimum front yard setback requirement.
3. Uncovered entry stairs and stoops and covered fire escapes may extend into any required yard setback not more than six (6) feet.
4. To accomplish the intended purpose for the time period required, access ramps for the handicapped may, with approval of the ZEO, extend into any required yard setback.



**C. LOT COVERAGE EXCEPTIONS**

1. **Open Porches** – In a residential zone, up to two hundred (200) square feet of the area of an open porch is excluded from lot coverage requirements.<sup>27 28</sup>
2. Minor accessory structures not requiring a zoning permit, as described in Sec. 3.4.A.1, are excluded from lot coverage requirements.<sup>29</sup>

**D. FLOOR AREA RATIO EXCEPTIONS**

1. In a residential zone, municipal and government facilities are excluded from floor area ratio requirements.
2. Minor accessory structures not requiring a zoning permit, as described in Sec. 3.4.A.1, are excluded from floor area ratio exceptions.<sup>30</sup>

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<sup>27</sup> 2011-091 Amended effective 10/14/11

<sup>28</sup> 2014-088 Amended effective 11/21/14

<sup>29</sup> 2014-017 Amended effective 4/22/14

<sup>30</sup> 2014-017 Amended effective 4/22/14