

SECTION 2 - DEFINITIONS

For the purpose of these regulations, the following terms, phrases, words, and their derivations shall have the meaning given therein. When not inconsistent with the content, words used in the present tense include the future; words in the plural number include the singular number; and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

Abutter - the owner of record of any property within 500 feet of the subject property of any application under these regulations.

~~Accessory Apartment - a subordinate apartment incidental to, and attached to, the principal dwelling on a lot.~~

Accessory Building or Structure - A building or structure, in addition to the principal building, which is clearly subordinate to, and customarily incidental to, and located upon the same lot as, the principal building or on a contiguous lot under the same ownership. Any accessory building physically attached to a principal building shall be deemed to be a part of such principal building in applying the Bulk Regulations to such building.

~~Accessory Dwelling - a subordinate dwelling incidental to the principal dwelling on a lot.~~

Accessory Use - A use, in addition to the principal use, which is clearly subordinate to, and customarily incidental to, and located upon the same lot as, the principal use or on a contiguous lot under the same ownership.

Access-way - a paved or unpaved surface intended for a small amount of vehicle usage; a driveway.

ADU - See Dwelling, Accessory

Affordable Dwelling - A housing unit that will be conveyed by deed containing covenants or restrictions which shall require that, for a 40-year period after the initial occupation of the unit, such unit shall be sold or rented at or below prices which will preserve the unit as housing for which persons and families pay 30% or less of their annual income, where such income is less than 80% of the Median Income. Median Income shall be defined as the lesser of the State Median Income, or the Area Median Income for Bolton as determined by the U.S. Department of Housing and Urban Development, after adjustment for family size.

Agriculture - as defined in the State of Connecticut General Statutes Section 1 - 1 (q) as amended from time to time.

Alter, Alteration - As applied to a building or structure, means a change or rearrangement in the structural parts thereof, the movement of all or any part thereof, or the substantial reconstruction thereof, so as to produce a substantial change in appearance, character, or construction; also means an enlargement, whether by increasing in height, coverage, volume or floor area. As applied to a use, means a change or enlargement in the character, area occupied by, intensity, or scope of the use, including, but not limited to, the extension of hours of operation, the addition of other activities, equipment, functions, or processes, or the extension into additional land or building area.

supplementary care for compensation to more than twelve (12) related or unrelated children, or any number of adults, outside their own homes on a regular basis for a part of the twenty-four (24) hours in one or more days in the week. "Day Care Center" does not include services which are (1) administered by a public or private school system which is in compliance with Connecticut General Statutes Section 10-188, (2) recreation operations such as, but not limited to, boys' and girls' clubs, church-related activities, scouting, camping or community-youth programs, (3) informal arrangements among neighbors or relatives in their own homes, (4) drop-in supplementary child care operations where parents are on the premises for educational or recreational purposes and the child receives such care infrequently. "Day Care Center" includes "Child Day Care Center" as defined in Section 19a-77 of the Connecticut General Statutes, but does not include a "Family Day Care Home" or "Group Day Care Home" as defined in said Section.

Deck - a flat, open structure mounted to the ground surface by vertical posts or pilings, and intended for recreational purposes.

Development - any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Disturbed Area - an area of land where the ground cover is destroyed or removed, leaving the land subject to accelerated erosion.

Dock - a flat, open structure anchored to a lake or pond bottom by vertical posts or pilings, having one end abutting the ground above the surface of the water, and intended for recreational purposes.

Duplex - Same as "Dwelling, Two-Family".

Dwelling - a building designed or used as the living quarters for one or more families.

Dwelling, Accessory - a subordinate dwelling or apartment incidental to the principal dwelling on a lot either attached or detached.

Dwelling, Multiple or Multifamily - a residential building containing three or more dwelling units, including Townhouse Dwellings.

Dwelling, Single Family - a residential building containing only one dwelling unit.

Dwelling, Townhouse - A multifamily dwelling that contains three (3) or more dwelling units that are attached by a common or shared wall, and in which each dwelling unit extends from the foundation to the roof and has vacant land on at least two (2) sides.

Dwelling, Two Family - a residential building containing only two dwelling units.

Dwelling Complex, Multiple - one or more principal buildings designed for use as multiple dwellings, plus related facilities, all erected on a single tract of land.

Dwelling Unit - a building or portion thereof which is arranged to be occupied as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

- 3B3.e.1 Mobile food vendors within Town property or in Town rights of way are authorized by Ordinance by the Board of Selectmen regulated by the Health District and are not regulated by the Planning & Zoning Commission.
- 3B3.e.2 Mobile food vendors associated with Special Community-wide Events sponsored by, or on behalf of a unit of local government, a charitable organization, or a not-for-profit organization.
- 3B3.e.2.1 The Zoning Enforcement Officer may issue food vending permits in any zoning district in connection with special community-wide events sponsored by, or on behalf of a unit of local government, a charitable organization, or a not-for-profit organization subject to the same requirements as set down in Section 3B3.a.3, 3B3.a.5, 3B3.a.6, 3B3.a.7, 3B3.a.8, and 3B3.a.10, except that no bonds shall be required.
- 3B3.e.3 Mobile Food Vendors associated with special grand-opening events or special seasonal sales events.
- 3B3.e.3.1 The Zoning Enforcement Officer may issue food vending permits in GB, NB, or I zoning districts in connection with grand opening events, or special seasonal sales events (no more than 3 per year) for periods up to 5 days in duration for each event, and subject to the requirements of Section 3B3.a.3, 3B3.a.4, 3B3.a.5, 3B3.a.6, 3B3.a.7 (without bond), 3B3.a.8, 3B3.a.9, and 3B3.a.10.
- 3B3.e.4 Mobile Food Vendors on Vacant Lots
- 3B3.e.4.1 The Zoning Enforcement Officer may issue food vending permits in GB & I zoning districts on vacant lots for periods up to thirty (30) days in duration, subject to the requirements of Section 3B3.a.1 through 3B3.a.10.
- 3B3.e.4.1.1 Mobile food vendors shall not be allowed on a property within 1000 feet of the property line of a property containing a permanent eating establishment or an establishment that sells alcoholic beverages for on-premises consumption.
- 3B.4 Restaurants
- 3B4.a. Food service shall be primarily to customers seated at tables or at counters within an enclosed building. ~~There shall be no outdoor dining seating or eating shall be allowed, provided, however, that the Commission may permit outdoor café service~~ as an accessory use to a restaurant where the applicant establishes that adequate provisions have been made for litter, public health, insect/ pest control, noise and crowd control, unauthorized access or use, safe and adequate access/ egress for pedestrians/ vehicles, and where the site is suitable for such accessory outdoor café service. An outdoor dining use as an accessory use to a restaurant shall require an application for a Zoning Permit, which shall include a narrative of information regarding the outdoor dining use including a plan of the area to be used, how it will be set up and protected, an adequate parking plan, and other relevant information required by the Zoning Enforcement Officer about the use. The Zoning Permit shall be submitted to the Zoning Enforcement Officer for their action.

5. The control of litter shall be the sole and exclusive responsibility of the owner/operator of the "fast food" restaurant which generated it, and adequate provisions shall be made for its containment, recovery, and removal from the site and from any surrounding properties where it may be found. This obligation shall be secured by a cash bond to be posted with the Commission, the size of which shall be determined by the Commission based on the size and anticipated volume of off-site consumption of food. Further, violation of this provision shall be considered a violation of these Regulations, and shall subject the owner/operator to those penalties set forth in these Regulations and the Connecticut General Statutes.

3B.4.f. Any ~~o~~Outdoor ~~d~~Dining that has not been the subject of a zoning enforcement action or nuisance activity report as of November 30, 2021, which is operating with a permit issued pursuant to 2020 Gubernatorial Executive Order 7MM, or any extension or amendment or reissuance thereof shall be permitted to continue to operate pursuant to that permit. ~~until November 30, 2021, provided that such extension shall not be interpreted to create any nonconforming right, and further provided that the operation of the Outdoor Dining between the date of the suspension of the State's declared state of emergency and November 30, 2021 shall be deemed to be a complete and total waiver of any claim of nonconforming rights under any local, state, or federal legal activity.~~

~~The Zoning Enforcement Officer (ZEO) shall be authorized to suspend and/or terminate any such permit issued under the Executive Order upon a finding that weather or other change of conditions at a particular site constitute a nuisance or a risk to health and safety.~~

The amendment of this Section 3B.4.f. was approved on September 23, 2020.

3B.5 Hotel/Motel. Each hotel/motel shall comply with the following requirements:

3B5.a. The Commission may require or permit that a hotel/ motel have a separate dwelling unit with adequate living space for a resident manager to provide for full-time supervision of the facility.

3B5.b. The maximum number of rooms permitted on a lot shall be determined as follows: 4,000 square feet of land per room if all rooms are on one (1) floor; 2,500 square feet per room if rooms are on two (2) or more floors.

3B5.c. Each room shall have a minimum livable floor area of two hundred seventy-five (275) square feet or, alternatively, two hundred twenty-five (225) square feet for fifty (50%) percent of the rooms provided the remaining fifty (50%) percent contain a minimum of three hundred twenty-five (325) square feet.

3B5.d. The site shall be served by public water and sewer, or, alternatively, the application for Special Permit shall be accompanied by a written report from the Town Sanitarian indicating that the septic system and water supply (existing or proposed) are adequate for the size and intensity of the use proposed.

3B5.e. The site shall be designed to allow safe and adequate access for guests, service vehicles, emergency vehicles and equipment, and safe pedestrian circulation.

SECTION 6 - RESIDENCE ZONES

6A. In ALL Residence zones, no building or land shall be used and no building or structure shall be erected or altered except for the following uses:

6A.1 Single family detached dwellings;

6A.2 Two-family dwellings in R-1 and R-2 zones subject to the following:

- a. both dwelling units shall be equal or nearly equal in floor area;
- b. the two-family dwelling shall maintain the exterior appearance of a single family dwelling.

6A.3 Not more than one (1) ADU accessory ~~apartment within or attached to~~ a single-family detached dwelling, subject to a zoning permit, and ~~subject to~~ the following conditions:

- ~~a. the unshared portion of such accessory apartment shall not total more than thirty (30) percent of the total floor area of the existing dwelling, or 750 square feet, whichever is less;~~
- ~~b. such apartment shall contain not more than one bedroom;~~
- ~~a. c. — the principal dwelling shall be owner-occupied at all times. The applicant shall provide a floor plan to demonstrate that separate cooking, bathing, restroom and sleeping facilities have been provided.~~
- ~~b. For detached units or units which will result in an expansion of the structure's footprint, a site plan shall be provided to demonstrate compliance with all applicable bulk standards.~~
- ~~c. Only one ADU with a maximum of one bedroom shall be allowed per parcel.~~
- ~~d. The ADU shall not exceed 35% of the total of the above ground floor area of the primary dwelling and shall not exceed 900 square feet.~~
- ~~e. The applicant shall submit a site plan to demonstrate that two (2) parking spaces for the primary dwelling and one (1) parking space for the ADU will be provided.~~
- ~~f. An ADU shall not be located in a mobile home, recreational vehicle, travel trailer, structure that previously operated as or was intended to be a motor vehicle, or structure on wheels.~~
- ~~g. No such unit shall be rented for a period of less than 6 months.~~
- ~~h. A new driveway curb cut to serve the principal unit or ADU shall not be permitted.~~
- ~~i. Design and construction should be consistent with the primary dwelling.~~

15. Motion Picture or Live Theater, subject to Section 8G
16. Newspaper printing and job printing
17. Mortuaries / Funeral Homes
18. Motor Vehicle Gasoline Station, subject to the Special Regulations of Section 3B.1 of these Regulations
19. New and Used Car Sales, subject to the Special Regulations of Section 3B.2 of these Regulations
20. Motor Vehicle Service and Repair (General and Limited), subject to the Special Regulations of Section 3B.1 of these Regulations
21. Child Day Care Centers
22. Wholesale sales, sample room for such commodities as furniture, hardware, appliances, and other household goods.
23. Candy manufacturing, with retail sales.
24. Driving ranges and miniature golf courses
25. Any Light Manufacturing, subject also to the Additional Conditions set forth in Section 8A.3. (effective 12/01/17)

8A.2.c. Accessory Uses: Accessory uses, as defined in these Regulations, may be permitted subject to the same type of review (Certificate of Zoning Compliance, Site Plan Review, or Special Permit) as the use to which it is accessory, unless these Regulations expressly allow a different review.

8A.3. Additional Conditions:

8A.3.a. Not more than four (4) persons shall be engaged in making goods to be sold, except that up to ten (10) persons may be engaged in the making of solid, natural wood products, for use as part of a building, from wood species native to Connecticut.

8A.3.b. All Principal uses shall be conducted in a completely enclosed building (except for Open Lot Sales Operations) subject to the following conditions:

1. Selected merchandise may be displayed in an area depicted on a site plan approved by the Commission in accordance with Sections 16A or 16B.
2. There shall be no display or storage of goods or products within any minimum required yard for the General Business Zone.

8A.3.c. Permanent storage or display of materials, vehicles, merchandise or equipment between the street line and the building line is prohibited.

8A.3.d. Any Light Manufacturing use approved per Section 8A.2.b.25. above, shall require the approval of a Site Plan and Special Permit, pursuant to Section 16 of the Regulations, and the following additional conditions shall apply:

1. Design/Operational Standards:

- a. Notwithstanding the provisions of Section 8A.3.a. to the contrary, not more than 150 employees shall be engaged in the Light Manufacturing use upon the premises provided the applicant demonstrates, via a baseline traffic analysis, that the proposed number of employees will not cause undue congestion or adverse impact on traffic in the surrounding area. For purposes of this subsection, a baseline traffic analysis shall measure the existing background traffic at the time application is made for a Special

8B.2.a. Permitted by Site Plan Review. Uses and use categories permitted as a matter of right subject to Site Plan Review by the Planning and Zoning Commission in accordance with Section 16A of these Regulations and all requirements of the NB Zone and any applicable provisions of these Regulations:

1. Public Utility Building or Substation
2. State or Town operated public commuter parking lots.
3. Municipal facilities of the Town of Bolton
4. Farm stands pursuant to Section 3B3.c.1 and farmer's markets pursuant to Section 3B3.c.2.

8B.2.b. Special Permit. Uses and use categories permitted subject to the issuance of Special Permit by the Planning and Zoning Commission in accordance with Section 16B of these Regulations, and all requirements of the NB Zone and any applicable provisions of these Regulations:

1. Grocery Store
2. Drug Store
3. Beauty Salon / Barber Shop
4. Business or Professional Office
5. Studio (photographic, graphic arts, crafts)
6. Retail Shop
7. Personal and Business Services
8. Restaurants, Full Service, per Section 3B.4
9. Restaurants, Take-out, per Section 3B.4
10. Package Stores
11. Bank / financial institution
12. Bed and Breakfast up to 6 rooms
13. Mortuaries / Funeral Homes
14. Motor Vehicle Gasoline Station, subject to the Special Regulations of Section 3B.1 of these Regulations
15. Motor Vehicle Service and Repair (General and Limited), subject to the Special Regulations of Section 3B.1 of these Regulations
16. Child Day Care Centers
17. Light Manufacturing subject also to the Additional Conditions set forth in Section 8B.3.
(effective 05/13/12)

8B.2.c. Accessory Uses: Accessory uses, as defined in these Regulations, may be permitted subject to the same type of review (Certificate of Zoning Compliance, Site Plan Review, or Special Permit) as the use to which it is accessory, unless these Regulations expressly allow a different review.

8B.3. Additional Conditions:

8B.3.a. Not more than four (4) persons shall be engaged in making goods to be sold, except that up to ten (10) persons may be engaged in the making of solid, natural wood products, for use as part of a building, from wood species native to Connecticut.

8B.3.b. All Principal uses shall be conducted in a completely enclosed building (except for Open Lot Sales Operations) subject to the following conditions:

- 8B.4. Signage: Business signs visible from the exterior of a building shall be subject to the requirements of Section 18 (Signage).
- 8B.5. Lighting. See 3A.20. of these Regulations.
- 8B.6. Adult Oriented Establishments: Adult-oriented establishments, as described in the Town of Bolton Ordinance entitled "Adult-Oriented Establishments" as may be amended from time to time, are prohibited in the Neighborhood Commercial Zone.
- 8B.7. Use Variances: The Zoning Board of Appeals may only grant use variances in accordance with the following requirement: Uses shall not be permitted by variance in the Neighborhood Business zone if such uses are not otherwise allowed in the Neighborhood Business zone.
- 8C. Rural Mixed Use Zone (RMUZ)
- 8C.1. Purpose. The principal purpose of the Rural Mixed Use Zone (RMUZ) is to encourage and produce quality, sustainable development in discrete nodes based on village style design standards referred to herein as Unified Village-style Developments. Sustainable development preserves or enhances surface and groundwater quality along the corridor, especially within aquifer protection areas and water supply watersheds by employing Low Impact Development ("LID") measures; mitigates traffic impacts by consolidating access points, creating shared parking, creating flexible parking standards, and by allowing uses which are in keeping with the scale and character of the corridor; and by creating mixed use opportunities which address Bolton's housing , retail, and service needs within village settings.
- 8C.2. Permitted Uses and Use Categories. Land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one or more of the uses or use categories listed in the lists below of uses permitted by Site Plan Review and Special Permit uses, subject to such standards and conditions which may be required by these Regulations. See the definition, where applicable, for any use or term in Section 2.
- 8C.2.a. Permitted by Site Plan Review. Uses and use categories permitted as a matter of right subject to Site Plan Review by the Planning and Zoning Commission in accordance with Section 16A of these Regulations and all requirements of the RMUZ and any applicable provisions of these Regulations:
1. Public Utility Building or Substation
 2. State or Town operated public commuter parking lots.
 3. Seasonal Commercial Agricultural Uses (i.e., farm stand, farmer's market), in accordance with Section 3B.3c of these regulations.
 4. ADU's, subject to the following conditions:
 - a. The applicant shall provide a floor plan to demonstrate that separate cooking, bathing, restroom and sleeping facilities have been provided.
 - b. For detached units or units which will result in an expansion of the structure's footprint, a site plan shall be provided to demonstrate compliance with all applicable bulk standards.
 - c. Only one ADU with a maximum of one bedroom shall be allowed per parcel.
 - d. The ADU shall not exceed 35% of the total of the above ground floor area of the primary dwelling and shall not exceed 900 square feet.

- e. The applicant shall submit a site plan to demonstrate that two (2) parking spaces for the primary dwelling and one (1) parking space for the ADU will be provided.
- f. An ADU shall not be located in a mobile home, recreational vehicle, travel trailer, structure that previously operated as or was intended to be a motor vehicle, or structure on wheels.
- g. No such unit shall be rented for a period of less than six (6) months.
- h. A new driveway curb cut to serve the principal unit or ADU shall not be permitted.
- i. Design and construction should be consistent with the primary dwelling.

3. _____

8C.2.b. Special Permit. Uses and use categories permitted subject to the issuance of Special Permit by the Planning and Zoning Commission in accordance with Section 16B of these Regulations, and all requirements of the RMUZ and any applicable provisions of these Regulations:

1. Business or Professional Office
2. Studios (photographic, graphic, crafts)
3. Retail Shop
4. Bakery
5. Personal / Business services
6. Restaurants, Take-out, with outdoor seating, [including ice cream and desserts] per Section 3B.4
7. Taverns & Inns
8. Package Stores
9. Bank / Financial Institution
10. Hotel / motel / B&B
11. Motor Vehicle Gas Station
12. Mini-golf
13. Single family homes ~~and accessory apartments~~, solely located on a lot for which a CO has been issued for one or more of the foregoing uses.
14. Museums / art studios / galleries
15. Home occupations
16. House of worship
17. Nursery (agricultural)
18. Outdoor and indoor recreational facilities
19. Value added agribusiness and forestry uses (processing and sale)
20. Mixed Use
21. Child and adult day care
22. Multi-family residences on the upper floors above first-flow commercial uses and including at least 20% Affordable Dwellings

8C.2.c. Accessory Uses: Accessory uses, as defined in these Regulations, may be permitted subject to the same type of review (Certificate of Zoning Compliance, Site Plan Review, or Special Permit) as the use to which it is accessory, unless these Regulations expressly allow a different review.

8C.2.d. Prohibited Uses.

1. Residential uses, as that term is used in Connecticut General Statutes Section 8-30g(g), and that term has been construed by the Connecticut Courts, except where authorized by Section 7B, Incentive Housing Overlay Zone (IHOZ), if adopted, and except where authorized under section 8C.2.b.

- 9A4. Lighting. See 3A.20 of these Regulations.
- 9A.5. Use Variances. The Zoning Board of Appeals may only grant use variances in accordance with the following requirement: Uses shall not be permitted by variance in the Industrial Zone if such uses are not otherwise allowed in the Industrial zone.
- 9B Gateway Mixed Use Industrial Zone (GMUIZ)
 - 9B.1 Purposes. The principal purpose of the GMUIZ is to encourage and produce quality, sustainable development in discrete nodes based on village style design standards, referred to herein as Unified Village-style Developments. Sustainable development preserves or enhances surface and groundwater quality along the corridor, especially within aquifer protection areas and water supply watersheds by employing Low Impact Development (“LID”) measures; mitigates traffic impacts by consolidating access points, creating shared parking, creating flexible parking standards, and by allowing uses which are in keeping with the scale and character of the corridor; and by creating mixed use opportunities which address Bolton’s housing, retail, and service needs within village settings.
 - 9B.2. Permitted Uses and Use Categories. Land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one or more of the uses or use categories listed in the lists below of uses permitted by Site Plan Review and Special Permit uses, subject to such standards and conditions which may be required by these Regulations. See the definition, where applicable, for any use or term in Section 2.
 - 9B2a Permitted by Site Plan Review. Uses and use categories permitted as a matter of right subject to Site Plan Review by the Planning and Zoning Commission in accordance with Section 16A of these Regulations, and all requirements of the GMUIZ and any applicable provisions of these Regulations:
 1. Public Utility Building or Substation.
 2. State or Town operated public commuter parking lots.
 3. Seasonal Commercial Agricultural Uses (i.e., farm stand, farmers market), in accordance with Section 3B.3c of these Regulations.
 - 9B2.b Special Permit. Uses and use categories permitted subject to the issuance of Special Permit by the Planning and Zoning Commission in accordance with Section 16B of these Regulations, and all requirements of the GMUIZ and any applicable provisions of these Regulations:
 1. Taverns and Inns
 2. Studios and specialty shops, i.e. tea, crafts, etc
 3. Take out dining - drive-thru permitted only in business zones (except NB) *(effective December 1, 2015)*
 4. Restaurants / Banquet facilities with indoor and outdoor seated dining, per Section 3B.4
 5. Museums
 6. Art studios/ galleries
 7. Finance, insurance, real estate
 8. Service uses

9. Retail Shops (see Note 1)
10. Bakery
11. Personal / business services
12. Barber/ Salon
13. Cinema with or without accessory tavern or restaurant
14. Grocery / Convenience (See Note 1)
15. Package Stores
16. Bank / Financial Institutions
17. Hotel / motel / B&B
18. Motor Vehicle Service & Repair (see Note 2)
19. New and Used Car Sales (see Note 2)
20. Outdoor and indoor recreational facilities
21. Fitness Center
22. Driving ranges / mini golf
23. Manufacturing or processing of goods (see Note 2)
24. Manufacturing or assembly of outdoor recreation goods
25. Warehouse / freight terminal
26. Professional Offices
27. Telecommunications facilities
28. Veterinary hospital / veterinary emergency care
29. Lawn and garden equipment sales with accessory small engine repair
30. Child and adult day care
31. Community theatre/playhouse
32. Home occupations
33. Mixed Uses
34. Multi-family residences on the upper floors above first-floor commercial uses and including at least 20% affordable dwellings

Notes:

1. -See building coverage requirements and limitations for retail uses in Section 9B.7.d.
2. Such use is permitted to continue, and may by Special Permit be altered or expanded on the same lot or contiguous lots under the same ownership or control if existing in the Town as of the effective date of this section.

9B.2.c Accessory Uses. Accessory uses, as defined in these Regulations, may be permitted subject to the same type of review (Certificate of Zoning Compliance, Site Plan Review, or Special Permit) as the use to which it is accessory, unless these Regulations expressly allow a different review.

9.B.2.d Prohibited Uses.

1. Residential uses, as that term is used in Connecticut General Statutes Section 8-30g(g), and that term has been construed by the Connecticut Courts, except where authorized by Section 7B, Incentive Housing Overlay Zone, if adopted.
2. Motor Vehicle Services and Repair (See Note 2, above)
3. New and Use Car Sales (See Note 2, above)
4. Manufacturing or Processing of Goods (See Note 2, above)

9B.3 Additional Conditions

SECTION 11 - DIMENSIONAL REQUIREMENTS

A. The following standards shall be required for single family dwellings and associated accessory uses and structures within Residence Zones, except as expressly permitted by Sections 6A.13, 6A.14, 7C, 7D, and 11D, respectively, of these Regulations:

| Zone | Min. Lot (Sq. Ft.) | Min. Lot Frontage (Ft.) ¹ | Min. Front Yard (Ft.) | Min. Side Yard (Ft.) ² | Min. Rear Yard (Ft.) |
|-------|--------------------|--------------------------------------|-----------------------|-----------------------------------|----------------------|
| R - 1 | 40,000 | 200 | 35 | 25 | 40 |
| R - 2 | 40,000 | 200 | 35 | 25 | 40 |
| R - 3 | 22,500 | 150 | 35 | 10 | 30 |

| Zone | Maximum Building Height (Feet) ³ | Minimum Dwelling Unit Floor Area (Square Feet) ⁴ | Maximum Lot Coverage (%) | Maximum Impervious Coverage (%) |
|-------|---|--|--------------------------|---------------------------------|
| R - 1 | 35 (or 2.5 stories) | --- One-story: 1000 Others: 810 (Foundation) | 15 | 20 |
| R - 2 | 35 (or 2.5 stories) | --- One-story: 1000 Others: 810 (Foundation) 1200 (Total) | 15 | 20 |
| R - 3 | 30 (or 2.5 stories) | --- One-story: 810 Others: 1000 | 15 | 20 |

¹For a corner lot, this requirement must be satisfied along one existing public street.

²For any side yard that abuts an existing or future public street the minimum side yard shall be equal to the minimum front yard required for the zone.

³Whichever is less, the height in feet or the number of stories.

⁴No dwelling unit shall be erected or created that does not comply with the minimum standards as set forth in all applicable Building, Housing and/or Health Codes.

- B. The following standards shall be required for all two-family dwellings and associated accessory uses and structures within Residence Zones, except as expressly permitted by Sections 6A.13, 6A.14, 7C, 7D, and 11D, respectively, of these Regulations:

| Zone | Min. Lot (Sq. Ft.) | Min. Lot Frontage (Ft.) ¹ | Min. Front Yard (Ft.) | Min. Side Yard (Ft.) ² | Min. Rear Yard (Ft.) |
|------|--------------------|--------------------------------------|-----------------------|-----------------------------------|----------------------|
| R-1 | 60,000 | 300 | 35 | 40 | 40 |
| R-2 | 60,000 | 300 | 35 | 40 | 40 |

| Zone | Max. Bldg. Ht. (Ft.) ³ | Min. Floor Per Dwelling Unit (Sq. Ft.) ⁴ | Max. Lot Coverage (%) | Max. Imperv. Coverage (%) |
|------|-----------------------------------|---|-----------------------|---------------------------|
| R-1 | 35 (or 2.5 stories) | --- One Story: 860; | 15 | 20 |
| R-2 | 35 (or 2.5 stories) | --- One Story: 860 | 15 | 20 |

¹For a corner lot, this requirement must be satisfied along one existing public street.

²For any side yard that abuts an existing or future public street the minimum side yard shall be equal to the minimum front yard required for the zone.

³Whichever is less, the height in feet or the number of stories.

⁴No dwelling unit shall be erected or created that does not comply with the minimum standards as set forth in all applicable Building, Housing and/or Health Codes. Areas for heating equipment, garages, bay windows, outside vestibules and open porches shall not be included.

C. The following standards shall be required within Business (GB, NB, RMUZ) and Industrial (I & GMUIZ) zones

| Zone | Min. Lot Area (Sq. Ft.) | Min. Lot Frontage (Ft.) ¹ | Min. Front Yard (Ft.) | Min. Side Yard (Ft.) ² | Min. Rear Yard (Ft.) |
|-------|-------------------------|--------------------------------------|--|-----------------------------------|----------------------|
| GB | 40,000 | See § 11.J | 35 | See § 11.K | See § 11.K |
| NB | 40,000 | See § 11.J | 35 | See § 11.K | See § 11.K |
| I | 40,000 | 200 | 35 | 30 but see § 11.M | 10 but see § 11.M |
| GMUIZ | 120,000 | See § 11.J | See Build To Line requirement of §9B.78.a | See § 11.K | See § 11.K |
| RMUZ | 80,000 | See § 11.J | See Build To Line requirement of §8C.7.a.1 | See § 11.K | See § 11.K |

| Zone | Max. Bldg. Ht. (Ft.) ³ | Min. Floor Area (Sq. Ft.) | Max. Lot Coverage (%) | Max. Imperv. Coverage (%) |
|-------|-----------------------------------|---------------------------|-----------------------|---------------------------|
| GB | 40 (or 3 Stories) | 600 (Grd. Flr.) | 25 | 65 |
| NB | 35 (or 2.5 stories) | 600 (Grd. Flr.) | 20 | 50 |
| I | 45 | 1000(Grd. Flr.) | 25 | 65 |
| GMUIZ | 40 (or 3 Stories) | 600 (Grd. Flr.) | 25 (See § 11.LN) | 50 (See § 11.LN) |
| RMUZ | 35 (or 2.5 stories) | 600 (Grd. Flr.) | 25 (See § 11.LN) | 50 (See § 11.LN) |

D. Accessory Buildings

Front and side yard requirements for accessory buildings shall be the same as for the principal building. In R-1 and R-2 zones, the minimum rear yard requirement for accessory buildings shall be twenty-five feet. In the R-3 zone, the minimum rear yard requirement for accessory buildings shall be ten feet.

In the R-1 and R-2 zones, including lots in Open Space Conservation Developments, one shed per property may be located as close as ten feet to a side or rear property line, provided that no principal building on the land adjacent to that property line is located within the minimum yard area along that property line. The front yard requirement