

**DIVISION 5. PLANNED RESIDENTIAL .<sup>5</sup>****Sec. 6-44. PLANNED RESIDENTIAL ZONE (R-PR); PURPOSES.**

- (a) The intent of this Division is to provide possible residential alternatives to residential development presently permitted under existing zoning when such alternatives in the judgment of the Commission will insure the conservation of vacant land for private use in the manner prescribed herein and the preservation of land necessary to the general welfare of the Town and the particular neighborhood in which such land is located in the manner prescribed herein.
- (b) The Commission, upon application in the manner prescribed herein, after a public hearing, and consideration of the recommendation of all relevant Town agencies may permit development to conform to the standards and requirements as described herein when the following purposes are to be accomplished:
  - (1) To conserve and preserve land to assure that its development will best maintain and enhance the appearance, character and natural beauty of an area;
  - (2) To preserve and protect areas having conservation values, particularly those areas and terrain which have qualities of natural beauty, ecological significance or historic interest;
  - (3) To preserve where applicable, wetlands, marshlands, tidelands, marine and wildlife habitats and other areas having conservation values;
  - (4) To allow land dedication for or access to the general public to park, recreation, open space or cultural facilities when it has been determined by the Commission that such land is necessary to the general welfare of the particular neighborhood and is consistent with the established development policies for the Town adopted by the Commission and approved by the Representative Town Meeting;
  - (5) To reflect changes in the technology of land development, such as but not limited to modular construction;
  - (6) To maintain the Town's predominantly residential character.

**Sec. 6-45. PLANNING AND ZONING COMMISSION APPROVAL.**

The standards and requirements set forth in this Division shall be subject to the approval of the Planning and Zoning Commission.

**Sec. 6-46. SIZE OF ZONE.**

The total acreage for any such zone shall consist of at least one hundred (100) contiguous acres. For the purposes of calculating acreage and density, existing public streets may not be included. Existing public and private streets shall not be considered as affecting contiguity.

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<sup>5</sup> State law reference: As to authority to create residential zones, see C.G.S. §8-2.

**Sec. 6-47. LOCATION OF ZONE.**

- (a) An R-PR Zone may be located only in those areas of the Town either:
  - (1) Where in the aggregate there exists less than ten (10) acres of land dedicated to park, recreation and/or open space within one (1) mile radius per one thousand (1,000) of existing and potential population under present zoning;
  - (2) Planned by the Commission for additional park, recreation and/or open space to accommodate neighborhood and Town development requirements.

**Sec. 6-48. DENSITY.**

- (a) The number of dwelling units permissible in any planned residential zone shall be determined by the Commission to assure compliance with other requirements in this Division. Under no circumstances, however, may the total number of dwelling units permitted by the Commission exceed the maximum possible by either of the following:
  - (1) The number obtained by dividing the total R-PR Zone acreage by the minimum lot size permitted in the zone(s) existing at the time of the R-PR Zone change request; or
  - (2) An average of no more than four-tenths (0.4) dwelling units per acre within the R-PR Zone.

**Sec. 6-49. UTILITY AND ROAD REQUIREMENTS.**

- (a) There shall be provided within the Planned Residential Zone a sanitary sewage disposal system which shall be of sufficient size and design to collect and dispose of all sewage from all present and probable structures to be constructed within that zone, and shall be otherwise built and maintained in conformity with Board of Health standards and other applicable Town ordinances and regulations, except that in no event shall individual sewage systems, such as but not restricted to, septic systems be permitted.
- (b) There shall be provided within the Planned Residential Zone a storm drainage system which shall be of sufficient size and design as will in the opinion of the Department of Public Works collect, carry off and dispose of all predictable surface water run-off within that zone and shall be so constructed as to conform with all applicable Town ordinances and regulations.
- (c) There shall be provided within the Planned Residential Zone that all the utility facilities be placed underground.
- (d) There shall be provided within the Planned Residential Zone a potable water system which shall be of sufficient size and design to supply potable water to all the structures to be constructed in that zone. There shall be provided a fire hydrant where required by the Commission, of a type and in a manner prescribed by the regulations of the Town department having jurisdiction.
- (e) The dimensions and construction of roads, alleys and parking areas within the Planned Residential Zone, whether or not dedication to the Town is contemplated shall conform with all applicable Town ordinances and regulations.

**Sec. 6-50. USE REGULATIONS.**

- (a) The following principal uses are permitted. All business and other principal uses are expressly excluded:
  - (1) Single family detached, and attached dwellings;
  - (2) Public or private park or recreation areas which may include a golf course, swimming pool, tennis court, ski slope, toboggan run, ice skating rink and other similar recreational uses suitable to the particular zone but which may not include any use or activity which produces noise, glare, odor, air pollution, fire hazards or other safety hazards, smoke, fumes, or other things detrimental to existing or prospective adjacent structures or to existing or prospective development of the neighborhood.
- (b) The accessory uses permitted shall be:
  - (1) Customary uses incident to the principal uses indicated above including:  
Parking same as Section 6-154.

**Sec. 6-51. LOT SIZE AND YARD REQUIREMENTS.**

There shall be no minimum lot size, no minimum yard requirements, and no minimum floor area ratio. However, every dwelling shall have direct access to a public or private street, or pedestrian way. Further, no principal building shall be erected within twenty-five (25) feet of any other principal building.

**Sec. 6-52. HEIGHT REQUIREMENTS.**

The height of any residential structure within such zone shall not exceed thirty-five (35) feet and the height of other structures shall not exceed forty-five (45) feet.

**Sec. 6-53. NUMBER OF UNITS PER BUILDING.**

No building may contain more than eight (8) dwelling units.

**Sec. 6-54. LOCATION OF STRUCTURES.**

No structure shall be closer than one hundred (100) feet from the Planned Residential Zone boundary line. In no event shall the location and arrangement of structures be detrimental to existing or prospective adjacent structures or to existing or prospective development of the neighborhood.

**Sec. 6-55. AREA OF RESIDENTIAL DEVELOPMENT.**

The area of residential development, including roads and other rights-of-way to directly serve residential development, may not exceed forty percent (40%) of the total land area within the R-PR Zone.

**Sec. 6-56. CONSERVATION LAND REQUIREMENTS.**

- (a) As indicated under Section 6-31, except that the requirement concerning area of conservation land shall be as follows:
  - (1) The area of conservation land in a Planned Residential Zone shall equal at least thirty percent (30%) of the total acreage within the Planned Residential Zone.

**Sec. 6-57. RECREATIONAL LAND REQUIREMENTS.**

- (a) The land for recreation use shall be located entirely within the Planned Residential Zone, shall meet in whole or part the particular recreation use requirements existing previous to the Planned Residential Zone in that neighborhood as determined by the Planning and Zoning Commission and such land shall have shape, dimension, character and location suitable to assure its intended recreation use to the maximum enjoyment of all residents of the neighborhood.
- (b) The area of the recreation land in a Planned Residential Zone shall equal at least thirty percent (30%) of the total acreage within the Planned Residential Zone.
- (c) Only upon acceptance by the Representative Town Meeting of the recreation land subject to the standards indicated herein shall the Planned Residential Zone become effective.

**Sec. 6-58. APPLICATION FOR ZONE APPROVAL.**

- (a) The Commission shall pursue the procedure set out in this Section and Sections 6-59, 6-60 in acting upon a Planned Residential Zone application.
- (b) Application for a request for a zone change of a specific area on the Building Zone Regulation Map to Planned Residential Zone shall be submitted in writing in such form as the Commission may require and shall include the following:
  - (1) A written statement describing the conservation and other public purposes to be accomplished and the proposed method of assuring the preservation of the Conservation area of the Planned Residential Zone as open space and the maintenance thereof, and disposition of any public use land;
  - (2) An overall plan of development of the land. For this purpose, the developer shall submit to the Commission a plan prepared by a recognized land planner, a registered architect, or registered civil engineer, which shall:
    - (A) Define the location of the areas to be devoted to residential, conservation and recreation uses;
    - (B) State the acreages to be devoted to each specific use;
    - (C) Set forth the proposed density of dwelling units;
    - (D) Include a major thoroughfare plan and utility plan; and
    - (E) Include a separate plan showing the location of private and/or public conservation and recreation areas.
  - (3) Such additional information as the Commission may deem necessary to make a reasonable decision on the application.

**Sec. 6-59. PUBLIC HEARING.**

The Commission shall hold a public hearing within sixty (60) days after submission of application as required by Section 6-58, preceded by the same notice required for hearings on zoning applications. Recommendations of the Conservation Commission and all other Town agencies may be made at such public hearing or within fifteen (15) days after such hearing.

**Sec. 6-60. ZONING PLAN APPROVAL.**

Within sixty (60) days after conclusion of the public hearing on the proposed Planned Residential Zone the Commission may approve the application and final Planned Residential Zone if the Commission finds that the Town's predominantly residential character is maintained and all the purposes specified herein are met and that the Planned Residential Zone will not be detrimental to the health, safety, property values and residential character of the neighborhood.

**Sec. 6-61. REVIEW OF SITE PLANS; LAPSED APPROVAL.**

- (a) If the Commission changes a specific area of the Building Zone Regulation Map to a Planned Residential Zone, the developer shall thereafter submit a site plan in accordance with Sections 6-13 to 6-16.1 inclusive, prior to the development of any section of the R-PR zone except that any lots for single family detached dwellings shown on the original plan submitted with the rezoning application approved by the Commission under the Subdivision Regulations shall not be required to have site plan approval. The Commission shall review the site plan and layout to determine that it complies with the Planned Residential Zone requirement, with the overall plan originally submitted, upon which the zone change was granted, criteria and standards of Sections 6-13 to 6-16.1 inclusive, and all other relevant Town regulations.
- (b) No building permit shall be issued by the Building Official until after approval of the site plan and layout for the section in which the proposed structure(s) is/are located. (4/24/2013).
- (c) Approval of a site plan and layout shall lapse unless construction of streets and other improvements shown on the site plan and layout is started in that section within one (1) year of the effective date of the Commission's approval.

**LAND USE**

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