

# ATTACHMENT – 2: APPLICANT RECOMMENDED TEXT AMENDMENTS

## Building Height Text Amendments:

### Sec. 40-73. - Dimensional standards for the various zoning districts.

- (9) ~~Yard~~ Requirements for existing structures exceeding maximum height regulations. ~~Yards may be increased as a condition of approval for structures exceeding maximum height requirements. Where~~ Multi-family structures in the R-1, MF, and T-1 zoning districts with more than ten (10) units are permitted to exceed the 50 feet maximum height regulation only when necessary for the installation or expansion of an elevator. ~~the following shall apply:~~
- ~~a.—The minimum required front yard shall be increased by one foot for each foot in height exceeding the maximum height requirements.~~
  - ~~b.—The minimum required side yard shall be increased by one foot cumulatively for each foot in height exceeding the maximum height requirements.~~

### Sec. 40-74. Dimensional standards for lots and principal structures.

Zoning District	Primary Permitted Uses	Min. Lot Size	Min. Lot Width <sup>6</sup>	Min. Front Yard	Min. Rear Yard	Min. Side Yards* (Corner Lot — Min. 12.5 ft.) <sup>4</sup>	Residential Max. Density	Max. Height	Max. Lot Coverage
R-1	Single-Family Two-Family	5,000 sq. ft.	50 ft.	20 ft.	10 ft.	7.5 ft.	15 units/acre	50 ft. <sup>1,2</sup>	40%
R-1B	Single-Family	5,000 sq. ft.	50 ft.	20 ft.	10 ft.	7.5 ft.	8.7 units/acre	50 ft. <sup>1</sup>	40%
R-2	Single-Family	7,000 sq. ft.	70 ft.	25 ft.	10 ft.	7.5 ft.	6.2 units/acre	45 ft.	40%
R-3	Single-Family	12,000 sq. ft.	80 ft.	25 ft.	10 ft.	7.5 ft.	3.6 units/acre	40 ft.	40%
C	Conservation District Single-Family	80,000 sq. ft.	200 ft.	30 ft.	20 ft.	20 ft.	0.5 units/acre	50 ft. <sup>1</sup>	15%
MH	Manufactured Homes Single-Family/Two-Family	5,000 sq. ft.	50 ft.	20 ft.	10 ft.	7.5 ft.	15 units/acre	50 ft. <sup>1</sup>	40%
MX	Mixed Use	5,000 sq. ft.	50 ft.	20 ft.	10 ft. <sup>3</sup>	7.5 ft. <sup>3</sup>	17 units/acre	50 ft.	40%

Table footnotes:

1. Portions of this district may be located in an overlay district as shown on the Town's official zoning map and listed as part of this section. Maximum height of this district may be different than listed.

2. See section 40-73(9), **yard requirements**, for structures exceeding maximum height regulations.
3. Front yard setback is 50 feet if abutting a major thoroughfare.
4. Landscaping buffer requirements in article VI of this chapter may be greater than the required side yard setbacks.

Zoning District	Primary Permitted Uses	Min. Lot Size	Min. Lot Width <sup>6</sup>	Min. Front Yard	Min. Rear Yard	Min. Side Yards* (Corner Lot—Min. 12.5 ft.) <sup>4</sup>	Residential Max. Density	Max. Height	Max. Lot Coverage
CBD	Commercial Uses and Services, Entertainment	None	None	None	None, or same as abutting residential use or district	None, or same as abutting residential use or district	NA	50 ft. <sup>4</sup>	None
NB	Neighborhood Goods and Services	5,000 sq. ft.	50 ft.	20 ft.	10 ft.	7.5 ft.	8.7 units/acre	50 ft. <sup>2</sup>	40%
HB	Highway Commercial	10,000 sq. ft.	100 ft.	30 ft.	15 ft., or 20 ft. if abutting a residential district	10 ft.	NA	50 ft. <sup>2</sup>	60%
MB	Water-Oriented Businesses, Single-Family/Two-Family	10,000 sq. ft.	100 ft.	30 ft.	10 ft.	10 ft.	N/A <sup>6</sup>	50 ft. <sup>2</sup>	40%
T-1	Hotels and Motels 15 units or less	20,000 sq. ft.	100 ft.	20 ft.	10 ft. <sup>3</sup>	7.5 ft.	32 units/acre	50 ft. <sup>2</sup>	40%
	Hotels and Motels Greater than 15 units	25,000 sq. ft.	50 ft.				60 units/acre		
	Restaurants/Businesses	6,000 sq. ft.	50 ft.						
	Single/Multi-Family	6,000 sq. ft.	50 ft.				29 units/acre		
I-1	Industrial	None. (Min. district size: 5 acres)	None	30 ft. <sup>3</sup>	None. *20 ft. if lot line abuts a residential lot or use <sup>3</sup>	None *20 ft. if lot line abuts a residential lot or use <sup>3</sup>	None	50 ft. <sup>2</sup>	None

HOD	See underlying districts for use and dimensional requirements	N/A	N/A	N/A	N/A	N/A	N/A	45 ft.	N/A
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Table footnotes:

1. Portions of this district may be located in an overlay district as shown on the Town's official zoning map and listed as part of this section. Maximum height of this district may be different than listed.
2. See section 40-73(9), ~~yard requirements~~, for structures exceeding maximum height regulations.
3. Front yard setback is 50 feet if abutting a major thoroughfare.
4. In this district, the standard 50-foot building limitation may be exceeded for sprinklered structure and maximum building height shall be solely based on conditional zoning review.
5. Landscaping buffer requirements in article VI of this chapter may be greater than the required side yard setbacks.

**Lot Coverage Text Amendments:**

**Sec. 40-73. - Dimensional standards for the various zoning districts.**

(12) [Exceptions to lot coverage requirements. Multi-family structures with more than ten \(10\) units may exceed the maximum lot coverage requirements of the district to allow for structures to accommodate riser rooms for fire suppression equipment. Such additional lot coverage shall not exceed the minimum additional size required for a riser room by manufacturers specifications as designated by certified professional engineer.](#)

**Sec. 40-426. Reconstruction, maintenance, full or partial demolition and renovation of nonconforming situations.**

- (a) Except for fences, which are regulated by article VII of this chapter, nonconforming uses created by a change in regulations may continue to exist and shall be subject to all other provisions of this article.
- (b) Any building or structure for which normal repair, renovation, partial demolition and reconstruction or routine maintenance is proposed in an amount less than 50 percent of the current tax or certified appraised value of the building or structure, regardless of the reason for such repair or maintenance, shall be entitled to do so using the same building footprint and density with which the building or structure was originally constructed, provided the number of living units or nonresidential spaces are not increased and no additional nonconformities are created. [Notwithstanding the foregoing, lot coverage may exceed that of the original construction if the expansion of the lot coverage is directly attributable to the addition of improvements for fire suppression, including sprinkler systems.](#)
- (c) In the event normal repairs, renovations, full or partial demolition will result in new construction to a nonconforming structure exceeding 50 percent of the current tax or certified appraised value of the building or structure in any period of 12 consecutive months (except as otherwise allowed in subsection (e) of this

section), regardless of the reason for such repairs, renovations, full or partial demolition or maintenance, the owner shall be entitled to undertake new construction using the same building density with which the building or structure was originally constructed, provided that the following provisions are met:

- (1) The number of living units or non-residential spaces are not increased.
- (2) No additional nonconformities are created.
- (3) All current minimum setbacks are met for the zoning district in which the structure is located.
- (4) Maximum building height of the structure shall not exceed those of the zoning district in which it is located.
- (5) Landscaping and buffer requirements shall meet the minimum requirements of the zoning district in which it is located.
- (6) All parking requirements shall meet the minimum requirements of the district in which it is located.
- (7) Lot coverage shall not exceed that of the original construction that is being replaced. [Notwithstanding the foregoing, lot coverage may exceed that of the original construction if the expansion of the lot coverage is directly attributable to the addition of improvements for fire suppression, including sprinkler systems.](#)