

# **ZONING REGULATIONS PROPOSED CHANGES- Draft 1-9-23**

## **Remove Section 1.4**

1.4 Residential Moratorium on Single Family Subdivision and Special Exception Permits for Housing to Article 1 Introductions/Districts

The Planning and Zoning Commission has planned carefully the growth of the community and has guided the development of residential areas within the Town into neighborhoods. Recent legislation regarding multi-family housing, accessory apartments, coupled with the need to create more affordable housing and the Commissions growing dissatisfaction with environmental impacts of lots yielded through open space subdivision and interior lots regulations warrants a moratorium until the PZC can fairly assess and revise its zoning regulations as to subdivisions and housing that will fairly meet the objectives of the legislation and the Town's Plan of Conservation and Development.

The Planning and Zoning Commission hereby declares an immediate moratorium on all applications for, and approvals of, single family residential subdivision or resubdivision which creates three or more lots and any special exception permits for any single family, duplex or multi-family residential housing. Any housing units or general plans for housing that have been already approved prior to the effective date of this moratorium shall not be affected. The expiration date of this Moratorium shall not exceed 12 months from the effective date of adoption unless extended by the Planning & Zoning Commission. Expires 3/27/23

No applications will be accepted or heard by the Planning and Zoning Commission, and no approvals will be given by the Planning and Zoning Commission for new housing units during this period.

During this moratorium period, the Commission will investigate:

- incorporating affordable housing requirements and regulations for multi-family, duplex and single family developments to further the objectives of providing diverse and affordable housing options;
- assess the environmental impacts of lots created as part of current open space subdivisions to determine changes appropriate to create more usable residential lots;
- review bulk requirements of all residential zones and to determine appropriate changes need to further housing goals; and
- review lot criteria, bulk requirements and other zoning regulations permitting for interior lots to ensure they are meeting the original intent and provide adequate environmental and aesthetic protections.

## Section 2.5

**Building on Existing Lots:** Provided that safe and adequate disposal of sewage and a safe water supply can be provided without endangering the health and safety of adjoining residents, nothing in these regulations or in any pertinent amendments hereto, shall prevent the construction of a building or the establishment of a use permitted hereunder or under any pertinent amendment hereto on a lot containing less than the prescribed area, or less than the prescribed width or depth of front yard, if immediately prior to the adoption hereof or of any pertinent amendment hereto, such building or use was permitted on said lot and said lot was then and has continued to be owned separately from any adjoining lot. Side yards, rear yards, and all other requirements of Section 10 must be maintained, but in the case of exceptional difficulties or unusual hardships resulting from any changes in any such requirements which affect such lot, the Zoning Board of Appeals may, pursuant to Section 1 1.4.1(b) hereof, grant a special exception to remove the hardship caused by such change.

A group of adjacent lots of record under the same ownership at the time of adoption of these regulations may be redivided, in accordance with the requirements of the Subdivision Regulations of the Town, into larger lots having not less than 80 percent of the required lot area and 80 percent of the required lot width. All other yard requirements of Section 10 must be maintained.

## Section 2.8 Corner Visibility and Fencing

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On a corner lot in any district, no fence, wall, hedge or other structure or planting more than 3 feet in height shall be erected, placed, or maintained within the triangular area formed by the intersecting pavement lines and a straight line joining said pavement lines at points which are ~~50~~ 100 feet distant from the point of intersection, measured along said pavement lines.

All proposed residential fencing shall not be greater than six (6) feet in height along the street frontages and the nicer looking side of the fence (if it has one) shall face the neighbor or the roadway as applicable.

## Section 2.24 Inclusionary Zoning(effective for new housing units created \_\_\_\_\_)

### 2.24.1 Background and Purposes

These regulations are intended to encourage the development of below market rate dwelling units within the Town of South Windsor, consistent with Section 8-2(i) of the General Statutes of Connecticut.

### 2.24.2 Applicability

Inclusionary Zoning Regulations shall apply to all zones that allow dwelling units as a principal or special exception use.

### 2.24.3 Affordable Requirements

#### A. Subdivisions

1. All single-family subdivisions or resubdivisions which create three or more new building lots shall be required to pay a fee in lieu of affordable housing or provide affordable housing unit(s) in accordance with the subdivision regulations.
2. Affordable housing lots shall be administered by the South Windsor Human Services Department and its designees and shall be subject to a restrictive covenant enforceable by the Town and in a form as required by the Town Attorney.

#### B. Multi-Family

1. Developments resulting in the creation of four or more multi-family dwelling units shall designate a minimum of fifteen percent (15%), of the total number of dwelling units as affordable housing (unless otherwise noted in the regulations) as defined by Connecticut General Statutes. For the purpose of this regulation, the term multi-family is defined as a single property with two or more dwelling units, whether attached or detached. Fractional units shall be rounded up to the nearest whole number.
2. Affordable units cannot be clustered but shall be reasonably dispersed throughout the development and shall contain, on average, the same number of bedrooms, bathrooms, included types and sizes of appliances (referring to function, not level of luxury – e.g. 16 cubic foot refrigerator), square footages and exterior finishes.
3. The applicant shall submit an Affordability Plan concurrently with s Special Exception and Site Plan application which shall prescribe how the regulations regarding affordability will be administered.

#### 2.24.4 Affordability Plan Compliance with General Statutes 8-30g

- A. In conjunction with an application for approval of a site plan with below market rate units, the applicant shall submit an 'Affordability Plan', in accordance with General Statutes 8-30g, which shall describe how the regulations regarding affordability will be administered as assisted housing. The Plan shall include provisions for administration of and compliance with the provisions of this section, notice procedures to the general public of the availability of affordable units, identification of those units that are to be designated affordable, procedures for verification and yearly confirmation of unit occupancy income, and demonstration of compliance with affordability requirements to the Commission. Such Plan shall also include drafts of documents, such as deeds, that will be used in the administration of the affordability restrictions.
- B. It is intended that the below market rate units will be administered, as stated in an Affordability Plan, in compliance with both General Statutes 8-30g and the rules and regulations of any governmental program that provides development financing. All low-income and affordable housing units constructed or rehabilitated pursuant to these regulations shall be restricted and maintained as affordable for at least forty (40) years from issuance of a Certificate of Occupancy

- C. Calculation of the maximum monthly rental payment for below market rate units, so as to satisfy General Statutes 8-30g, shall utilize the area median income data as published by the U.S. Department of Housing and Urban Development at the time of the sale/lease.

**Add to Definitions:** Dwelling, Affordable Unit: A dwelling unit which will be conveyed by deeds containing covenants or restrictions which shall require that, for at least forty (40) years after the initial occupancy of the proposed development, such dwelling units shall be sold or rented at, or below, prices which will preserve the unit as housing for which persons and families pay thirty percent or less of their annual income, where such income is less than or equal to eighty percent of the median income. For purposes of this definition, “median income” shall be as defined in Connecticut General Statutes Section 8-30g(a), as amended

**Table 3.1.2A Residential Area, Density and Dimensional Requirements**

Minimum Lot and Area Requirements							Maximum			
District	Lot Area (sq. ft.)	Frontage (feet) <sup>(1)</sup>	Lot Depth	Front Yard <sup>(2)</sup> (feet)	Rear Yard <sup>(3)</sup> (feet)	Side Yard <sup>(3)</sup> (feet)	Stories	Height (feet)	Lot Coverage	Impervious Coverage <sup>(6)</sup>
RR	40,000	175	200	50	50	20	2½	30	15%	
A-40	40,000	150	200	50	50	20	2½	30	15%	
AA-30	30,000	150	150	50	50	20	2½	30	15%	
A-30	30,000	120	150	50	50	15	2½	30	15%	
A-20	20,000	100	150	40	40	10	2½	30	20%	
MFA/AA	<del>15</del> 5 acres <sup>(4)</sup>	200	200	75	35 <sup>(5)</sup>	25 <sup>(5)</sup>	2 ½	35		60%

<sup>(1)</sup> Lots with frontage on Buckland Road or Sullivan Avenue have a minimum lot width of 150 feet. Where the requirements of Table 3.1.2A are greater, the Table 3.1.2A requirements apply.  
<sup>(2)</sup> Lots with frontage on Buckland Road or Sullivan Avenue have a minimum front yard setback of 50 feet. Where the requirements of Table 3.1.2A are greater, the Table 3.1.2A requirements apply.  
<sup>(3)</sup> Buffers are in addition to required side/rear yards.  
<sup>(4)</sup> Lot area must be contiguous acres not divided by a public street. The entire site shall be located in the MF district. Land contained within the Flood Plain District may not apply toward the minimum site size, however, may be dedicated for open space uses subject to the requirements of the Flood Plain District.  
<sup>(5)</sup> Where a buffer is required, the rear and side yards shall be a minimum of 25 feet.  
<sup>(6)</sup> Pervious surface may be used to increase the coverage of the lot a maximum of 5% when a minimum of the pervious coverage total is a minimum of 10%. See definitions.

### Section 3.1.2.B

B Each approved residential lot shall contain a contiguous buildable area (“buildable” defined as exclusive of regulated wetlands and watercourses, waterbodies, detention areas, utility easements, rights-of-way, or areas with slopes at or in excess of 15%) of at least 10,000 square feet, into which, a square of 90’ x 90’ can be located, and on which the dwelling must be located. **This square shall generally be measured within or at the building lines; however, the measurement can start at ½ the distance to the building line from the front property line.** This restriction as to building location applies only to those lots that contain wetlands and watercourses, waterbodies, detention areas, utility easements, rights-of-way, or areas with slopes at or in excess of 15%.

### Section 3.2.2 Interior Lots

#### 3.2.2.C. Approval Criteria

1. The proposed interior lot(s) shall be deemed to accomplish the best use of the subject land and shall be justified by the subject area’s boundary configurations, topography, soils or other natural resource characteristics. In reviewing a proposed interior lot, the Commission shall carefully evaluate aesthetics; proximity to neighboring properties and

dwelling units; restriction of existing views; proposed buffering/screening, potential drainage, traffic and environmental impacts; driveway locations, slopes and sight lines; utility service capabilities; property value impacts; and future land use alternatives. The applicant must demonstrate to the Commission that there are minimal impacts for all of the above-listed criteria.

2. Except for requirements modified by this interior lot section, all new interior lot development shall conform to all requirements prescribed for the zone in which the interior lot is located.
3. All interior lots shall have a minimum area which is double the required area for the zoning district in which the interior lot is established with the exception of A-20 zones, which shall have a minimum lot area that is triple the minimum required lot area **and 2 (two) times the lot depth of the underlying zone**. Minimum lot area **and lot depth** shall be calculated exclusive of access area. Where lot approval is requested in an open-space subdivision, minimum area is still twice the standard lot size for the district.
4. The access area is defined as the area in front of the minimum lot width line. The minimum lot width line is defined as the line perpendicular to the mean direction of the lot side lines, at which the required minimum width is obtained. The minimum lot width shall generally be parallel to the town street from which access is obtained. All interior lots must have a width at the minimum lot width line equal to 1.5 times the required lot width for the zoning district in which it is located **and 2 times the required lot depth**.
5. All proposed interior lots shall include an access way meeting the following standards:
  - a. The access way portion of the interior lot shall directly front on a public street and be owned in fee by the interior lot. Alternatively, an access easement can be granted for the interior lot over the existing frontage provided that frontage is in excess of the minimum frontage requirements of the underlying zone by a minimum of 25 feet;
  - b. The access way shall have suitable sight lines along the street it fronts upon;
  - c. No access way shall be located adjacent to another access way to an interior lot. There must be a separating distance between access ways equal to the minimum lot width in the zone in which the interior lots are located.
6. Driveways to interior lots shall be designed and constructed to accommodate fire apparatus and other emergency equipment. All application for interior lots shall detail the nature of proposed driveway construction including proposed location, width and building materials, and provision for vehicles to turn around. Driveway plans must be reviewed and approved by the Town Engineer and the Fire Marshal.
7. Not more than 2 interior lots may be accessed by a single access way. Access rights must be documented for both lots.
8. There are no established front yard setbacks; **however minimum setback shall be that of the underlying zone**. An application will be evaluated for its aesthetic impact on neighboring properties, especially front/existing lots. Suggested guideline for house placement is that the proposed front yard setback be equivalent to neighboring properties' interior yards. Setback lines shall be proposed by the applicant with the application and approved or modified by the Commission.

9. The side and rear yard setbacks required for the zoning district in which the lot is located must be observed.
10. The Commission can require greater setbacks from any property line where land configuration, topography, other physical limitations or existing development on adjacent land dictate that increased setbacks are desirable.
11. If two interior lots are proposed, no interior lot shall be permitted behind one another (stacked) unless **the access to** the interior lots front **are** ~~is~~ on different streets. Interior lot shall be permitted to the rear of any other interior lot when **site design and adequate screening is provided to provide separation of the houses.**

## **Section 3.4      Multifamily Residential Zone (MF-A or MF-AA)**

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### **3.4.1 Establishment of Zone**

The Multifamily Residential (MF) Zone shall be established by the Commission only after taking into account the various factors favorable and unfavorable to such a change, including but not limited to those criteria listed in Section 8 Zone Change, Special Exception, and Site Plan Standards and Procedures and whether said site either is or will be within reasonable pedestrian proximity to shopping, services, and institutions, as are routinely required by the future residents of said development, or is or will be located along a route providing regular public transportation services.

### **3.4.2 Permitted Uses**

- A.** Within MF zone the following uses of buildings and land shall be permitted only by special exception, subject to the requirements of these regulations:
  - 1. Single-family, duplex and multifamily dwelling units, regardless of the form of ownership of the land and buildings. The number of single-family dwellings shall not exceed ten (10%) of the total number of dwelling units.

### **3.4.3 Density Requirements**

- A.** The overall density of the development shall not exceed 4 ½ dwelling units per net buildable acre. Computations for allowable density shall appear on the General Plan of Development and the Site Development Plan.
- B.** No more than 12 dwelling units shall be housed within a single building.

### **3.4.4 Setback Requirements**

- A.** Minimum setbacks between residential buildings shall be as follows:
  - 1. 15 feet for buildings up to 1½ stories in height providing that facing walls have no windows;
  - 2. 30 feet for buildings up to 2 stories in height providing that not more than 1 facing wall has 1 or more windows;
  - 3. 50 feet between opposite faces of a building where both facing walls contain 1 or more windows.
- B.** Other Setbacks:
  - 1. 40 feet between any building (except bus shelters) and the centerlines of the site's principal streets;
  - 2. 65 feet between any building (except bus shelters) and the center point of a cul-de-sac for the site's principal streets;
  - 3. Minimum setback between accessory buildings, or between accessory buildings such as storage sheds or garages and buildings containing dwelling units, shall be consistent with good design



relative to fire safety, emergency access, function, and aesthetics, as approved by the Commission.

- C. Courts shall be completely open on one side. Such opening shall be in accord with the setback requirements of this Section.

### 3.4.5 Form of Ownership/Occupancy

Prior to the approval of any Special Exception application for a multifamily residential development, including condominium, cooperative, and other multiple-owner developments, but excluding rental apartment developments, the attorney for the applicant shall submit to the Commission a written certification of the following:

1. The applicant, or his assigns, shall comply with Chapter 825 of the Connecticut General Statutes, i.e., Connecticut Condominium Act, where such development is a condominium. For other multiple-owner developments, the applicant shall provide to prospective purchasers a public offering statement substantially conforming to Sections 4-103 and 4-104 of the Uniform Planned Community Act, as adopted August 1980 by the National Conference of Commissioners on Uniform State Laws, and as approved by the American Bar Association.
2. The applicant, or his assigns, shall establish the multifamily residential development's community association with documents in which the covenants, conditions, and restrictions will contain language that provides the same rights to dwelling unit owners within any multiple-owner development as are provided to cooperative and condominium unit owners under the Condominium and Cooperative Abuse Relief Act of 1980 (15 USC 3601-3616).

### 3.4.6 Unit Mix

- A. Applicants shall provide a variety of dwelling unit types.

**Table 3.4.5A Unit Mix**

Unit Type	% of Units
Efficiency and 1 bedroom units	60%
4 bedroom units	5% or less*
3 bedroom units	5% or less
2 bedroom units	Remainder

\* Four bedroom units are only allowed in single family dwellings.

The applicant's site development plan shall show the mix of unit types.

### 3.4.7 Parking and Access Ways

- A. Dwelling units shall be located at a distance from off-street parking as determined by the Commission. However, no dwelling unit shall be located more than ~~200~~ 100 feet from the parking spaces serving said unit.
- B. Parking shall be restricted to designated areas, which are removed from the development's principal

streets or driveways serving garages.

- C. Except for parking areas expressly designated for the physically handicapped, minimum setback shall be as in Table 3.4.6A.

**Table 3.4.7A Minimum Parking Setbacks**

<b>Between unenclosed parking space and:</b>	<b>Setba</b>
Property line	50
Centerline of the site's principal street	25
Center point of a cul-de-sac for the site's	50
Building with dwelling units	15

- D. Association rules shall limit the number of trucks and other commercial vehicles that can be parked onsite.
- E. Streets and Access Ways shall comply with the following standards:

**Table 3.4.7 B Street and Access Way Standards**

<b>Type of Street</b>	<b>Inside Turning Radius</b>	<b>Width</b>	<b>Additional Requirements</b>
Principal streets		26 feet	
Streets and access ways other than principal streets	24 feet		
Access ways and one-way streets		16 feet	Greater widths may be required if parking is contiguous to access way

1. All streets and access ways shall be installed by the applicant in accordance with Town procedures and design standards. The principal street may become a Town-owned and maintained public street if designed in strict accordance with the Town's specifications for public streets. All other streets and access ways shall be owned and maintained by the development.
2. Street and access way pavement shall be installed no closer than 10 feet from a buffer line of the parcel and no closer than 10 feet from a property line.
3. Standards may be reduced or waived in order to reduce development costs, provided there is no objection of the Town Engineer.

## **F. Ingress and Egress**

1. Points of vehicular ingress and egress shall be consistent with public safety and welfare, and shall provide no undue hindrance to the safety conditions of existing or proposed streets.
2. The Commission may require a second point of egress.

## **G. Electric Vehicle Supply Equipment (EVSE) Ready Spaces and Electric Vehicle (EV) Installed Spaces**

EVSE Ready Spaces and EV Installed Spaces shall be provided as described in 6.4.10. Minimum Number of EVSE Parking Spaces and Appendix H Electric Vehicle Supply Equipment. All garages and assigned covered spaces shall be wired as EV Ready Spaces.

### **3.4.8 Bus Shelters**

- A. In the event regular public passenger transportation will be available to residents of the development, a shelter shall be provided by the developer at a location convenient to the residents and readily serviceable by the passenger transportation operator. The design and material composition of a shelter shall be approved by the Commission. A shelter area contained within a building accessible and convenient to all residents of the development and readily serviceable by the passenger transportation operator, such as a community building, may be substituted for a free-standing structure if approved by the Commission.
- B. The Commission shall require an adequate bus shelter for children if the development may house school-aged children.

### **3.4.9 Recreation/Open Space**

#### **A. Purpose**

In order to conserve sensitive or exceptional features of the site and to afford adequate recreational facilities for the development's residents, the site development plan shall portray open space and recreational areas and facilities that provide conservation and sufficient passive and active recreational opportunities. These common areas shall be designed to meet the special requirements of the development's residents.

#### **B. General Requirements**

1. The amount and location of conservation and open space land, as well as the constitution of recreation facilities, shall be determined by the Commission. Such development may contain such facilities as: pedestrian paths; garden plots; child playgrounds or tot lots; gently sloping sports fields of sufficient size to accommodate active sports such as softball; courts for tennis, platform tennis, or basketball; and swimming pools.
2. The designated land shall be conducive to development and safe operation of the proposed recreational facilities.

#### **C. Provision for Setting Aside Land**

At least 600 square feet of developed recreation land shall be provided for each dwelling unit. This requirement shall be exclusive of the front, rear, and side yard requirements of these regulations.

#### **D. Phasing**

Any phasing of the installation of recreational facilities shall be indicated by the applicant and approved by the Commission.

## **E. Ownership**

At the discretion of the Commission, all open space shall be either dedicated to the Town or an approved nonprofit land conservation organization as an acceptable condition of application approval, or established legally as part of a community association, such to be owned and satisfactorily maintained by the association.

## **F. Conservation Areas**

Conservation areas may include stream belts, waterbodies and watercourses, wetlands, steep slopes, woodlands, flood plains, and other sensitive or exceptional natural features of the site.

### **3.4.10 Pedestrian/Bicyclist Circulation**

Safe pedestrian and bicyclist circulation shall be provided, to safely interlink the development with its own facilities and with nearby shopping, service, institutional and governmental facilities. The Commission shall determine the composition and location of sidewalks.

### **3.4.11 Use Conversions**

No multifamily residential development shall be converted to another multifamily residential use or other use except in conformity with and as permitted by these regulations. No such conversion shall be allowed until a special exception for such conversion, complete with a site development plan prepared in accordance with Section 8 Zone Change, Special Exception, and Site Plan Standards and Procedures, has been approved by the Commission. Said special exception application shall clearly show the modifications planned to improve the site for the intended purposes.

### **3.4.12 Affordability Requirements**

- A.** At least eighteen percent 18% of the housing units to be provided within the SRD shall be deed- restricted to rent or sell at prices that would make them affordable to persons or families earning eighty percent (80%) or less of the area median income as defined by the United States Department of Housing and Urban Development for a period of not less that forty (40) years. See Section 2.24 Inclusionary Zoning for additional requirements.

## **Section 5.6 Center Core Overlay Zone (CCOZ)**

### **5.6.11 Specific Requirements for Multi-family Residential Uses**

#### **A. Site Design Requirements**

1. Multi-family development within the CCOZ shall be designed to allow the integration of multi-family residential use with other approved commercial uses (including, but not limited to retail, office and recreation uses) to achieve a village-styled mixed use environment.
2. General Standards:
  - a. Multi-family residential uses shall be permitted except that such residential uses (including accessory club house, meeting rooms, fitness rooms, etc.) shall not be located on the street level of a building unless specifically approved by the Commission.
  - b. Multi-family residential units shall be either studio/efficiency units, 1-bedroom units, or 2-bedroom units. Not more than 50% of the total number of residential units shown on a Final Plan or a General Plan of Development or within a first phase of those plans shall be 2-bedroom units.

#### **B. Design Requirements**

1. Objective: Buildings shall have architectural features, patterns, materials and colors that provide visual interest, are aesthetically pleasing, are at human scale, reduce building massing to residential scale, and recognize both local and New England character architecture.
2. Standards:
  - a. Roofs shall be identifiable with roof patterns normally seen in residential structures in the local and New England area and considered to be part of an architectural period design.
  - b. Mechanical equipment, whether roof-top or building mounted or on-grade, must be installed, screened and/or located so it is not visible or is screened from public or internal streets.
  - c. A separate entrance is required for that portion of the building containing dwelling units; main entrances(s) for residents cannot be located in close proximity to commercial loading/service areas.
  - d. Domestic hot water, heating and cooling systems shall be separate for each dwelling unit.
  - e. Insulation shall be provided between units as a noise reduction measure.

#### **C. Affordability Requirements**

- B.** At least ~~ten~~ ~~fifteen~~ percent ~~10%~~ **15%** of the housing units to be provided within the CCOZ shall be deed-restricted to rent or sell at prices that would make them affordable to persons or families earning eighty percent (80%) or less of the area median income as defined by the United States Department of Housing and Urban Development for a period of not less than forty (40) years. **See Section 2.24 Inclusionary Zoning for additional requirements.**

#### **D. Multi-family Limitation**

1. Unless modified by the Commission due to excellence in village design or the provision of a significant public amenity, no more than sixty-seven percent (67%) of the total floor area on an individual parcel or within a consolidated parcel shall be used for multifamily residential development.

## Section 5.7 Center North Overlay Zone (CNOZ)

### 5.7.11 Specific Requirements for Multi-family Residential Uses

#### A. Site Design Requirements:

1. Multi-family development may be permitted within the CNOZ and shall be designed to achieve or complement a village-styled environment.
2. For a multi-family development with no mixed-use component, the maximum density shall be 4.5 units per net buildable acre.
3. In reviewing such a development, the Commission may refer to the standards and guidelines contained in Section 3.4 of these Regulations.
4. Multi-family residential units shall be either studio/efficiency units, 1-bedroom units, or 2- bedroom units. Not more than 50% of the total number of residential units shown on a Final Plan or a General Plan of Development or within a first phase of those plans shall be 2-bedroom units.

#### B. Design Requirements

1. Objective: Buildings shall have architectural features, patterns, materials and colors that provide visual interest, are aesthetically pleasing, are at human scale, reduce building massing to residential scale, and recognize both local and New England character-architecture.
2. Standards:
  - a. Roofs shall be identifiable with roof patterns normally seen in residential structures in the local and New England area and considered to be part of an architectural period design.
  - b. Mechanical equipment, whether roof-top or building mounted or on-grade, must be installed, screened and/or located so it is not visible or is screened from public or internal streets.
  - c. A separate entrance is required for that portion of the building containing dwelling units; main entrances(s) for residents cannot be located in close proximity to commercial loading/service areas.
  - d. Domestic hot water, heating, and cooling systems shall be separate for each dwelling unit.
  - e. Insulation shall be provided between units as a noise reduction measure.

#### C. Affordability Requirements

- C. At least ~~ten~~ fifteen percent ~~10%~~ 15% of the housing units to be provided within the CNOZ shall be deed-restricted to rent or sell at prices that would make them affordable to persons or families earning eighty percent (80%) or less of the area median income as defined by the United States Department of Housing and Urban Development for a period of not less that forty (40) years. See Section 2.24 Inclusionary Zoning for additional requirements.

#### D. Multi-family Limitation

1. Unless modified by the Commission due to excellence in village design or the provision of a significant public amenity, no more than sixty-seven percent (67%) of the total floor area on an individual parcel or within a consolidated parcel shall be used for multi-family residential development. Any modification would require 2/3 majority vote of the Commission.

**B. General Standards**

1. The Sullivan Avenue Mixed-Use Development Overlay Zone (SAMUD-OZ) shall be implemented through zone change/general plan of development and special exception / site plan processes in accordance with Section 8.3 (Zone Change Standards and Procedures) of these regulations. For the initial application, the zone change application / map shall be accompanied by a general plan of development (see Section 8.6.3). The second application will be for a special exception/site plan (see Section 8.6.2).
2. The SAMUD-OZ is not intended, in any way, to limit or negate the uses permitted in the underlying General Commercial Zoning District.
3. The SAMUD-OZ is an overlay zone with its own set of requirements and restrictions. The intent of the SAMUD-OZ is that the requirements of the General Commercial underlying zone (including but not limited to dimensional requirements and design criteria), apply to any proposed mix-use development unless those requirements specifically conflict with a requirement in the SAMUD-OZ, in which case the SAMUD-OZ requirement shall control.
4. All SAMUD developments shall exhibit a high standard of quality in construction detail, materials, site design, and appearance.
5. Site planning is an essential criterion. Sites developed under the SAMUD-OZ are intended to be carefully planned, both within the site's own boundaries and in relation to surrounding properties.
6. Multi-family residential uses shall be permitted. Buildings containing multi-family residential uses may include, but do not require, commercial uses located on the ground floor and/or other floors above the ground floor.
7. Multi-family residential dwelling units shall be either studio/efficiency, one-bedroom or two-bedroom units. The maximum number of two-bedroom units shall not exceed 35% of all dwelling units. The minimum number of studio/efficiency shall be 10% on a final site plan or within a first phase of those plans. No dwelling unit shall contain more than two bedrooms.
8. The floor area of the aggregate of all residential dwelling units in the proposed SAMUD development area shall be limited to a maximum ratio of 2:1 to the commercial floor area shown on the submitted site plan. Facilities for the sole purpose of support for a multi-family residential use, such as clubhouse, meeting rooms, offices, garage space, carports, storage bins, etc., and habitable attics, shall not be counted as either residential or non-residential floor area in determining compliance with the ratio. Commercial uses may exceed this ratio. Residential uses may not exceed this ratio. This is to ensure that there is a balance between commercial and residential uses on the site. Commercial uses shall be in new buildings or buildings undergoing substantial renovation.
9. The construction of a development may be approved by the Commission to be undertaken in phases. Projects shown on an approved SAMUD site plan of development which are to be constructed in phases shall generally require development of both residential and commercial buildings which maintain the minimum floor area ratio between both. The applicant shall submit a plan for ensuring conformity with Section 4.1.9.B.2.c. (residential to commercial ratio) including the phasing and timelines of the construction elements. Said plan and sequencing must be approved by the Commission. The Commission may require surety to establish regulatory compliance. In its approval, the Commission may require measures to be taken, including but not limited to, the withholding of building permits and/or certificates of occupancy to enforce approved timelines, percentages, and other conditions of approval.

10. The size of a multi-family residential use which is under construction at any one time may be limited by the Commission during the approval process by requiring phasing of construction and/or a reduction in the number of residential units to be built in any phase to an amount not exceed 70 residential units per phase as shown on the site plan.
- D.** Said development shall contain no more than 125 residential dwelling units. Developments shall have at least ~~10%~~ **fifteen percent 15%** of the dwelling units deed restricted to rent or sell at prices that would make them affordable to persons or families earning eighty percent (80%) or less of the area median income as defined by the United States Department of Housing and Urban Development for a period of not less than forty (40) years. Maximum units for the entire zone is 125 units. **See Section 2.24 Inclusionary Zoning for additional requirements.**
11. Each residential unit shall require a minimum of 200 square feet of open space within the site. Such open space may be for recreation purposes (active or passive, including recreational amenities, e.g., clubhouse or pool), or for preservation of natural features (wetlands, wooded areas, open lawns, etc.), or both. Regulated wetlands cannot exceed 20% of the credited open space.
12. All multi-family residential communities within the SAMUD and containing over fifty (50) dwelling units within the SAMUD, in aggregate, shall provide amenities such as, but not limited to a clubhouse, pool, or exercise/workout area. Said amenities may be provided within an adjoining commercial development within the SAMUD, however, those amenities within an adjoining commercial development shall be available for use by right of the residents; and shall not apply toward the minimum required area of open space within the site.
13. All parking lots must be designed to provide safe and convenient pedestrian and bicycle access as part of any parking lot and site design, including safe and convenient pedestrian and bicycle movement to and from public walkways, bikeways or streets, and between developed lots, consistent with Section 6.7 of these regulations. Bicycle parking shall be in accordance with guidelines of the Association of Pedestrian and Bicycle Professionals (APBP) for short-term parking. Bus shelters shall be required in appropriate locations.
14. Parking shall be provided at a minimum overall rate of 1.7 spaces per dwelling unit. However, if commercial parking areas adjacent to the residential buildings are available for shared parking, than parking shall be provided at a minimum rate of 1.75 spaces per two-bedroom dwelling unit, 1.25 spaces per one-bedroom unit, and 1.0 space per studio /efficiency unit. Parking may be designated in attached or detached garages, in carports, or in surface parking lots. Parking for all commercial uses shall be as required by the zoning regulations. (see Table 6.4.3B). Unenclosed parking of recreational vehicles, boats, or trailers shall be prohibited within a proposed residential community, but may be provided within a well screened area adjacent to the SAMUD's commercial uses, e.g. to the rear of a principal commercial building. EVSE Ready Spaces and EV Installed Spaces shall be provided as described in 6.4.10. Minimum Number of EVSE Parking Spaces and Appendix H Electric Vehicle Supply Equipment. All garages and assigned covered spaces shall be wired as EV Ready Spaces.
15. Infrastructure improvements such as utilities, roadways, and related improvements shall conform to Town standards. Twenty-four foot pavement width for private streets and driveways is acceptable. Parking spaces, landscaped islands, dumpsters, lighting, and common drives may be place in locations which straddle or are in close proximity to internal SAMUD property lines. In limited areas, residential and commercial parking may be allowed contiguous to a perimeter circulation road. Standards may be reduced or waived as deemed appropriate and approved by the Commission. All utilities shall be underground. Any solid waste stations (dumpsters) shall be placed on a concrete pad, appropriately screened, and maintained. The location and design of the screening or enclosure shall be shown on the site plan.



16. Maximum property size is twenty (20) acres. Minimum property size is fifteen (15) acres, however, SAMUD's may be subdivided into no more than two contiguous parcels independently meeting the minimum lot and are requirements of the General Commercial Zoning District (see Table 4.1.6A), provided all necessary easements for cross travel (motor vehicle, bicycle, and pedestrian), drainage, grading, and utility services are established, and the overall SAMUD, including all parcels, is developed in a coordinated fashion.
17. Roadways and utilities: All roads and utilities within the site development shall be owned and maintained by the owner(s) of the SAMUD, an association or other entity formed to carry out maintenance, a utility company, or a combination of same, but not the Town of South Windsor.
18. Except along public streets, required buffers, in accordance with Section 6.2, shall be provided between the overall SAMUD site and any adjacent residentially zoned or commercially zoned property which is not in common ownership with the SAMUD, or any lot therein. Buffers are not required between residential and commercial uses within the SAMUD. Buffers are not required between parcels within the SAMUD development. Minimum buffer width is fifty (50) feet. Yards are in addition to buffers.
19. Maximum stories in a building shall be three (3), maximum commercial or commercial / residential (buildings containing both uses) impervious coverage shall be 65%, maximum residential impervious coverage shall be 60%, maximum lot coverage shall be 40%, and maximum building height shall be 45 feet. Residential buildings adjacent to a single-family zone or development shall not exceed 2 ½ stories.
20. Maintenance and operation agreements addressing the long term maintenance shall be provided.

### 6.4.3 Minimum Number of Parking Spaces

In all districts, the minimum number of parking spaces shall be provided in accordance with the following schedules:

**Table 6.4.3A Minimum Required Parking Spaces – Residential Uses**

Use - Residential	Minimum Required Parking Spaces
One and Two-Family Dwellings including Accessory <del>or In-Law Apartments</del>	2 spaces per dwelling unit
<del>Multi-family Dwellings</del> , Senior Residence Developments <sup>(1)</sup>	2 spaces per dwelling unit
Multi-family Dwellings / SAMUD-OZ <sup>(3)</sup>	1.7 spaces per dwelling unit, however, if shared parking, 1.75 spaces per two-bedroom dwelling unit, 1.25 spaces per one-bedroom dwelling unit, and 1.0 space per studio / efficiency dwelling unit
Assisted Living <sup>(2)</sup>	1 space per 2 dwelling units
Bed and Breakfast	1 space per guest bedroom
Home Occupations, Home Offices	1 space per 160 square feet, or fraction thereof, of building floor area devoted to such use
Elderly Housing	1 space per living unit plus 1 per employee
Independent Living	1.25 spaces per dwelling unit
<sup>(1)</sup> The Commission reserves the right to require up to 2½ spaces per dwelling unit. In addition to the minimum number of parking spaces required for passenger vehicles, the Commission may require a special area containing at least 1 parking space for every 10 dwelling units for the storage of recreational vehicles, boat trailers, and the like. This area may also be used for the parking of visitors' vehicles. <sup>(2)</sup> The site plan shall demonstrate reserve parking equal to the primary parking in the event that additional parking is needed. (Shared parking facilities may be used to satisfy this requirement.) <sup>(3)</sup> See Section 5.10 Specific requirements for a Sullivan Avenue Mix-Use Development in the GC Zone	

### PA 21-29 opt out request of parking requirements

Reduced parking requirements: Public Act 21-29 requires that zoning must not require parking in excess of 1 space per studio or 1-bedroom unit, or 2 spaces for larger housing units, unless a municipality opts out of this requirement through a two-step process requiring action by both the (planning and) zoning commission and the governing body (board of selectman in town meeting municipalities). This proposal would be “opting” out of as parking requirement is not based on bedroom counts.

## **Section 7.3 Assisted Living Facilities / Independent Living Facilities**

### **7.3.5 Bulk Requirements**

#### **A. Lot Size/Frontage/Yards/Setbacks**

Requirements are as established in the underlying zone.

#### **B. Building Size/Height/Maximum Number of Units**

Maximum size of an Assisted Living Facility shall be 70,000 square feet gross floor area (180,000 square feet gross floor area in GD zone). Building height is limited to the height limitations in the underlying zone. However, in any commercial zone with a maximum building height of 2 stories (30 feet) an Assisted Living Facility / Independent Living Facility may be increased in height to three stories (45 feet) if the front yard setback is increased to at least 125 feet. Maximum number of units within a facility is 100 (140 in the GD zone).

#### **C. Maximum Impervious Coverage**

Maximum impervious coverage in commercial zones is 50%. Maximum impervious coverage in residential zones is 25%. Green space in residential zones is intended to be located between the Assisted Living Facility / Independent Living Facility and abutting residences.

#### **7.3.10 Affordable Units**

At least fifteen percent (15%) of the housing units to be provided shall be deed- restricted to rent or sell at prices that would make them affordable to persons or families earning eighty percent (80%) or less of the area median income as defined by the United States Department of Housing and Urban Development for a period of not less than forty (40) years. See Section 2.24 Inclusionary Zoning for additional requirements.

**7.7.1 Purpose**

The purpose of this special use is to provide housing particularly suited to the needs of the elderly citizens; such use to be located in reasonable proximity to such shopping and services as are required by elderly persons; such use to be designed to provide a pleasant environment for habitation; and such use shall be in conformity with the general framework and intent of the Town Plan of Conservation and Development for South Windsor.

The site shall be on Town-owned property or on premises approved by the Public Housing Authority with restrictive covenants guaranteeing appearance and property maintenance approved by the Public Housing Authority and the Commission. The covenant must be filed on the land records and must be in effect as long as the property is zoned for elderly housing.

**7.7.2 Procedure**

- A. Application for this use may be filed only by the Public Housing Authority of South Windsor individually or in conjunction with a proprietary entity.
- B. The Commission shall be guided by the requirements of this section when reporting on the mandatory referral for acquisition of the housing sites under the General Statutes of Connecticut.
- C. The Public Housing Authority individually, or in conjunction with such proprietary entity, shall submit to the Commission a site development plan in accordance with Article 8 Zone Change, Special Exception, and Site Plan Standards and Procedures, and such plan must be approved prior to the issuance of a building permit.

**7.7.3 Improvements**

- A. Utilities, streets, and related improvements shall generally conform to Town procedures and design standards; however, 24-foot pavement width is acceptable, and other standards may be reduced or waived in order to reduce development costs, provided there is no objection of the Town Engineer. All utilities shall be underground. ~~Sidewalks shall only be required where deemed necessary by the Commission.~~ Public sewer and water services shall be required.
- B. Sidewalks shall be provided for internal circulation within the project and connection to the street frontage. Sidewalks shall be constructed to the specifications of the Town of South Windsor.
- C. Where, in the judgment of the Commission, off-street improvements to the municipality's infrastructure (including, but not limited to, streets, sidewalks, storm drainage facilities, illumination, or other systems) are required in order to minimize the adverse impacts of the development on the infrastructure, or to ensure the development will function adequately, such improvements shall be installed at the expense of the applicant.

**7.7.4 Location**

The site shall be on Town-owned property or on premises approved by the Public Housing Authority with restrictive covenants guaranteeing appearance and property maintenance approved by the Public Housing Authority and the Commission. The covenant must be filed on the land records and must be in effect as long as the property is zoned for elderly housing.

**7.7.5 Area and Dimensional Requirements**

**Table 7.7.5A Area and Dimensional Requirements**

Minimum Lot and Area Requirements						Maximum
Use	Lot Area (sq. ft.)	Frontage <sup>(1)</sup> (feet)	Front Yard <sup>(2)</sup> (feet)	Rear Yard <sup>(3)</sup> (feet)	Side Yard <sup>(3)</sup> (feet)	Impervious Coverage
Elderly Housing	2 acres	200	50	10	10	40%
<p><sup>(1)</sup>Lots with frontage on Buckland Road or Sullivan Avenue have a minimum lot width of 150 feet. Where the requirements of Table 7.7.5A are greater, the Table 7.7.5A requirements apply.</p> <p><sup>(2)</sup>Lots with frontage on Buckland Road or Sullivan Avenue have a minimum front yard setback of 50 feet. Where the requirements of Table 7.7.5A are greater, the Table 7.7.5A requirements apply.</p> <p><sup>(3)</sup>Buffers are in addition to required side/rear yards.</p> <p>Minimum setback between dwellings shall be 20 feet.</p>						

The site shall have a minimum of 200 feet of frontage on a public street. The minimum frontage requirement may be reduced by one foot for every 2 feet by which the development's front yard setback is increased; provided, however, that the frontage is not reduced to less than 100 feet. Where the increased setback/reduced frontage provision is used, no pavement/parking areas/impervious areas shall be allowed within the additional setback area.

Maximum density for a development shall be 10 units/acre multiplied by the net buildable acreage of the parcel. All calculations of proposed density must appear on the Site Plan of Development, and are arrived at by multiplying the requested density by the net buildable acreage (see Section 10, Definitions).

Minimum setbacks between accessory buildings (such as storage sheds or garages) and buildings containing dwelling units shall be consistent with good design relative to fire safety, emergency access, function, and aesthetics, as approved by the Commission. The setbacks shall vary depending upon the height of the buildings and the placement of windows on the side of the buildings in question.

#### 7.7.6 Project/Units Cap

- A. The maximum number of units in any development shall be 102 units. The Commission may grant a waiver to increase the number of units in a development to 200 units after finding:
  1. Traffic impact will not be detrimental to the surrounding neighborhood.
  2. The site is appropriate for a larger development.
  3. The increase will not create adverse impacts on surrounding property values.
- B. The cumulative total of units in all developments cannot exceed 500 units.

#### 7.7.7 Living Area

In calculating space requirements for elderly occupancy, the following areas shall be considered minimum:

**Table 7.7.7A Space Requirements for Elderly Housing**

Occupancy (persons)	1	2	2 or more
Description	Efficiency	1	2 BR
Room Count <sup>(1)</sup>	3	3 ½	4 ½
<sup>(1)</sup> Room count for living, dining and kitchen is 2 ½. <sup>(2)</sup> Special occupancy, covering situations such as 2 single related persons, two-person families whose physical condition requires separate sleeping accommodations, and single persons requiring sleep-in companions or care assistants.			

#### 7.7.8 Recreation

Recreation area(s) shall be provided for the use of the residents. The recreation area(s) shall be designed for the special needs of elderly persons. Such uses as walking trails, sitting areas and a community room are examples of recreation areas.

#### 7.7.9 Pedestrian/Bicyclist Circulation

Sidewalks shall be provided for internal circulation within the project and connection to the street frontage. Sidewalks shall be constructed to the specifications of the Town of South Windsor.

#### 7.7.10 Parking and Access.

At least 1 parking space for each 4 dwelling units shall be provided, however, at the discretion of the Planning and Zoning Commission, this may be increased up to 1 parking space for each dwelling unit.

#### 7.7.11 Landscaping and Buffers

Required buffers may at the discretion of the Commission be coterminous with the yards, provided the combined yards and buffer are no less than 25 feet in width, site conditions support such (e.g., site is contiguous to open space, permanent buffers and/or mature vegetation), and large trees are saved or planted within the buffer (6" minimum caliper on deciduous trees, 15 feet minimum height on coniferous trees, spaced no more than every 30 feet, or at a somewhat greater distance if more appropriate given the species). Buffers may contain separations between trees in order to preserve vistas for unit occupants, where applicable.

## Section 7.14 Open Space Subdivisions

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### 7.14.1 Purpose

The purpose of an open space subdivision is to ensure that residential development in South Windsor, to the extent reasonably possible, preserves open space and the natural features of the land including agricultural soils, wetlands, watercourses, and the rural character of the community, without increasing over- all density. In the interest of promoting these objectives, development may be permitted on lots of lesser dimension than would otherwise be required by Article 3, if the conditions set forth in this section are met.

**Previously Approved Subdivisions** – All open space subdivisions approved prior to 8/1/99 shall meet the Open Space Subdivision Standards in effect on 7/31/99. **All open space subdivisions approved between 8/1/99 and XXXX shall meet the Open Space Subdivision Standards in effect after 8/1/99 (See Appendix A)**

### 7.14.2 Establishment of Open Space

All land within the RR, A-30, A-40 and AA-30 zones is eligible for a Special Exception for an open space subdivision. General Eligibility Requirements for a Special Exception

1. An open space subdivision shall only be permitted in the RR, A-40, A-30 and AA-30 zones. (Where the Commission approves a Special Exception for an open space subdivision, the dimensional requirements (lot area, width/frontage, and required yards) of the underlying zones, outlined in Section 3.1.2 Residential Area, Density, and Dimensional Requirements, are hereby superseded in their entirety.)
2. An open space subdivision shall consist of parcels of land containing no less than 6 contiguous acres.
3. An open space subdivision must provide for the preservation of open space in accordance with the requirements of these regulations and the requirements of Section 4 of the Subdivision Regulations

### 7.14.3 Pre-Application Conference

- A. Prior to the submission of an application for an open space subdivision, the applicant must initiate a pre-application conference with the Commission and its staff to discuss the conceptual aspects of the proposed development, and to prepare and present a preliminary plan for informal consideration by the Commission. The preliminary plan shall be designed to allow the Commission to make a general comparison between the open space subdivision and a conventional development plan, and should contain all necessary information to facilitate the comparison such as potential lot layout for both conventional and open space subdivision; regulated wetlands; topography and areas of steep slopes; wooded areas; other permanently-preserved open space within the vicinity of the proposed subdivision; existing rights-of-way, road stubs, and potential roadway interconnections to existing streets; and any other relevant information. The plan must incorporate the design guidelines contained within these regulations and must reflect the preservation guidelines from the Town Plan of Conservation and Development, the Open Space Master Plan, the Recreation Master Plan, and/or the Agricultural Preservation Master Plan, as applicable.
- B. Neither the pre-application conference, the informal review of the preliminary plan, nor the Commission's suggestions shall be deemed to constitute approval or denial of any portion of the application.

## Section 7.14.4 Open Space Subdivision

- A. In all open space subdivisions, a minimum of 50% of the site shall be preserved as open space. At least 20% of this open space must be free of wetlands, watercourses, water bodies, flood plain zones, and slopes in excess of 20% that extend 100 linear feet or more. The Commission, in its sole discretion, may permit non-commercial recreational uses within the open space, provided that such uses are consistent with the

preservation of the restricted area and the character of the neighborhood. The Commission may also permit activities and accessory structures necessary to support open space and agricultural uses.

- B. The Commission may modify any application so as to designate open space in locations other than those proposed if such modification will further the conditions and requirements set forth in Section 7.14.7.
- C. To determine the maximum number of lots permitted in an open space subdivision, the total area to be developed shall be reduced by subtracting:
  1. 50% of the wetlands, watercourses, water bodies, flood plain zones;
  2. 100% of slopes in excess of 20% that extend 100 linear feet or more;
  3. 10% of the total area for roadways **including ROW**; and
  4. 100% of all designated use areas other than single-family lots and open space.

The remaining area shall be divided by the minimum conventional lot size permitted in the zone in which the subdivision is proposed.

#### Example

Zone:	RR - 40,000 sq. ft. lots required
Property Size:	100 acres
Less wetlands, slopes,	-22 acres
Less 10% for roads:	-10 acres
Net acreage:	68 acres
Number of lots allowed:	68 acres $\div$ 40,000 sq. ft. = 74 lots or the maximum that a conventional layout plan shows, whichever is less

- D. Notwithstanding the number of lots produced by this formula, an open space subdivision cannot result in the creation of more lots than would occur in a standard subdivision as demonstrated with a conventional subdivision layout concept map prepared by the applicant.

#### 7.14.5 Bulk Requirements

- A. All parcels created by an open space subdivision plan shall be counted as buildable lots unless specifically restricted from residential use.
- B. Lot arrangement and dwelling unit design shall avoid juxtaposition of lots such that dwelling units are “stacked” behind other dwelling units. The applicant may propose, and the Commission may approve, lots behind other lots only with substantial vegetative screening between such lots. “Stacked” dwelling units shall not be readily apparent from a public street.

**Table 7.14.5A**  
**Lot Area, Frontage and Yard Requirements – Open Space Subdivisions**



Minimum Lot Area	
RR, A-40	<del>20,000 square feet</del> 25,000 sf
A-30, AA-30	<del>15,000 square feet</del> 20,000 sf
Minimum Lot Frontage	<del>75 feet</del> 110 feet
Minimum Front Yard	<del>40 feet</del> 50 ft
Minimum Side Yard	<del>40 feet</del> 15 ft
Minimum Rear Yard	<del>20 feet</del> 40 ft
Maximum Lot Coverage	
RR, A-40, AA-30, A-30	20%

## **Add Section 7.17 Senior Residence Development (SRD)**

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### **7.17.1 Purpose**

The purpose of this section is to:

1. ~~Ensure an adequate~~ Increase the supply of affordable senior housing in South Windsor.
  2. Promote well-planned, innovative developments that become aesthetically pleasing senior residential environments.
  3. Recognize that not all of the housing needs of our community's elderly population can be met through public elderly housing.
  4. Provide for a greater variety of housing for South Windsor's senior residents.
  5. Foster small senior developments that can be nestled into neighborhoods with minimal impact on surrounding properties. It is intended that these developments be distributed throughout the town.
- B.** Upon application of the owner of the land or the owner's duly authorized agent, the Commission may, in appropriate cases and subject to appropriate modifications and safeguards prescribed by it, grant a Special Exception/Site Development Plan approval subject to the requirements of these regulations. Applications for an SRD Special Exception may be approved if the Commission determines that the criteria listed in Article 8 are met as well as the following criteria:
1. The SRD proposal will help meet senior housing needs of South Windsor.
  2. The location of the SRD facility is within reasonable proximity to community facilities or amenities that serve the needs of elderly residents, or is within reasonable proximity to indoor/outdoor activity centers, or is within close proximity to or contains permanent open space land.
  3. The SRD facility has been designed to meet the needs of handicapped residents or visitors.

### **7.17.2 Improvements**

- A.** Utilities, streets, and related improvements shall generally conform to Town procedures and design standards; however, 24-foot pavement width is acceptable, and other standards may be reduced or waived in order to reduce development costs, provided there is no objection of the Town Engineer. All utilities shall be underground. Sidewalks along the primary drive shall be required. Public sewer and water services shall be required.
- B.** Where, in the judgment of the Commission, off-street improvements to the municipality's infrastructure (including, but not limited to, streets, sidewalks, storm drainage facilities, illumination, or other systems) are required in order to minimize the adverse impacts of the development on the infrastructure, or to ensure

the development will function adequately, such improvements shall be installed at the expense of the applicant.

### **7.17.3 Form of Ownership/Occupancy**

Ownership of an SRD development is limited to common interest community form of ownership, or all dwelling units shall be owned by one entity for the purpose of rental apartments. (If a common interest community, the development shall comply with Chapter 828 of the Connecticut General Statutes, i.e., Common Interest Ownership Act, and all other state and local common interest community regulations, as may be appropriate.) All land except that in the approved exclusive use areas shall be owned by the common interest community or owned by one entity if a rental apartment complex. At the discretion of the Commission, environmentally sensitive or open space land may be deeded to the Town of South Windsor or to a non-profit organization that will protect it in perpetuity.

### **7.17.4 A. Bulk Requirements**

**Table 7.17.4A Minimum and Maximum Lots and Yards**

Minimum Lot and Area Requirements						Maximum
Use	Lot Area (sq. ft.)	Frontage <sup>(1)</sup> (feet)	Front Yard <sup>(2)</sup> (feet)	Rear Yard <sup>(3)</sup> (feet)	Side Yard <sup>(3)</sup> (feet)	Impervious Coverage
Senior Residence District	none	200	50	40	40	60%
<sup>(1)</sup> Lots with frontage on Buckland Road or Sullivan Avenue have a minimum lot width of 150 feet. Where the requirements of Table 7.17.4A are greater, the Table 7.17.4A requirements apply. <sup>(2)</sup> Lots with frontage on Buckland Road or Sullivan Avenue have a minimum front yard setback of 50 feet. Where the requirements of Table 7.17.4A are greater, the Table 7.17.4A requirements apply. <sup>(3)</sup> Landscaping required in setback areas.						

The site shall have a minimum of 200 feet of frontage on a public street. The minimum frontage requirement may be reduced by one foot for every 2 feet by which the development's front yard setback is increased; provided, however, that the frontage is not reduced to less than 100 feet. Where the increased setback/reduced frontage provision is used, no pavement/parking areas/impervious areas shall be allowed within the additional setback area.

### **7.17.5 Project/Units Cap**

The maximum number of units in any development shall be 25 units. The cumulative total number of units in all developments cannot exceed ~~250~~ 350 units.

### **7.17.6 Density**

- E. There is no minimum parcel size. The SRD shall not contain more than 20 residences (or 25 residences if an on-site community room with a minimum 1,000 square feet is provided with a bathroom and kitchenette), and shall not be contiguous to another SRD or similar senior development. (There must be either (1) minimum separation distance of 200 feet from property boundary to property boundary, or (2) separation by a public street).
- F. Maximum density for a development consisting solely of multifamily units shall be 5 units/acre multiplied by the net buildable acreage of the parcel. Maximum density for a development consisting solely of single-family units shall be 3 units/acre multiplied by the net buildable acreage. Maximum density for a development of mixed multifamily and single-family units shall be 4 units/acre multiplied by the net

buildable acreage.

- G. All calculations of proposed density must appear on the Site Plan of Development, and are arrived at by multiplying the requested density by the net buildable acreage (see Article 10 Definitions).
- H. Affordability Requirements -At least fifteen percent 15% of the housing units to be provided within the SRD shall be deed- restricted to rent or sell at prices that would make them affordable to persons or families earning eighty percent (80%) or less of the area median income as defined by the United States Department of Housing and Urban Development for a period of not less that forty (40) years.

#### **7.17.7 Architectural Considerations**

- A. All dwellings shall share a common exterior architectural theme and compatibility. Architecture shall also be compatible with architecture in the surrounding neighborhood.
- B. No building shall contain more than 6 dwelling units.
- C. Studio or efficiency units are prohibited.
- D. Maximum unit size for all units shall be 2,000 square feet. The number of units exceeding 1800 square feet shall not exceed 30%. The minimum number of units 1,400 square feet or less per development shall be 30%.
- E. Full basements are required for storage, except this requirement may be waived for a dwelling unit if a garage is provided for the dwelling unit containing at least 60 square feet of storage in addition to parking for 1 vehicle.

#### **7.17.8 Bus Shelters**

- A. In the event regular public passenger transportation will be available to residents of the development, a shelter shall be provided by the developer at a location convenient to the residents and readily serviceable by the passenger transportation operator. The design and material composition of a shelter shall be approved by the Commission as part of the Site Plan application.
- B. A shelter area contained within a building, accessible and convenient to all residents of the development and readily serviceable by the passenger transportation operator, such as a community building, may be substituted for a free-standing structure if approved by the Commission.

#### **7.17.9 Landscape Plan**

Landscape Plan. A landscape plan, portraying all landscaping elements, shall be submitted with the Site Plan application. This plan shall be prepared by a qualified landscape professional. Suitable landscaping, including lawns and nursery-grown trees and shrubs, designed to be low-maintenance wherever possible, is required in all areas not covered by impervious surfaces, except that the Commission allow maintenance of existing natural vegetation in lieu of this requirement.

Landscape Plan Inclusions. The landscaping plan shall include a listing and count of all trees and shrubs to be planted, by common and botanical names, size (caliper, height, time until maturity) at planting, and height and spread at maturity. Large trees and stands of mature trees and shrubs are to remain undisturbed where practical and desirable. All trees and shrubs to remain undisturbed shall be tagged, or otherwise identified, in the field prior to commencement of site work, and shall be shown on the landscape plan.

Maintenance of Landscaping. All landscaping elements included on the approved landscaping plan shall be maintained in a manner sufficient to ensure its continuing performance and the survival of all plantings.

**Senior Residence Development REFERENCES TO THE FOLLOWING SECTIONS:**

Add to:

Table 3.1.1A Residential Zones – Permitted Use table by Special Exception;

Section 6.1.1; Applicability

Table 6.4.3A; Minimum Required Parking Spaces – Residential Uses

Table 6.4.10C; Minimum Required EVSE Parking Spaces – Residential Uses

Table 6.5.7A Residential Sign Requirements

Modify Appendix G – effective for SRD’s adopted prior to \_\_\_\_\_

## Multifamily Assisted Housing in Residential/Commercial Zones (MAHZ)

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### 7.22.1 Purpose

The purpose of this Special Regulation is to provide multifamily housing that will constitute governmentally-sponsored and publicly-financed 'assisted housing' as defined in Connecticut under General Statutes 8-30g, on land presently zoned **Residential/Commercial** and as an alternative to multifamily housing provided under South Windsor's existing multifamily residential zones and uses. The application must qualify as "assisted housing" under CGS 8-30G.

### 7.22.2 Procedure

**A.** An application for the use as Multifamily Assisted Housing in the **Residential/Commercial** Zone shall require a **zone change**, special exception and site plan approval in accordance with these Zoning Regulations. **At the time of the zone change application, the applicant shall submit a conceptual site plan describing the proposed development's total number of residential units and their arrangement on the property, the proposed development roads and traffic circulation, sewage disposal and water supply.**

#### **B. Uses Permitted**

In an MAHZ, no land, building, or structure shall be used, and no building shall be hereafter erected, altered or added to, except as provided in these Zoning Regulations, and may be used only for one or more of the following uses:

##### 1. Principal Uses

A maximum of eighty (80) one (1) bedroom and two (2) bedroom multifamily dwelling units, of which will constitute 'assisted housing' in compliance with General Statutes 8-30g.

Overall density of the development shall not exceed fifteen (15) units per net buildable acre.

##### 2. Accessory Structures and Uses

- a. Decks and patios
- b. Pergolas
- c. Bus Shelter
- d. Other structures and uses not listed above, customarily accessory to a multifamily residential use

### 7.22.3 Improvements

**A.** Streets and related improvements shall generally conform to Town procedures and standards. However, 24-foot pavement width is acceptable for streets and 18-foot pavement width is acceptable for one-way streets at the entrances to and exists from the development.

**B.** Public water and sewer must be available for the property either directly or by extension and connection to an existing sewer line, and all units must be connected to the sewer and water lines. Utilities shall conform to the requirements of Sections 6.6.1, 6.6.2 and 6.6.6 of the Zoning Regulations.

**C.** No Zoning Certificate of Compliance shall be issued for any dwelling unit unless and until such unit has been connected to a public water supply, suitable power supply, and a public sanitary sewer line.

D. Storm drainage shall conform to the requirements of Section 6.6.5 of the Zoning Regulations.

#### 7.22.4 Location, Land Area, and Frontage

**A. Location** Only a parcel of land zoned ~~AA-30~~ RR Residential and abutting real property on which there is an existing multifamily development shall be proposed for inclusion in a MAHZ. **Commercial properties adjacent to residential areas may be considered for a MAHZ.**

##### **B. Land Area**

The total area of a parcel to be rezoned MAHZ shall be a minimum of **four (4) acres of land**, and a maximum of fifteen (15) acres.

##### **C. Frontage**

A parcel proposed for inclusion in a MAHZ shall have a minimum of ~~500~~ **400** feet of frontage on a **state collector road or state highway.**

#### 7.22.5 Building Height

The maximum building height of a principal building in a MAHZ **where residential is the underlying zone** shall be **thirty-five feet (35)** and shall not exceed two (2) stories. **Buildings where commercial is the underlying zone shall be governed by height restrictions in that zone.**

#### 7.22.6 Coverage

##### **A. Maximum Impervious Coverage**

Impervious coverage for any parcel comprising a MAHZ development shall not exceed fifty percent (50%) of the total land area in residential zones **and sixty percent (60%) in commercial zones.**

##### **B. Maximum Lot Coverage**

Building coverage for any parcel comprising a MAHZ development shall not exceed fifteen percent (15%) of the total land area; **twenty-five (25%) in commercial zones.**

#### 7.22.7 Consolidated Parcels

##### **A. Purpose**

In the interest of promoting development continuity, the consolidation of contiguous parcels is encouraged. 'Consolidation' is defined here as the integration of two (2) or more individually owned parcels into a single Consolidated Parcel for the purposes of creating a shared-use arrangement of selected site components, e.g. common points of access/egress, pedestrian sidewalks and pathways, drive passage, parking, loading/unloading, building coverage, and yards.

##### **B. Integrated Plan**

1. A Consolidated Parcel shall be developed with an integrated plan of buildings, parking, loading and unloading, and open space.
2. The owner of each lot shall give to the owner of each lot in the consolidated parcel by deed, easement, or agreement filed in the Office of the Town Clerk, the right of entrance, exit, passage, parking, and loading.

## C. Yards

Notwithstanding the provision of Section 7.22.8.C, side or rear yard requirements may be ignored along common boundaries of Consolidated Parcel

### 7.22.8 Building Setbacks

- A. No principal building, structure, or use shall extend closer than fifty (50) feet from any street line.
- B. The front yard setback may be reduced by not more than ten (10) feet for building features such as entrances, architectural features, cornices, roof overhangs, chimneys, or for decks/patios.
- C. With regard to side or rear yards that are not located along a common boundary of a Consolidated Parcel, no principal building, accessory building, structure, or use shall extend closer than ten (10) feet from any side or rear lot line.
- D. Developments adjacent to residential zones shall have a minimum of 50 foot side yard setback; however, this distance can be reduced to 25 feet if the adjacent land is placed into a permanently conservation easement or similar. Developments adjacent to commercial zones/properties shall have a minimum of 25 foot side yard setback. This setback can be inclusive of required screening.

### 7.22.9 Open Space

Each MAHZ development shall preserve, by conservation easement or dedication to a nonprofit land conservation organization, a minimum of ~~30~~ 20 percent of the parcel zoned or to be zoned MAHZ. Emphasis shall be on the preservation of sensitive environmental areas, such as wildlife habitat, flood plain, wood- lands, or stream belts, including areas near or adjacent to other conservation land, and land visible, in whole or in part, from a public street. Such development on the subject property or in conjunction with abutting properties shall provide pedestrian pathways across open space and to amenities such as retail stores, restaurants, medical offices, personal service establishments, financial institutions, libraries, grocery stores, or a post office.

The Commission may modify this percentage based on site location in commercial areas that currently have sidewalk connectivity to open space and amenities.

### 7.22.10 Parking and Circulation

- A. Parking in a MAHZ shall be provided at no less than 1.70 spaces per dwelling unit. This can be reduced to 1.5 spaces per dwelling unit when this site is within 1,000 feet of a bus stop.
- B. The width, location, and arrangement of driveways and other access ways and parking shall be consistent with public safety and welfare, and shall provide suitable access to fire apparatus or other emergency vehicles.
- C. Handicapped parking shall be provided in accordance with the requirements of the Connecticut General Statutes. Handicapped parking spaces shall generally be associated with handicapped-accessible units or with building entrances designed for handicapped access.

### 7.22.11 Signage

- A. An MAHZ development may have one (1) two-sided sign architecturally compatible with the development, with an area up to 32 square feet on each side.

**B.** All other signage regulation outside of the monument sign shall apply.

#### 7.22.12 Outdoor Lighting

Outdoor lighting in a MAHZ development shall comply with the requirements of Section 6.3 of the Zoning Regulations.

#### 7.22.13 Landscaping, Buffering, and Sidewalks

##### **A. Landscaping, Buffering, and Screening**

Landscaping shall conform to the requirements of Sections 6.2.1, 6.2.2 and 6.2.3 of the Zoning Regulations. Buffering and screening shall be designed to reasonably mitigate visual, noise and other impacts, but there shall be no minimum buffer width, and Section 6.2.4 shall not apply.

##### **B. Sidewalks**

Sidewalks shall be provided within a MAHZ development. All sidewalks within a MAHZ development shall have a minimum width of four (4) feet, and a minimum width of five (5) feet adjacent to parking spaces.

**In commercial areas, if the site entrance drive is less than 1,000 ft to a bus stop, then sidewalks shall be provided along that route within the public right of way.**

#### 7.22.14 Earth Filling and Excavation

Earth filling and excavation shall comply with Sections 7.6 and 7.16 of the Zoning Regulations, provided that a separate permit shall not be required, and site plan approval under this subsection will constitute approval to carry out filling or excavation necessary to construct the site plan.

#### 7.22.15 Required Amenities

##### **A. Refuse Area**

Refuse collection areas shall be provided and conveniently located for all units. The collection areas shall be properly screened and supplied with covered receptacles.

##### **B. Mail Boxes**

Mail boxes shall be provided and conveniently located for all units, as determined by the U.S. Postal Service.

##### **C. Bus Shelter**

1. In the event regular public passenger transportation will be available to residents of the development, a shelter shall be provided by the developer at a location convenient to the residents and readily serviceable by the passenger transportation operator. The design and material composition of a shelter shall be approved by the Commission. This bus shelter may be the same shelter as the school bus shelter described below.
2. An adequate bus shelter for school children shall be provided.

#### 7.22.16 Architectural Design

The architectural design, scale, and mass of buildings and other structures, including, among other elements, the exterior building material, color, roof-line and building elevations, shall be residential in character so as to harmonize and be compatible with the neighborhood, to protect property values in the neighborhood, and to preserve and improve the appearance and beauty of the community. Pitched roofed



buildings shall be encouraged. Roof-top mechanical equipment, other than solar energy panels, shall be screened from all sides.

#### 7.22.17 Affordability Plan Compliance with General Statutes 8-30g

The purpose of the MAHZ is to facilitate a residential community comprised of rental units with household income and monthly rent limits. It is intended that the restricted units will qualify as ‘assisted housing’ in compliance General Statutes 8-30g and will be administered, as stated in an Affordability Plan, in compliance with both General Statutes 8-30g and the rules and regulations of any governmental program that provides development financing. The following requirements shall apply to MAHZ household income / rent-restricted dwelling units, to be known a ‘MAHZ Units’ in a MAHZ

7.22.17.1 In conjunction with an application for approval of a site plan for a MAHZ development, the applicant shall submit an ‘Affordability Plan’, in accordance with General Statutes 8-30g, which shall describe how the regulations regarding affordability will be administered as assisted housing. The Plan shall include provisions for administration of and compliance with the provisions of this section, notice procedures to the general public of the availability of affordable units, identification of those units that are to be designated affordable, procedures for verification and yearly confirmation of unit occupancy income, and demonstration of compliance with affordability requirements to the Commission. Such Plan shall also include drafts of documents, such as deeds, that will be used in the administration of the affordability restrictions.

7.22.17.2 Calculation of the maximum monthly rental payment for assisted housing units within a MAHZ, so as to satisfy General Statutes 8-30g, shall utilize the area median income data as published by the U.S. Department of Housing and Urban Development in effect of the day of lease.

7.22.17.3 All dwelling units in the MAHZ shall be occupied only as a lessee’s principal residence. Sub- leasing of dwelling units shall be prohibited.

7.22.17.4 Notice of availability of the MAHZ units shall be provided through the procedures outlined in an affirmative fair housing marketing plan. The South Windsor Housing Authority shall be notified of any MAHZ unit availability.

7.22.17.5 The forty (40) year affordability period shall be calculated separately for each MAHZ unit in a MAHZ development, and the period shall begin on the date of occupancy of the MAHZ unit.

7.22.17.6 A violation of the Regulations contained in this Section shall not result in a forfeiture or reversion of title, but the Commission or its designated agent shall otherwise retain all enforcement

#### 7.22.18 Conflict of Provisions

If any provision of these MAHZ regulations conflicts with a generally applicable provision of the South Windsor Zoning Regulations, the provisions of this Section 7.22 will control.

## Section 10.3 Definitions

**Abutting:** Properties that have a common property line separated by no intervening private property. Properties separated by a public, private street and/or Town ROW shall be deemed abutting for notification purposes.

**Accessory Apartment:** A second dwelling unit, either freestanding or within a single-family detached dwelling, or subordinate to the primary dwelling (excluding multifamily units, group homes), equipped with its own kitchen, bath and bedroom(s).

**Dwelling, Affordable Unit:** A dwelling unit which will be conveyed by deeds containing covenants or restrictions which shall require that, for at least forty (40) years after the initial occupancy of the proposed development, such dwelling units shall be sold or rented at, or below, prices which will preserve the unit as housing for which persons and families pay thirty percent or less of their annual income, where such income is less than or equal to eighty percent of the median income. For purposes of this definition, “median income” shall be as defined in Connecticut General Statutes Section 8-30g(a), as amended.

**Lot:** A plot or parcel of land, all parts of which are in the same ownership, occupied or capable of being occupied by 1 principal building and the accessory buildings or uses customarily incident to it, including such open spaces as are required by these regulations. In the case of multiple dwellings, row houses, public, institutional or commercial buildings, a group of buildings under the same ownership may be considered as occupying the same lot.

**Lot Area:** The actual area in square feet enclosed by boundaries of the lot.

**Lot Area (minimum calculation requirement):** The actual area in square feet enclosed by boundaries of the lot reduced by the square footage of regulated wetlands on the lot.

**Lot Corner:** A lot having 2 adjacent sides facing a street or streets, so that the interior angle of the intersection is not more than 120 degrees.

**Lot Coverage (Building):** Lot coverage is the maximum ‘building area’, expressed as a percentage of the lot. **This includes permanent structures such as sheds, decks, etc.**

**Lot Frontage:** The length measured along that side of a lot abutting on a public street at the required front yard setback.

**Lot, Interior:** A lot that is narrower at the front than at the back, and does not have the required frontage but does meet all other dimensional requirements of these regulations.

**Lot Lines, Front:** All lines dividing the lot from the street or streets.

**Lot Lines, Side:** All lines extended from a street which divide separate lots abutting the street.

**Lot Lines, Rear:** The line which is generally opposite the front line; if the rear lot line is less than 10 feet in length or if the lot comes to a point at the rear, the rear lot line shall be deemed to be a line parallel to the front line, not less than 10 feet long, lying wholly within the lot and farthest from the front line.

**Subdivision -** The division of a tract or parcel of land into three or more parts or lots made subsequent to the adoption of subdivision regulations by the Commission, for the purpose, whether immediate or future, of sale or building development expressly excluding development for municipal, conservation, or agricultural purposes, and includes resubdivision.

**Subdivision, Major -** Any subdivision not classified as a minor subdivision.

**Subdivision, Minor -** A subdivision of land of not more than four (4) lots, provided that such subdivision does not involve a planned development; any new street; the extension of a utility or other municipal facility; or any other substantial improvement to a utility or municipal facility.

**Subdivision, Open Space -** A development approach in which building lots may be reduced in size and buildings sited closer together, usually in groups or clusters, provided that the total development density does not exceed that which could be constructed on the site under conventional zoning and subdivision regulations. The additional land that remains undeveloped is then preserved as open space and recreational land.

## Section 6.3 Outdoor Lighting

### 6.3.1 Purpose

These regulations are intended to provide specific standards in regard to lighting, in order to maximize the effectiveness of site lighting to enhance public safety and welfare, to avoid unnecessary upward illumination and illumination of adjacent properties, and to reduce glare. See Appendix B for guidelines on establishing lighting that is dark sky compliant.

### 6.3.2 Illumination Standards

- A. All exterior lights and sign illumination shall be designed, located, installed, and directed in such a manner as to:
  - 1. Prevent direct or objectionable glare or light trespass;
  - 2. Be shielded to the extent possible; and
  - 3. Be contained to the target area.
- B. No direct light source shall be visible at the property line of an industrial or commercial use.
- C. The “maintained horizontal illuminance recommendations” set by the Illumination Engineering Society of North America (IES) shall be observed (see Appendix B) in order to:
  - 1. Employ soft, transitional light levels that are consistent from area to area; and
  - 2. Minimize contrast between light sources, lit areas and dark surroundings.
- D. For gasoline service stations, maintained illumination recommendations set by the Illuminating Engineering Society of North America (see Appendix C) shall not be exceeded.

# ARTICLE 11 APPENDICES

## APPENDIX A: Open Space Requirements for Pre-1999 Open Space Subdivisions; Open Space Requirements for 1999-2022 Open Space Subdivisions

### APPENDIX B: DA-15 Requirements

### APPENDIX C: Outdoor Lighting Guidelines; Illuminating Engineers Society Lighting Requirements

### APPENDIX D: Revisions April 1980-Present

### APPENDIX E: Land Use Application Fees

### APPENDIX F: Designed Residence Zone (DRZ)

### APPENDIX G: Senior Residence Development (SRD); modify effective date of projects

### APPENDIX H: Electric Vehicle Supply Equipment (EVSE)

## Section 11.1 APPENDIX A

### OPEN SPACE REQUIREMENTS FOR PRE - 1999 OPEN SPACE SUBDIVISIONS AND SUBDIVISION APPROVED 1999 - 2023

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- 11.1 For the purpose of providing site flexibility for building arrangement, conservation of land resources and greater efficiency of utility systems, a subdivider may be allowed to reduce the lot requirement in RR, A-40, AA-30, A-30, and A-20 zones, provided the following requirements are met.
- The maximum number of lots to be permitted on a given piece of land is determined by reducing the total acreage by 10 percent for street right-of-way, and by dividing the remaining area by the minimum lot requirement of Section 10.2 for the zoning district in which the subdivision is to be located. For the purposes of determining the maximum number of lots to be permitted, the combined areas of regulated inland wetlands and watercourses, waterbodies, detention areas, utility easements, rights-of-way, or areas with slopes at or in excess of fifteen percent (15%) shall not be considered as part of the gross acreage.
  - Open space lots approved prior to 8/1/99 shall conform to the following schedule, rather than the schedule in Section 3.1.

ZONE	MINIMUM LOT AREA	MINIMUM LOT WIDTH	MINIMUM LOT DEPTH
RR	20,000 sq ft	100 ft.	150 ft.
A-40	30,000 sq ft	120 ft.	150 ft.
AA-30	25,000 sq ft	120 ft.	125 ft.
A-30	20,000 sq ft	100 ft.	125 ft.
A-20	15,000 sq ft	90 ft.	110 ft.
ZONE	MINIMUM FRONT YARD	MINIMUM REAR YARD	MINIMUM SIDE YARD
RR	50 ft.	50 ft.	10 ft.
A-40	50 ft.	50 ft.	15 ft.
AA-30	50 ft.	40 ft.	15 ft.

A-30	50 ft.	40 ft.	10 ft.
A-20	40 ft.	30 ft.	10 ft.
ZONE	MAXIMUM STORIES	MAXIMUM HEIGHT	MAXIMUM % LOT COVERAGE
RR, A-40, AA-30, A-30, A-20	2 ½	30 ft	15%

11.1.A All other requirements of Section 10 and 11 shall be complied with.

Each approved residential lot shall contain a contiguous buildable area (“buildable”) defined as exclusive of regulated wetlands and watercourses, waterbodies, detention areas, utility easements, rights-of-way, or areas with slopes at or in excess of 15%) of at least 10,000 square feet, into which a square of ninety feet by ninety feet (90’ x 90’) can be located, and on which the dwelling must be located.

**11.2** Open space lots approved after 8/1/99 and prior to XXXXX 2023 shall conform to the following schedule, rather than the schedule in Section 3.1.

**Table 7.14.5A**  
**Lot Area, Frontage and Yard Requirements**

<b>Minimum Lot Area</b>	
<b>RR, A-40</b>	<b>20,000 square feet</b>
<b>A-30, AA-30</b>	<b>15,000 square feet</b>
<b>Minimum Lot Frontage</b>	<b>75 feet</b>
<b>Minimum Front Yard</b>	<b>40 feet</b>
<b>Minimum Side Yard</b>	<b>10 feet</b>
<b>Minimum Rear Yard</b>	<b>20 feet</b>
<b>Maximum Lot Coverage</b>	
<b>RR, A-40, AA-30, A-30</b>	<b>20 %</b>

### **Section 11.3 APPENDIX C Outdoor Lighting Guidelines**

Dark Sky complaint lighting is required in all zones. Lights should not be directed to shine on to neighboring properties or directed toward the street interfering with the traveling public.

If light is deemed useful and necessary, follow these guidelines to prevent, or when that’s not possible, minimize light pollution:

**USEFUL** – All light should have a clear purpose. Before installing or replacing a light, determine if light is needed. Consider how the use of light will impact the area, including wildlife and the environment. Consider using reflective paints or self-luminous markers for signs, curbs, and steps to reduce the need for permanently installed outdoor lighting.

**TARGETED** – Light should be directed only to where needed. Use shielding and careful aiming to target the direction of the light beam so that it points downward and does not spill beyond where it is needed.

**LOW LIGHT LEVELS** – Light should be no brighter than necessary. Use the lowest light level required. Be mindful of surface conditions as some surfaces may reflect more light into the night sky than intended.

**CONTROLLED** – Light should be used only when it is useful. Use controls such as timers or motion detectors to ensure that light is available when it is needed, dimmed when possible, and turned off when not needed.

**COLOR** – Use warmer color lights where possible (i.e. lower degree kelvin). Limit the amount of shorter wavelength (blue-violet) light to the least amount needed. Light where you need it, when you need it, in the amount needed, and no more.

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**ILLUMINATING ENGINEERING SOCIETY OF NORTH AMERICA (IESNA) MAINTAINED  
HORIZONTAL ILLUMINANCE RECOMMENDATIONS**

LEVEL OF ACTIVITY	GENERAL PARKING AND PEDESTRIAN USE			VEHICLE USE ONLY		
	AVERAGE	MINIMUM	UNIFORMITY RATIO	AVERAGE	MINIMUM	UNIFORMITY RATIO
<b>HIGH</b> Major League Athletic Events Major Cultural or Civic Centers Regional Shopping Centers Fast Food Facilities	3.6	0.9	4:1	2.0	0.67	3:1
<b>MEDIUM</b> Community Shopping Centers Cultural, Civic, or Recreational Events Office Parks Hospital Parking Transportation Parking (airports, etc.) Residential Complex Parking	2.4	0.6	4:1	1.0	0.33	3:1
<b>LOW</b> Neighborhood Shopping Industrial Employee Parking Education Facility Parking Church Parking	0.8	0.2	4:1	0.5	0.13	4:1

DRAFT 12-7-22; Final draft 1-9-23