SECTION 4. RESIDENTIAL DISTRICTS

A.	**Single Family Residential Districts: RA-8, RA-20, RA-40, RA-80.**	**4-1**
B.	**Multi-Family Residential Districts: RMF-10, RMF-6, RMF-4.**	**4-13**
C.	**Three Family Residential District: R-3.**	**4-25**
D.	**High-Rise Residential District: RH-3.**	**4-29**
E.	**Waterfront Residential-Recreational District: RR-10.**	**4-35**
F.	**Residential-Office District: R-O.**	**4-39**
G.	**Additional Residential Regulations.**	**4-43**
H.	**Planned Neighborhood Development: PND**	**4-53**

4.A. SINGLE FAMILY RESIDENTIAL DISTRICTS: RA-8, RA-20, RA-40, RA-80.

4.A.1. Purpose and Intent.

It is the purpose and intent of these districts to promote the following:

a. to provide for low density housing in appropriate locations, and to permit limited public and quasi-public uses appropriate for residential neighborhoods;

b. to protect residential areas from changes and intrusions, which may cause deterioration;

c. to promote environmental protection and to meet minimum standards of health and safety by protecting against hazards and nuisances;

d. to provide for adequate daylight, ventilation, quiet, privacy, and recreational opportunity; and,

e. to prevent congestion and the overcrowding of land caused by excessive densities.

4.A.2. Uses.

Land and structures may be used only for the following.

a. Permitted Uses.

(1) Church or other place of worship. See Section 4.A.4.a.
(2) Nursery, kindergarten, elementary, or secondary school. See Section 4.A.4.b.
(3) One family dwelling. See Section 4.A.4.c.
(4) Park, playground, or recreation facility. See Section 4.A.4.d.

b. Special Exception Uses.

(1) Cemetery. See Section 4.A.5.a.
(2) Children's Bereavement Counseling & Education Center. See Section 4.A.5.b
(3) Cluster development. See Section 4.A.6.
(4) College or university; post-secondary business or technical school. See Section 4.A.5.c.
(5) Country club with golf course; golf course. See Section 4.A.5.d.
(6) Day care center, child. See Section 4.A.5.e.
(7) Farming. See Section 4.A.5.f.

(8) Firehouse. See Section 4.A.5.g.
(9) Historic properties and structures. See Section 4.A.5.h.
(10) Museum. See Section 4.A.5.i.
(11) Telephone exchange, water treatment facility, sewage or water pumping station, water storage facility. See Section 4.A.5.j.

c. Accessory Uses. See Section 3.G.

4.A.3. General Use Regulations.

Unless otherwise specified or modified in Sections 4.A.4., 4.A.5. or 4.A.6. below, the following regulations shall apply to all uses specified in Section 4.A.2.

DISTRICT	RA-8	RA-20	RA-40	RA-80
Minimum lot area, sq ft				
One family dwelling	8,000	20,000	40,000	80,000
All other uses	20,000	20,000	40,000	80,000
Minimum lot width, ft.				
One family dwelling	50	50	50	50
All other uses	125	125	125	150
Minimum front yard, ft.	20	30	40	50
Minimum side yard, ft.				
One family dwelling	8 ea.	15 ea.	25 ea.	40 ea.
All other uses	20 ea.	20 ea.	25 ea.	40 ea.
Minimum rear yard, ft.	35	35	35	40
Maximum height of building, ft.	35*	35*	35*	35*
*maximum of three stories				
Maximum building coverage	30%	20%	15%	15%
Minimum square side dimensions, ft.	65	100	125	150
Detached accessory use				
Minimum side yard, ft.	6	6	15	30
Minimum rear yard, ft.	6	6	20	30

4.A.4. Specific Use Regulations: Permitted Uses.

The following use regulations shall apply to the permitted uses specified below.

a. Church or Other Place of Worship.

(1) Vehicular access onto the site shall be provided solely from a collector or arterial street.
(2) The lot shall be screened from view from adjacent properties on the side and rear by an approved screen or landscaped buffer as specified in Section 8.D.
(3) The minimum lot area shall be one acre in RA-8, RA-20, and RA-40, and two acres in RA-80.
(4) The minimum building setback shall be as follows:
(a) front yard setback 50 feet
(b) side yard setback 50 feet
(c) rear yard setback 75 feet
(5) No parking shall be permitted in the front yard or between the principal building and a public street.
(6) Any site located within the existing water supply watershed of any water authority or company shall be served by municipal sewer and water facilities.
(7) A rectory and/or parish hall is permitted as an accessory use.

b. Nursery, Kindergarten, Elementary, or Secondary School.

(1) The minimum lot area shall be two (2) acres.
(2) The minimum building setbacks shall be as follows:
(a) front yard setback 50 feet
(b) side yard setback 50 feet
(c) rear yard setback 75 feet
(3) The site shall be served by municipal sewer and water.
(4) Vehicular access to the site shall be provided solely from a collector or an arterial street.
(5) No parking shall be permitted in the front yard setback. All parking and loading areas shall be screened from view from adjacent residential uses by a screen or landscaped or natural buffer, as specified in Section 8.D.
(6) The site shall be screened from view from adjacent residential uses on the side and rear by a screen or landscaped or natural buffer as specified in Section 8.D.
(7) The facility shall be accredited by the State of Connecticut.

c. One Family Dwelling.

(1) Only one principal dwelling per lot shall be permitted, except as part of a cluster development as provided for in Section 4.A.6.

d. Park, playground or recreation facility.

(1) The minimum lot area shall be 8,000 square feet; the minimum lot width shall be 50 feet.

4.A.5. Specific Use Regulations: Special Exception Uses.

The following use regulations shall apply to the special exception uses specified below.

a. Cemetery.

(1) Vehicular access onto the site shall be provided solely from a collector or arterial street.
(2) The minimum lot area shall be two (2) acres.
(3) The lot shall be screened from view from adjacent properties to the side and rear by a screen or landscaped buffer as defined in Section 8.D.

b. Children's Bereavement Counseling & Education Center.

(1) The use may be allowed in the RA-8, RA-20 and RA-40 zoning districts.
(2) The minimum lot area shall be two (2) acres.
(3) The minimum building setbacks shall be as follows:
(a) front yard setback 50 feet
(b) side yard setback 50 feet
(c) rear yard setback 75 feet

c. College or University; Post-secondary Business or Technical School.

(1) Vehicular access onto the site shall be provided solely from an arterial street.
(2) The site shall be served by municipal sewer and water facilities.
(3) The minimum lot area shall be ten (10) acres.
(4) The use shall be permitted in the RA-8, RA-20, and RA-40 districts only.
(5) The minimum building setbacks shall be as follows:

(a) front yard setback 50 feet
(b) side yard setback 50 feet
(c) rear yard setback 75 feet

(6) The facility shall be accredited by the State of Connecticut.

d. Country Club with Golf Course; Golf Course.

(1) Vehicular access onto the site shall be provided solely from a collector or an arterial street.
(2) The minimum lot area shall be one hundred (100) acres.
(3) The minimum building setbacks shall be as follows:
(a) front yard setback 75 feet
(b) side yard setback 100 feet
(c) rear yard setback 100 feet
(4) Golfing tees and greens for the same hole may not be separated by a public street.
(5) Country clubs with golf courses, and golf courses, are allowed only in the RA-8, RA-20 and RA-40 zoning districts.

e. Day Care Center, Child.

(1) Vehicular access onto the site shall be provided solely from a collector or arterial street.
(2) The site shall be served by municipal sewer and water facilities.
(3) The lot shall be screened from view from adjacent properties on the side and rear by a screen or landscaped buffer as specified in Section 8.D.
(4) The facility shall be licensed in accordance with the State of Connecticut requirements.
(5) All outdoor play yards shall be enclosed by a fence.
(6) A driveway shall be provided which allows for the safe delivery of children to the facility by motor vehicle.
(7) No parking shall be permitted between the principal building and a public street.
(8) The building shall be designed in a residential style.
(9) The minimum lot area for a child day care center shall be one acre in RA-8, RA-20, RA-40 districts, and two acres in the RA-80 district.
(10) The minimum building setbacks for a child day care center shall be as follows:
(a) front yard setback 50 feet
(b) side yard setback 50 feet
(c) rear yard setback 75 feet

f. Farming.

(1) Farming shall be permitted only in the RA-80 Zoning District and shall be limited to dairy, truck, and nursery gardening, and the keeping of livestock for commercial purposes. Slaughter houses, kennels, commercial stables and similar uses are excluded.
(2) The minimum lot area shall be five (5) acres.
(3) All poultry, including pigeons, shall be kept within a building or fenced enclosure. A maximum of two hundred and fifty (250) birds may be kept on any lot.
(4) Any structure used for the purpose of keeping livestock, poultry, or any greenhouse in excess of one thousand five hundred (1,500) square feet shall be located at a minimum of one hundred (100) feet from any lot line.
(5) The keeping of horses or other equines as livestock on a farm shall meet all provisions of this section. The keeping of a horse(s) or other equine(s) as household pets shall be permitted only in the RA-80 Zoning District in accordance with §4.G.6.b.
(6) The raising of fur-bearing animals, other than rabbits, and the keeping of swine for commercial purposes shall not be permitted.

(7) No manure or dust producing fertilizers shall be stored in the open within one hundred (100) feet of any property line.

(8) The retail sale of products related to dairy, truck and nursery gardening, and similar farming related materials or products is allowed as an accessory use to a farm, as herein defined, provided that

(a) the sale of such products occurred on the farm prior to the enactment of this subsection 4.A.5.f.(8) of the Regulations, and

(b) the products sold are limited *primarily* to (i) farm products grown or raised on the premises, (ii) vegetables, fruit, trees, shrubs, flowers and seeds, and (iii) fertilizer, potting soil, mulch, wood chips, lime, and hay, and (iv) *incidentally* to other customary farm market and nursery gardening products, including planting pots, bird houses and feeders, jellies and jams, syrup and honey, baked goods, farm produce not necessarily grown or raised on the premise, landscaping materials and gardening supplies, and garden hand tools and edging materials allowed to be sold under this subsection specifically exclude the sale or rental of mechanical and electrical equipment, power tools and hardware, and the sale of building supplies, fencing, bricks, gravel and all other construction materials.

(i) Notwithstanding subsection (a) above, if an existing farm engaged in the retail sale of products, as herein defined, is expanded with the addition of an abutting parcel(s) to create one such lot, the retail sale of products as an accessory use is permitted on the expanded farm, provided such retail sales are in accordance with all provisions of this Regulations.

(9) Products intended for retail sale, as permitted in subsection (8) above, and farm machinery used for the operation of the farm, may be temporarily stored, *but not sold or picked up by customers*, on a lot zoned RA-40 or RA-80 which lies adjacent to but separated from the lot containing the farm and/or retail sales operation by a public right-of-way, provided the lot is under the same ownership as the owner of the existing farm and/or retail sales operation and is no less than 40,000 square feet in area. All new structures primarily used for housing said products and farm machinery shall meet the general use regulations specified for the zoning district in which they are located; all existing nonconforming structures may be used to house said products and farm machinery. No outdoor storage of said products and machinery may be closer than:

(a) 40 feet from a front lot line, 15 feet from a side lot line and 5 feet from a rear lot line; and,

(b) 50 feet from the boundary of a lot containing a dwelling(s) in existence on the date of this amendment.

g. Firehouse.

(1) Vehicular access onto the site shall be provided solely from a collector or arterial street.

(2) The minimum lot area shall be one acre in RA-8, RA-20, and RA-40 districts, and two acres in the RA-80 district.

(3) The minimum building setbacks shall be as follows:

(a)	front yard setback	50 feet
(b)	side yard setback	50 feet
(c)	rear yard setback	75 feet

h. Historic Properties and Structures.

(1) Adapted use of historic properties and structures shall comply with all regulations specified in Section 3.E.5.

(2) The minimum lot area for adapted uses of historic properties and structures, including all other uses and structures on the lot, shall be increased to one acre in RA-8 and RA-20, five acres in RA-40, and ten acres in RA-80.

(3) For lots with an adapted use(s) of historic structures, the total maximum building coverage of all buildings on the lot, including all historic buildings, new or proposed buildings, and additions thereto, shall not exceed 30% of the lot area, or 12,000 sq. ft. ground floor area, whichever is less.

i. Museum.

(1) The property or structure to be used must be listed on the National Register of Historic Places. All operations of the museum shall be located within the structure listed on the National Register of Historical Places.
(2) Museums located within historic structures shall maintain and preserve the historic character of the structure.
(3) Vehicular access to the site shall be provided solely from a collector or an arterial street.
(4) All parking and loading areas shall be screened from view from adjacent property on the side and rear lot lines by an approved screen or landscaped buffer as specified in Section 8.D.
(5) The facility shall not be operated for profit.
(6) A dwelling unit provided for a caretaker is permitted within the principal structure as an accessory use.
(7) The minimum lot area shall be one acre.

j. Telephone Exchange, Water Treatment Facility, Sewage or Water Pumping Station, Water Storage Facility.

(1) The facility shall be screened from view on all sides by a screen or landscaped buffer as specified in Section 8.D.
(2) There shall be no outside service yard or outside storage.
(3) The facility shall be completely enclosed by a fence at least six (6) feet in height; all gates shall be secured at all times from entry by unauthorized personnel.

4.A.6. Cluster Development.

In order to promote environmental protection and to preserve and make available open space for recreation and conservation, the Planning Commission may, by grant of a special exception as herein provided, permit cluster development in the RA-20, RA-40 and RA-80 districts for the purpose of preserving substantial areas as common open space.

a. Uses.

Uses permitted in cluster developments shall be limited to (1) one family dwellings, (2) park, playground, or recreational facilities, and (3) accessory uses related to the above. Unless otherwise specified below, these uses shall meet all requirements of these Regulations.

b. Ownership.

Any parcel of land to be developed under the provisions of this Section must be designed and held in single, cooperative, or condominium ownership provided, however, that one family dwellings may be on individual lots.

c. Lot Size.

The minimum size of a parcel to be considered for a cluster development shall be five (5) acres in a RA-20 zone, ten (10) acres in a RA-40 zone, and twenty (20) acres in a RA-80 zone.

d. Density.

The maximum number of dwelling units permitted on the parcel shall not exceed eighty-five percent (85%) of the gross area of the parcel less all lakes and ponds and public utility easements, divided by the minimum lot area specified for the district in Section 4.A.3.

e. Area and Bulk.

The following use regulations shall apply for all one family dwellings on individual lots.

DISTRICT	RA-20	RA-40	RA-80
Minimum lot area, sq ft.	10,000	20,000	40,000
Minimum lot width, ft.	50	50	50
Minimum front yard, ft.	30	40	50
Minimum side yard, ft.	8 ea.	15 ea.	25 ea.
Minimum rear yard, ft.	35	35	35
Maximum height of building, ft.	35*	35*	35*
*maximum of three stories			
Maximum building coverage	30%	20%	15%
Minimum square side dimensions, ft.	65	100	125
Detached accessory use:			
Minimum side yard, ft.	6	6	15
Minimum rear yard, ft.	6	6	20

f. Two or More Dwellings Per Parcel.

Where two or more one family dwellings are proposed to be built on a single parcel, the front, side, and rear yards specified above for dwellings and accessory uses are required as though each structure were on an individual lot.

g. Open Space.

No more than one-half of the gross area of the parcel, less all lakes and ponds, may be used as individual lots for one family dwellings. All land not allocated to such lots or to approved streets and parking areas shall be permanently reserved as open space. Such land must (1) be suitable for use by the residents of the development for leisure and recreational purposes or possess a unique natural feature worthy of preservation, including environmentally sensitive areas, as defined herein, (2) be available to all residents of the development, and (3) be owned or maintained by either the developer, a condominium association, or a cooperative homeowners association. The method of ownership and maintenance must be specified at the time of application. In cases where a homeowners association is proposed, the association shall be established before certificates of occupancy are issued. Membership must be mandatory for each individual lot owner, and it shall be recorded on the map and in the Danbury Land Records that each lot owner possesses an undivided interest in the designated open space and is jointly and separately responsible for the payment of taxes on the maintenance of the designated open space. Where the proposed open space exceeds five (5) acres and is suitable for community use, the land may be offered for dedication to the City of Danbury and deeded to the City by warranty deed if acceptable to the City of Danbury.

h. Sewer Service.

All uses within cluster developments located within municipal water supply watersheds must be served by municipal sewer facilities. For cluster developments located outside municipal water supply watersheds, the development must be serviced by a public sewer system or a community-type sewage disposal system that meets all local and state regulations, provided, however, that one family dwellings on individual lots may be serviced by individual septic systems if found by the City to be suitable for subsurface sewage disposal.

i. Water Service.

All uses within cluster developments must be served by a municipal water supply system or by a private community-type water supply system that meets all local and state regulations, provided, however, that one family dwellings on individual lots may be served by individual on-site wells if found to be suitable by the City.

j. Administrative Review.

All applications for a cluster developments shall include concurrent submission, review, and action by the Planning Commission on (1) a petition for a special exception as provided for under Section 10.C., (2) an application for site plan approval as provided for under Section 10.D., and (3) all subdivision plans, if applicable, for one family dwellings on individual lots as provided for in the Subdivision Regulations of the City of Danbury.

4.A.7. Deer Hill Avenue RA-8 Overlay Zone.

a. Purpose and Intent.

In addition to provisions specified in §4.A.1. of these Regulations, it is the purpose and intent of the Deer Hill Avenue RA-8 Overlay Zone to recognize the unique qualities and historic character of the Deer Hill Avenue residential neighborhood by providing supplemental regulations to the RA-8 zoning district which will promote development compatible with the character of the neighborhood, protect historic factors, promote traffic safety and protect property values.

b. Scope.

(1) The area of the Deer Hill Avenue RA-8 Overlay Zone shall encompass all lots zoned RA-8 which have frontage on Deer Hill Avenue from Wooster Street to Southern Boulevard, as more particularly shown on a certain map entitled "Deer Hill Avenue RA-8 Overlay Zone," which map is made a part of these Regulations (See page 4-9) and which shall constitute an amendment to the Official Zoning Map of the City of Danbury.
(2) All provisions of these Zoning Regulations shall apply to the Deer Hill Avenue RA-8 Overlay Zone, except as provided for in this §4.A.7. Notwithstanding §3.C.2., wherever there is a conflict between the regulations of this §4.A.7. and other provisions of these Regulations, the provisions of §4.A.7. shall control.

c. Uses.

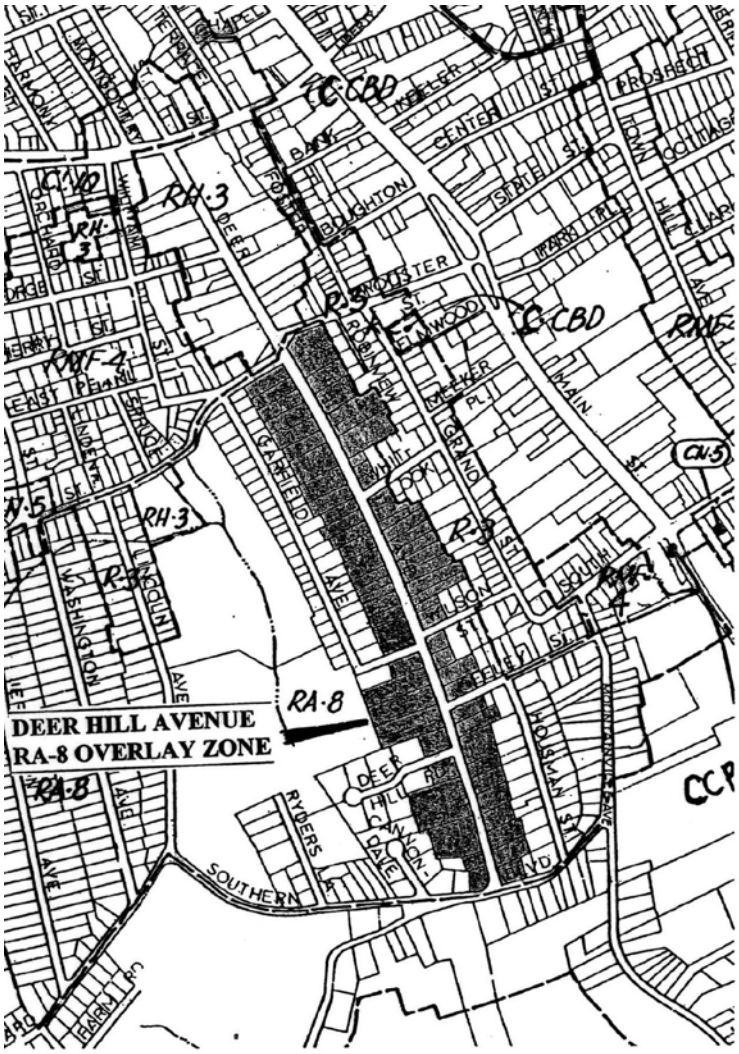
Notwithstanding §4.A.2., land and structures may be used only for the following in the Deer Hill Avenue RA-8 Overlay Zone.

(1) Permitted Uses.
  (a) One family dwelling.
    (i) Only one principal dwelling per lot may be permitted.
(2) Special Exception Uses.
  (a) Church or other place of worship.
    (i) The lot shall be screened from view from adjacent properties on the side and rear by an approved screen or landscaped buffer as specified in Section 8.D.
    (ii) The minimum lot area shall be one acre.
    (iii) The minimum building setback shall be as follows: front yard, 50 feet; side yard, 50 feet; rear yard, 75 feet.

(iv) No parking shall be permitted in the front yard or between the principal building and a public street.
(v) The site shall be served by municipal sewer and water facilities.
(vi) A rectory and/or parish hall is permitted as an accessory use.

(b) Park, playground, or recreational facility.

(3) Accessory Uses. See Section 3.G.
No accessory structure shall be placed between the principal building and a public street.



DEER HILL AVENUE RA-8 OVERLAY ZONE

d. General Use Regulations.

Notwithstanding §4.A.3, and unless otherwise specified in §4.A.7.c., the following regulations shall apply to all uses specified above in the Deer Hill Avenue RA-8 Overlay Zone.

Minimum lot area, sq. ft.	
One family dwelling	8,000
All other uses	20,000
Minimum lot width, ft	
One family dwelling	100
All other uses	125
Minimum front yard, ft.	50
For new construction, new buildings shall be setback a distance approximate to the mean setback of other buildings located closest to the street on adjacent side lots along the block, provided that in no case shall the front yard be less than fifty feet.	
Minimum side yard, ft	
One family dwelling	8 ea.
All other uses	20 ea.
Minimum rear yard, ft	35
Maximum height of buildings, ft.	35, maximum of three stories
Maximum building coverage	30%
Minimum square side dimensions, ft.	65
Detached accessory use	
Minimum side yard, ft.	6
Minimum rear yard, ft.	6

4.A.8. Pleasant Street RA-8 Overlay Zone.

a. Purpose and Intent.

In addition to provisions specified in §4.A.1. of these Regulations, it is the purpose and intent of the Pleasant Street RA-8 Overlay Zone to recognize the unique qualities and historic character of the Pleasant Street residential neighborhood by providing supplemental regulations to the RA-8 Zoning District which will promote development compatible with the character of the neighborhood, protect historic factors, promote traffic safety and protect property values.

b. Scope.

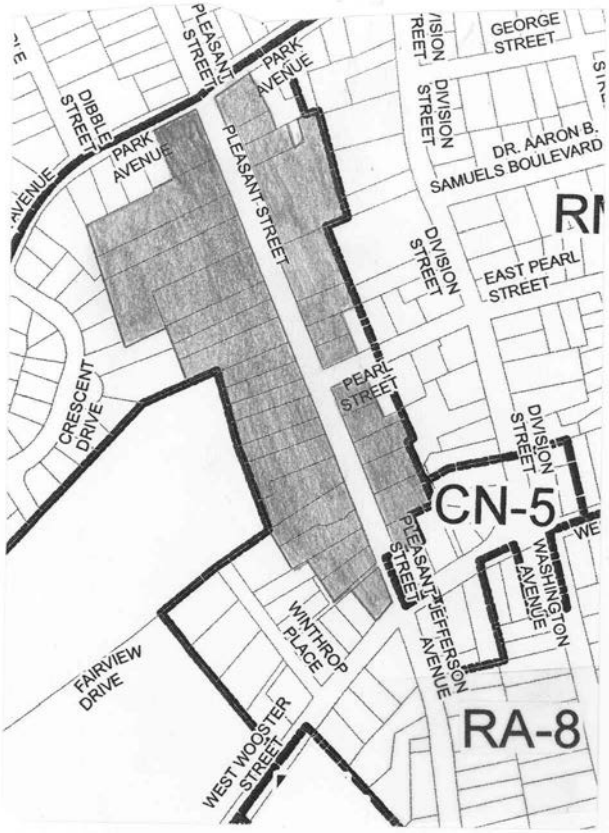
(1) The area of the Pleasant Street RA-8 Overlay Zone shall encompass all lots zoned RA-8 which have lot frontage on Pleasant Street from Park Avenue to West Wooster Street, as more particularly shown on a certain map entitled “Pleasant Street RA-8 Overlay Zone” (see below), which map is made a part of these Regulations and which shall constitute an amendment to the Official Zoning Map of the City of Danbury.

(2) All provisions of these Zoning Regulations shall apply to the Pleasant Street RA-8 Overlay Zone, except as provided for in this §4.A.8. Notwithstanding §3.C.2., wherever there is a conflict between the regulations of this §4.A.8. and other provisions of these Regulations, except §9.B.1., the provisions of §4.A.8. shall control.

c. Uses.

Notwithstanding §4.A.2., land and structures may be used only for the following in the Pleasant Street RA-8 Overlay Zone.

(1) Permitted Uses.
(a) One family dwelling.
(i) Only one principal dwelling per lot may be permitted.



PLEASANT STREET RA-8 OVERLAY ZONE

(2) Special Exception Uses.
  (a) Church or other place of worship.
    (i) The lot shall be screened from view from adjacent properties on the side and rear by an approved screen or landscaped buffer as specified in Section 8.D.
    (ii) The minimum lot area shall be one acre.
    (iii) The minimum building setback shall be as follows: front yard, 50 feet; side yard, 50 feet; rear yard, 75 feet.
    (iv) No parking shall be permitted in the front yard or between the principal building and a public street.
    (v) The site shall be served by municipal sewer and water facilities.
    (vi) A rectory and/or parish hall is permitted as an accessory use.
  (b) Park, playground, or recreational facility.
(3) Accessory Uses. See Section 3.G.
  No accessory structure shall be placed between the principal building and a public street.

d. General Use Regulations.

Notwithstanding §4.A.3, and unless otherwise specified in §4.A.8.c., the following regulations shall apply to all uses specified above in the Pleasant Street RA-8 Overlay Zone.

Minimum lot area, sq. ft.	
One family dwelling	8,000
All other uses	20,000
Minimum lot width and minimum front lot line width, ft.	
One family dwelling	100*
All other uses	125*

*On corner lots with two or more front lot lines, the minimum total of all front lot line widths shall be 200’

Minimum front yard, ft.	20*

*For new construction, new buildings shall be setback a distance approximate to the mean setback of other buildings located closest to the street on adjacent side lots along the block, provided that in no case shall the front yard be less than twenty feet.

Minimum side yard, ft	
One family dwelling	8 ea.
All other uses	20 ea.
Minimum rear yard, ft	35
Maximum height of buildings, ft.	35, maximum of three stories
Maximum building coverage	30%
Minimum square side dimensions, ft.	65
Detached accessory use	
Minimum side yard, ft.	6
Minimum rear yard, ft.	6

4.B. MULTI-FAMILY RESIDENTIAL DISTRICTS: RMF-10, RMF-6, RMF-4.

4.B.1. Purpose and Intent.

a. General.

It is the general purpose and intent of the Multi-Family Residential Districts to promote the following:

(1) to protect residential areas from changes and intrusions which may cause deterioration by allowing only limited public and quasi-public uses appropriate to residential neighborhoods;
(2) to promote compatible site design and environmental protection and to meet minimum standards of health and safety by protecting against hazards and nuisances;
(3) to provide for adequate daylight, ventilation, quiet, privacy, and recreational opportunity;
(4) to prevent congestion and the overcrowding of land caused by excessive densities; and,
(5) to promote diversity of housing types and character and to encourage the development of affordable housing in the City.

b. RMF-10.

In addition to Sec. 4.B.1.a., it is the specific purpose and intent of the RMF-10 zoning district to permit low density housing for a range of dwelling types in areas with environmental constraints or to provide, where appropriate, a transition zone between single family neighborhoods and more intense forms of development.

c. RMF-6.

In addition to Sec. 4.B.1.a., it is the specific purpose and intent of the RMF-6 zoning district to permit medium density housing in areas which reflect existing patterns of development in stable neighborhoods or in developing areas of the City appropriate for permitted densities.

d. RMF-4.

4.B.2. Uses.

Land and structures may be used only for the following.

a. Permitted Uses.

(1) Apartment house. See Section 4.B.4.a.
(2) Cemetery. See Section 4.B.4.b.
(3) Church or other place of worship. See Section 4.B.4.c.
(4) Congregate housing. See Section 4.B.4.d.
(5) Continuing care facility. See Section 4.B.4.e.
(6) Day care center, adult or child. See Section 4.B.4.f.
(7) Firehouse. See Section 4.B.4.g.
(8) Garden apartment. See Section 4.B.4.a.
(9) Housing Redevelopment Option in RMF-4 zones only. See Section 4.G.7.
(10) Nursery, kindergarten, elementary, or secondary school. See Section 4.B.4.h.
(11) Nursing home. See Section 4.B.4.i.
(12) One family dwelling. See Section 4.B.4.j.
(13) Park, playground, or recreation facility. See Section 4.B.4.k.
(14) Police station. See Section 4.B.4.1.

(15)Row house. See Section 4.B.4.a.
(16)Three family dwelling. See Section 4.B.4.m.
(17)Two family dwelling. See Section 4.B.4.m.

b. Special Exception Uses.

(1) Cluster development in RMF-10 zones only. See Section 4.B.6.
(2) Grocery store or laundromat in RMF-4 zones only. See Section 4.B.5.a.
(3) Housing incentive option in RMF-6 and RMF-4 zones only. See Section 4.B.7.
(4) Mobile manufactured home parks in RMF-4 zones only. See Section 4.B.8.
(5) Rooming house or boarding house in RMF-4 zones only. See Section 4.B.5.b.
(6) Telephone exchange, sewage or water pumping station, water storage facilities. See Section 4.B.5.c.

c. Accessory Uses. See Sections 3.G.

4.B.3. General Use Regulations.

a. General.

Unless otherwise specified or modified in Sections 4.B.4.-4.B.8. below, the following regulations shall apply to all uses specified in Section 4.B.2.

DISTRICT	RMF-10	RMF-6	RMF-4
Minimum lot area, square feet			
One family dwelling	10,000	6,000	5,000
Two family dwelling, three family dwelling, garden apartment, row house, apartment house, per dwelling unit	10,000	6,000	4,000
All others	20,000	20,000	20,000
For mixed-use developments containing, on one lot, different land uses, the minimum lot area shall be the sum of the minimum lot areas for each use as required above			
Minimum lot width, feet			
One family dwelling	50	50	50
Two family dwelling	75	75	75
Three family dwelling	100	100	100
Garden apt., row house, apartment house, all others	125	125	125
Minimum front yard, feet	20	20	20
Minimum side yard, feet			
Principal buildings			
One family dwelling	8	8	8
Two family dwelling, three family dwelling	15	15	15
Garden apt., row house	20	20	20
Apartment house	30	30	30
All others	20	20	20
Detached accessory buildings	6	6	6
Minimum rear yard, feet			
Principal buildings	25	25	25
Detached accessory buildings	6	6	6
Maximum height, feet			
Apartment house	45*	45*	45*
*maximum of four stories			
All others	35**	35**	35**

**maximum of three stories			
Maximum building coverage of lot area	30%	30%	30%
Minimum usable open space, sq. ft. per d.u.	500	500	500

b. Sewer and Water.

All uses shall be served by municipal sewer and water except: one family dwellings provided all required permits for on-site septic and water service are granted.

c. Nuisances.

No permitted or special exception use may emit noise, smoke, glare, odor, or vibration, which will create a nuisance having a detrimental effect on adjacent properties.

4.B.4. Specific Use Regulations: Permitted Uses.

The following use regulations shall apply to the permitted uses specified below.

a. Apartment House, Garden Apartment, Row House.

(1) All applicable provisions of §4.G.3. shall be met.

b. Cemetery.

(1) All provisions of §4.G.4. shall be met.

c. Church or Other Place of Worship.

(1) All provisions of §4.G.4. shall be met.
(2) A rectory and/or parish hall is permitted as an accessory use.

d. Congregate Housing.

Congregate housing unaffiliated with a continuing care facility either on or off the lot shall meet all other regulations contained herein for the specific housing type or types (e.g. garden apartment, row house) so constructed as congregate housing, except as modified by the regulations specified below:

(1) no more than two persons may occupy a dwelling unit;
(2) the minimum lot area per dwelling unit shall be one thousand (1,000) square feet;
(3) vehicular access to the site shall be provided solely from a collector or an arterial street or through an abutting commercial or industrial zoning district to a collector or arterial street;
(4) in addition to common dining facilities, the development may also include recreational facilities, activity centers, and other facilities for use by the residents of the congregate housing development as specified by the regulations of the State of Connecticut governing congregate housing; and,
(5) all provisions of §4.G.4. shall be met.

e. Continuing Care Facility.

A continuing care facility shall consist of congregate housing and a nursing home, and may also include independent living units.

(1) Congregate housing shall meet all other regulations contained herein for the specific housing type or types (e.g. garden apartment, row house) so constructed as congregate housing, except as modified by the regulations specified below:
   (a) no more than two persons may occupy a dwelling unit;
   (b) the minimum lot area per dwelling unit shall be one thousand (1,000) square feet;
   (c) such facility shall be under the control or sponsorship of the affiliated nursing home;
   (d) vehicular access to the site shall be provided solely from a collector or an arterial street or through an abutting commercial or industrial zoning district to a collector or arterial street;
   (e) pedestrian access from the congregate housing to the nursing home shall be provided;
   (f) in addition to common dining facilities, the development may also include recreational facilities, activity centers, and other facilities for use by the residents of the congregate housing development as specified by the regulations of the State of Connecticut governing congregate housing; and,
   (g) all of the facilities generally available to residents of the nursing home shall also be available to residents of the congregate housing facility.
(2) The nursing home shall meet all requirements specified in Section 4.B.4.i.
(3) The facility may include independent living units, provided:
   (a) the housing units shall be subject to all provisions regulating the specific housing type or types (e.g. garden apartment, row house), including area and bulk requirements; and,
   (b) all of the facilities and services generally available to residents of the congregate housing and nursing home shall also be available to all independent living unit residents.
(4) All provisions of §4.G.4. shall be met.

f. Day Care Center, Adult or Child.

(1) The site shall be screened from view from adjacent residential uses on the side and rear by an approved screen or landscaped buffer as specified in Section 8.D.
(2) All outdoor play areas for child day care centers shall be enclosed by a fence.
(3) A driveway shall be provided for child day care centers which allows for the safe delivery of children to the facility by motor vehicle.
(4) Day care centers shall be licensed as required by the State of Connecticut.
(5) Vehicular access to the site shall be provided solely from a collector or an arterial street or through an abutting commercial or industrial zoning district to a collector or arterial street.
(6) All provisions of §4.G.4. shall be met.

g. Firehouse.

(1) All provisions of §4.G.4. shall be met.

h. Nursery, Kindergarten, Elementary, or Secondary Schools.

(1) The minimum lot area shall be one acre.
(2) The minimum side yard setback shall be 25 feet; the minimum rear yard setback shall be 50 feet.
(3) Vehicular access to the site shall be provided from a collector or an arterial street.
(4) The site shall be screened from view from adjacent properties on the side and rear by an approved screen or landscaped buffer as specified in Section 8.D.
(5) The facility shall be accredited by the State of Connecticut.
(6) All provisions of §4.G.4. shall be met.

i. Nursing Home.

(1) The minimum lot area shall be one acre.

(2) All nursing homes shall be fully licensed by the State of Connecticut and have received a Certificate of Need, as required from the Connecticut Commission on Hospitals and Health Care, prior to issuance of a Zoning Permit by the City.
(3) All provisions of §4.G.4. shall be met.

j. One Family Dwelling.

(1) Only one principal dwelling per lot shall be permitted, except as part of a cluster development as provided for herein.

k. Park, Playground or Recreational Facility.

(1) All provisions of §4.G.4. shall be met.

l. Police Station.

(1) All provisions of §4.G.4. shall be met.

m. Two and Three Family Dwellings.

(1) Two or more two family and/or three family dwellings are permitted per lot provided all provisions of these Regulations are met.
(2) All applicable provisions of §4.G.3. shall be met.

4.B.5. Specific Use Regulations: Special Exception Uses.

The following use regulations shall apply to the special exception uses specified below.

a. Grocery Store; Laundromat.

Grocery stores and laundromats are allowed in the RMF-4 zoning district subject to the following restrictions.

(1) Only one grocery store or laundromat may be located on a lot. The total building gross square footage devoted to a grocery store or laundromat shall not exceed 3,000 square feet per lot. Notwithstanding §3.H., a maximum of four dwelling units with a minimum of 500 square feet per unit may be located within the grocery store or laundromat building, provided:
(a) the total minimum lot area for all uses is 20,000 square feet;
(b) parking spaces are provided for the grocery store or laundromat, as required herein, and for each dwelling unit as specified for apartment house dwelling units;
(c) total building coverage does not exceed 30%; and,
(d) the minimum lot width is 125 feet.
(2) Lots containing said uses shall be limited to corner lots with frontage on at least one arterial street or collector street, as specified in the Danbury *Plan of Conservation and Development*, with access in accordance with §8.B.1. Vehicular access to the site shall be provided solely from the collector or arterial street.
(3) The sale of gasoline, oil or other motor vehicle supplies and the repair of motor vehicles are prohibited.
(4) All business activity shall be conducted only within buildings on the site. Outdoor storage of machinery, materials or supplies is prohibited.
(5) All drive-in or drive-through facilities, either as a principal or accessory use, by which food, beverages, products or services are dispensed to patrons within motor vehicles are prohibited.
(6) The sale of alcoholic beverages is prohibited.

(7) Hours of operation shall not be between 9:00 pm. and 7:00 am.
(8) All uses shall comply with the design standards specified in §4.G.4. and all other provisions of these Regulations.

b. Rooming House; Boarding House.

(1) Rooming houses and boarding houses are permitted only in the RMF-4 zone.
(2) For new construction, on-site parking and accessory buildings shall not be located between the street and the principal buildings.
(3) All provisions of §4.G.4. shall be met.

c. Telephone Exchange, Sewage or Water Pumping Station, Water Storage Facility.

(1) There shall be no outside service yard or outside storage.
(2) The facility shall be completely enclosed by a fence at least six (6) feet in height; all gates shall be secured at all times from entry by unauthorized personnel.
(3) All provisions of §4.G.4. shall be met.

4.B.6. Cluster Development: RMF-10.

The Planning Commission may permit cluster developments in the RMF-10 zoning district by grant of a special exception, as herein provided, for the purpose of protecting environmentally sensitive areas, preserving open space for recreation and conservation, and for promoting more efficient development.

a. Uses.

Uses permitted in cluster developments shall be limited to (1) one family dwellings, two family dwellings, three family dwellings, garden apartments and row houses, and (2) accessory uses to the above, which may include, in addition to uses customarily incidental to the principal uses, park, playground, or recreational facilities for use by the residents of the cluster development. Unless otherwise modified below, these uses shall meet all other requirements of the RMF-10 zoning district.

b. Ownership.

(1) Any cluster development proposed to be developed under the provisions of this Section shall be held in single ownership, cooperative ownership, or condominium ownership. One family dwellings located within the cluster development may be subdivided for sale onto individual lots, as specified below, or held in condominium ownership.
(2) All private roads and common open space, as herein provided, shall be owned and maintained by a homeowners association, said association to be established prior to issuance of Certificates of Compliance. Membership in the association shall be mandatory for each individual lot and dwelling unit owner, and it shall be stated on the site plan and recorded on each deed in the Office of Town Clerk that each lot and dwelling unit owner possesses an undivided interest in all private roads and common open space and is jointly and separately responsible for their maintenance and for the payment of all required taxes.

c. Area and Bulk.

(1) Density: the maximum number of dwelling units permitted within the cluster development shall be determined by dividing the gross area of the development, less all lakes, ponds, roads, and public utility easements, by 10,000 square feet for each dwelling unit, including all one family dwellings on individual lots, proposed within the cluster development.
(2) Minimum lot area: 10 acres.

(3) Minimum lot width: 125 feet.
(4) No dwelling unit or other building, or part thereof, shall be located closer than fifty (50) feet of any perimeter lot line of the cluster development.
(5) No dwelling unit or other building, or part thereof, shall be located closer than twenty (20) feet from a street, street right-of-way, or street lot line, as the case may be.
(6) The maximum height of buildings shall be thirty-five (35) feet, maximum of three stories.
(7) For one family dwellings on individual subdivided lots:

Minimum lot area	6,000 sq. ft.
Minimum lot width	50 ft
Minimum front yard	20 ft
Minimum side yard	8 ft, principal building
	6 ft, accessory building
Minimum rear yard	25 ft, principal building
	6 ft, accessory building
Maximum building coverage	30%

(8) For one family dwellings not on individual lots, and for all two and three family dwellings, each principal building and all accessory uses shall be surrounded by a lot area as though the dwelling(s) were on a separate lot of 6,000 square feet per dwelling unit with lot width and front, side, and rear yards as specified in Section 4.B.6.c.(7) above. All such areas shall be indicated on the site plan required for the special exception application.
(9) All two and three family dwellings shall comply with Section 4.B.4.m. of these Regulations and all garden apartments, and row houses shall comply with Section 4.B.4.a. of these Regulations, except where inconsistent with this Section 4.B.6.
(10) All applicable provisions of §4.G.3. shall be met.

d. Sewer and Water.

All uses in the cluster development shall be served by municipal sewer and water.

e. Public Water Supply Watershed.

No cluster development, or part thereof, shall be located within a public water supply watershed.

f. Private Roads.

All private roads within and providing access to the cluster development shall either be (1) designed and constructed in accordance with the standards of the City of Danbury for municipal roads, unless such standards are otherwise duly waived, or (2) if not so constructed, then shall be (a) permanently deed restricted as private roads, and (b) shall be indicated on the site plan as private roads not to be deeded to the City of Danbury. If the roads are to be constructed in accordance with the standards for municipal roads, then upon completion of any private road(s), the City shall receive as-built plans of the private road(s) and a sealed certification from a registered professional engineer licensed by the State of Connecticut attesting that he/she has inspected the private road(s) and determined that it meets all design and construction standards of the City for municipal roads.

g. Open Space.

(1) No less than forty (40) percent of the gross area of the cluster development, less all lakes, ponds, roads, and individual lots with one family dwellings, shall be reserved for common open space, with such open space designated on the site plan required for the special exception application.

(2) Common open space shall include environmentally sensitive land, including but not limited to wetlands, floodways, slopes of twenty-five (25) percent or greater, significant forest areas, and areas of unique wildlife habitat. Usable open space, as specified in Section 3.I., shall be included as part of the requirement for common open space and shall total not less than 500 square feet for each dwelling unit, except one family dwellings on individual lots. The method of ownership and maintenance of all common open space shall be specified on the site plan at the time of application for a special exception for cluster development.

h. Application.

All applications for cluster development shall include concurrent submission, review, and action by the Planning Commission of:
(1) a petition for a special exception as provided for under Section 10.C.;
(2) application for site plan approval as provided for under Section 10.D.; and,
(3) all subdivision plans, if applicable, for one family dwellings on individual lots as required in the Subdivision Regulations of the City of Danbury.

4.B.7. Housing Incentive Option: RMF-6 and RMF-4.

Landowners may develop their properties in accordance with the provisions specified in the Zoning Regulations or may, at their option; choose to apply to develop the following residential uses as a special exception in accordance with the terms and conditions of this Section. The housing incentive option applies only to the RMF-6 and RMF-4 zones.

a. Purpose and Concept.

This option is intended to increase the supply of desirable and affordable housing in the City. Under this option, increased density is permitted for selected residential uses provided that additional design criteria are met and that affordable housing constitutes a portion of all units so constructed.

b. Scope.

This option shall apply to (1) the construction of two family and three family dwellings, apartment houses, garden apartments and row houses, and (2) the conversion and/or expansion of non-residential buildings into two family and three family dwellings, garden apartments and row houses. [Rev. 12/03/2017]

c. Density Bonus.

For landowners applying for a special exception under this option, the minimum lot areas per dwelling unit required in the Zoning Regulations for the permitted multi-family uses may be reduced for (1) two family and three family dwellings, (2) apartment houses and garden apartments, and (3) row houses as follows, provided, however, that all other provisions of this Section are met: [Rev. 12/03/2017]

(1) in the RMF-6 zone, from one unit per 6,000 square feet to one unit per 4,000 square feet; and,
(2) in the RMF-4 zone, from one unit per 4,000 square feet to one unit per 3,000 square feet.

The maximum number of dwelling units shall be calculated by dividing the total buildable land area of the parcel by the maximum density bonus square footage per dwelling unit as specified above. For the purposes of this section, "buildable land area" shall include all lands of the parcel less roads and streets (not including driveways and parking areas), and other lands exempted in §3.H.4. Lakes and Ponds and §3.H.5. Public Utility Easements. In calculating the maximum number of dwelling units permitted with the bonus, all resulting numbers with fractions shall be reduced to the lowest integer (e.g. 7.3. equals 7; 8.9 equals 8).

The maximum number of dwelling units permitted under this option, however, shall be reduced to the extent necessary to accommodate required off-street parking, setbacks, separation of buildings, and other provisions specified herein.

For each dwelling unit constructed in excess of the number of units permitted by applicable density limits specified in Section 4.B.3.a., the developer/applicant shall construct at least one unit of affordable housing, as specified below and defined herein, said units to be of comparable size and workmanship as all other units in the development, provided, however, that under no circumstances shall the overall maximum density bonus be exceeded by the total number of permitted and bonus units.

d. Conditions for Approval.

All applications for a special exception under this option shall, in exchange for the density bonus specified above, meet the following conditions for approval in addition to all other applicable provisions of the Zoning Regulations.

(1) Affordable Housing.

To be eligible for the density bonus, all provisions of Title 8, Chapter 124, Section 8-2g. of the General Statutes of Connecticut, as amended, shall be met. All documents and evidence attesting to compliance with said Section 8-2g. shall be submitted as part of the application for a special exception, including a proposed contract between the developer applying for the special exception and the City, said contract to be in accordance with all provisions of Section 8-2g. and this Section and otherwise found to be acceptable and approved by the City. [Rev. 7/8/2013]

(2) Site Planning Criteria.

All uses shall meet the requirements pertaining to the uses eligible under this Option as specified in §4.B.3-4., and all other applicable provisions of these Regulations except as modified in this Section 4.B.7. All applicable provisions of §4.G.3. shall be met.

(3) Environmental Controls.

No buildings or off-street parking shall take place on slopes, which, in their pre-application state, exceed twenty-five (25) percent. Existing slopes which exceed twenty-five (25) percent shall not be graded or terraced or otherwise altered to accommodate construction activity under this option except for roads, drainage, utilities, erosion controls, or similar improvements provided such are approved by the City.

(4) Administration.

The housing incentive option shall be approved or denied as a special exception by the Planning Commission. The application for a special exception shall be reviewed for compliance with the regulations specified above as well as with other applicable requirements of the Zoning Regulations. Where a conflict exists between the requirement of this Section and those of other provisions of the Zoning Regulations, the requirements of this Section shall control.

All applications for a special exception under this option shall be accompanied by an Affordable Housing Application, as specified in Section 10.E., except that (1) the income for eligible persons and families shall not exceed eighty percent (80%) of the area median income of the City as determined by HUD and (2) the period for which the affordable housing units shall be offered for sale or rent to persons and families having incomes which do not exceed eighty percent (80%) of the area median income of the City shall be no less than forty years. [Rev. 5/2/2015]

Affordable housing units shall be constructed concurrent with other dwelling units included within the application for a special exception. Consequently, Zoning Permits and Certificates of Compliance shall be issued for affordable and other dwelling units on a one-for-one basis to ensure that all affordable housing units are completed under the terms of this Section.

4.B.8. Mobile Manufactured Home Parks.

a. Purpose.

It is the general purpose and intent of this Section to:

(1) expand residential opportunities by allowing a variety of housing types;
(2) encourage the creation and maintenance of mobile manufactured home parks in appropriate locations; and,
(3) promote environmental protection and to meet minimum standards of health and safety by protecting against hazards and nuisances.

b. Location.

Mobile manufactured home parks shall be allowed as a special exception use only in the RMF-4 district.

c. Application.

All provisions of this Section shall apply to new mobile manufactured home parks or to the enlargement or expansion of existing mobile manufactured home parks. A mobile manufactured home park, or portion thereof, existing prior to the effective date of this Section, October 5, 1992, shall not be deemed nonconforming by reason of failure to meet the minimum requirements of this Section and the district in which the park is located.

d. Administrative Review.

Applications for mobile manufactured home parks shall be accompanied by a site plan drawn in accordance with Section 10.D. of these Regulations. All proposed mobile manufactured home spaces shall be shown on the site plan, meeting all the requirements of Section 4.B.8.f.-g. as if said spaces were on separate lots.

e. Criteria.

All mobile manufactured homes shall meet the following criteria:

(1) be occupied for residential purposes only;
(2) be subject to all the provisions of these Regulations which apply to residential structures; and
(3) have the wheel hubs, axles and tongue removed and shall be placed on a permanent foundation system in accordance with the requirements of all building codes of the City of Danbury.

f. Area and Bulk Requirements.

(1) Mobile manufactured home parks.

Minimum Lot Area	10 acres
Minimum Lot Width	125 feet

Mobile manufactured homes and other buildings shall not be allowed within fifty feet (50') of the lot line of the mobile manufactured home park except as permitted in Section 4.B.8.h. for replacement mobile manufactured homes.

(2) Mobile manufactured home spaces.

Minimum area per mobile manufactured home space	4,000 sq.ft.
Minimum width per space	50 feet
Front yard setback	20 feet
Side yard setback	
Mobile manufactured home	8 feet
Detached Accessory Use	6 feet
Rear yard setback	
Mobile manufactured home	25 feet
Detached Accessory Use	6 feet
Max. mobile manufactured home and building height	30 feet
Max. mobile manufactured home and building coverage	30%

g. Additional Site Development Regulations.

(1) Each mobile manufactured home space shall be clearly defined on the ground by permanent monuments.
(2) Any mobile manufactured home park, space, or mobile manufactured home that extends into a floodplain shall be subject to the provisions of Section 7.A.
(3) Placement of other facilities. All accessory buildings, excluding accessory buildings on individual mobile manufactured home spaces, and other facilities shall be located at least sixty feet (60') from any mobile manufactured home.
(4) Interior roadways. All mobile manufactured home spaces shall abut an interior roadway with a right-of-way of no less than thirty feet (30') and a paved travelway of at least twenty feet (20') in width. Interior roadways shall be paved with asphaltic concrete to a depth of three inches (3"), to be installed in two courses, over an eight-inch (8") gravel base. Gravel shoulders shall be provided within the roadway's right-of-way and shall be five feet (5') wide each. Suitable measures shall be taken to ensure proper drainage. Curbs shall not be required.
(5) Parking. A minimum of two parking spaces shall be provided for each mobile manufactured home space. Additional buildings within a mobile manufactured home park shall be subject to the parking requirements of Section 8.C. of these Regulations.
(6) Utilities. All utilities serving individual mobile manufactured homes, except for fuel oil and bottled gas, shall be located underground on the respective mobile manufactured home site.
(7) Sewer and water. All mobile manufactured home parks shall be served by municipal sewer and water.
(8) Landscaping. A view restrictive landscaped buffer, as defined in Section 8.D. of these Regulations, shall be provided within the fifty foot (50') perimeter setback as specified in Section 4.B.8.f. above.
(9) Lakes and ponds; public utility easements. Lands which may not be included when computing the area of a lot for the purpose of calculating required lot areas or the number of permitted mobile manufactured homes shall include lakes and ponds and public utility easements as specified in §3.H.4. and §3.H.5., respectively.
(10) Nuisances. No use may emit noise, smoke, glare, odor, or vibration which will create a nuisance having a detrimental effect on adjacent properties.

h. Replacement Mobile Manufactured Homes.

All replacement mobile manufactured homes and accessory uses, including carports, porches, decks, and storage sheds, within existing mobile manufactured home parks shall meet the setback requirements given in Section 4.B.8.f.(2) except if the mobile manufactured home park licensee can demonstrate to the Zoning Enforcement Officer that the mobile manufactured home being replaced was located within the required setbacks as of October 5, 1992, or if the mobile manufactured home space was vacant on October 5, 1992, on the last previous date a mobile manufactured home occupied the space. A replacement mobile manufactured home may encroach within a setback only the minimum distance necessary to accommodate the home.

i. Signs.

All signs located within mobile manufactured home parks shall be subject to the requirements of Section 8.E.2. of these Regulations.

4.C. THREE FAMILY RESIDENTIAL DISTRICT: R-3.

4.C.1. Purpose and Intent.

The purpose of the Three Family Residential zoning district is to provide an area of single and medium density multi-family development in suitable locations that are in character with existing urban neighborhoods, to promote compatible site design that meets the needs of residents, to provide for customary neighborhood uses, and to prevent the overcrowding of land, congestion in the streets, and the undue concentration of population.

4.C.2. Uses.

Land and structures may be used only for the following. Notwithstanding this Section 4.C., see Section 7.E. for restrictions on uses located in the Main Street Historic Overlay Zone and Section 7.F. for restrictions on uses located within the Downtown Revitalization Zone. [Rev. 7/29/2014]

a. Permitted Uses.

(1) Church or other place of worship. See Section 4.C.4.a.
(2) Firehouse. See Section 4.C.4.b.
(3) Nursery, kindergarten, elementary, or secondary school. See Section 4.C.4.c.
(4) One family dwelling, except within the DRZ. See Sections 4.C.4.d. and 7.F.3.c. [Rev. 7/29/2014]
(5) Park, playground, or recreation facility. See Section 4.C.4.e.
(6) Police station. See Section 4.C.4.f.
(7) Three family dwelling. See Sections 4.C.4.g. and 7.F.3.a. [Rev. 7/29/2014]
(8) Two family dwelling. See Sections 4.C.4.g. and 7.F.3.a. [Rev. 7/29/2014]

b. Special Exception Uses.

(1) Cemetery. See Section 4.C.5.a.
(2) Congregate housing. See Sections 4.C.5.b. and 7.F.3.b. [Rev. 7/29/2014]
(3) Continuing care facility. See Sections 4.C.5.c. and 7.F.3.b. [Rev. 7/29/2014]
(4) Day care center, adult or child. See Section 4.C.5.d.
(5) Nursing home. See Sections 4.C.5.e. and 7.F.3.b. [Rev. 7/29/2014]
(6) Telephone exchange, sewage or water pumping station, except within the DRZ. Water storage facility. See Sections 4.C.5.f. and 7.F.3.c. [Rev. 7/29/2014]

c. Accessory Uses. See Section 3.G.

4.C.3. General Use Regulations.

Unless otherwise specified or modified in Sections 4.C.4. and 4.C.5. below, the following regulations shall apply to all uses specified in Section 4.C.2.

Minimum lot area, sq. ft., except as specified below for dwelling units.	20,000
Minimum lot area per dwelling unit, sq. ft.:	
One family dwelling	5,000
Two-family dwelling	3,750
Three-family dwelling	3,750
Minimum lot width, ft.	
One family	50
Two family	75

Three family	100
All others	125
Minimum front yard, ft.	20
Minimum side yard, ft.	
One family	8
Two family; three family	15
All others	20
Detached accessory use, ft.	6
Minimum rear yard, ft.	25
Detached accessory use, ft.	6
Maximum height, ft.	35*
*max. of three stories	
Max. building coverage of lot area	30%
Min. usable open space, sq. ft. per d.u.	500

4.C.4. Specific Use Regulations: Permitted Uses.

The following use regulations shall apply to the permitted uses specified below.

a. Church or Other Place of Worship.

(1) All provisions of §4.G.4. shall be met.
(2) A rectory and/or parish hall is permitted as an accessory use.

b. Firehouse.

(1) All provisions of §4.G.4. shall be met.

c. Nursery, Kindergarten, Elementary, or Secondary School.

(1) The minimum lot area shall be one acre.
(2) The minimum side yard shall be 25 feet; the minimum rear yard shall be 50 feet.
(3) Vehicular access to the site shall be provided solely from a collector or an arterial street or through an abutting commercial or industrial zoning district to a collector or arterial street.
(4) The site shall be screened from view from adjacent property on the side and rear by an approved screen or landscaped buffer as specified in Section 8.D.
(5) The facility shall be accredited by the State of Connecticut.
(6) All provisions of §4.G.4. shall be met.

d. One Family Dwelling.

(1) Only one principal dwelling per lot shall be permitted.

e. Park, Playground, or Recreation Facility.

(1) All provisions of §4.G.4. shall be met.

f. Police Station.

(1) All provisions of §4.G.4. shall be met.

g. Two Family and Three Family Dwellings.

(1) Only one two family or one three family dwelling is permitted per lot.
(2) All provisions of §4.G.3. shall be met.

4.C.5. Specific Use Regulations: Special Exception Uses.

The following use regulations shall apply to the special exception uses specified below.

a. Cemetery.

(1) All provisions of §4.G.4. shall be met.

b. Congregate Housing.

Congregate housing unaffiliated with a continuing care facility either on or off the lot shall meet all other regulations contained herein for the specific housing type or types (e.g. garden apartment, row house) so constructed as congregate housing, except as modified of the regulations specified below:

(1) no more than two persons may occupy a dwelling unit;
(2) the minimum lot area per use shall be no less than one acre with a minimum lot area per dwelling unit of two thousand (2,000) sq. ft.
(3) in addition to common dining facilities, the development may also include recreational facilities, activity centers, and other facilities for use by the residents of the congregate housing development as specified by the regulations of the State of Connecticut governing congregate housing; and,
(4) all provisions of §4.G.4. shall be met.

c. Continuing Care Facility.

A continuing care facility shall consist of congregate housing and a nursing home, and may also include independent living units.

(1) Congregate housing shall meet all other regulations contained herein for the specific housing type or types (e.g. garden apartment, row house) so constructed as congregate housing, except as modified by the regulations specified below:
    (a) no more than two persons may occupy a dwelling unit;
    (b) the minimum lot area per use shall be no less than one acre with a minimum lot area per dwelling unit of two thousand (2,000) sq. ft.
    (c) such facility shall be under the control or sponsorship of the affiliated nursing home;
    (d) pedestrian access from the congregate housing to the nursing home shall be provided;
    (e) in addition to common dining facilities, the development may also include recreational facilities, activity centers, and other facilities for use by the residents of the congregate housing development as specified by the regulations of the State of Connecticut governing congregate housing: and,
    (f) all of the facilities generally available to residents of the nursing home shall also be available to residents of the congregate housing facility.
(2) The nursing home shall meet all requirements specified in Section 4.C.5.e.
(3) The facility may include independent living units, provided:
    (a) the housing units shall be subject to all provisions regulating the specific housing type or types (e.g. garden apartment, row house), including area and bulk requirements; and,
    (b) all of the facilities and services generally available to residents of the congregate housing and nursing home shall also be available to all independent living unit residents.
(4) All provisions of §4.G.4. shall be met.

d. Day Care Center, Adult or Child.

(1) The site shall be screened from view from adjacent residential uses on the side and rear by an approved screen or landscaped buffer as specified in Section 8.D.
(2) All outdoor play areas for child day care centers shall be enclosed by a fence.
(3) A driveway shall be provided for child day care centers which allows for the safe delivery of children to the facility by motor vehicle.
(4) Day care centers shall be licensed as required by the State of Connecticut.
(5) Vehicular access to the site shall be provided solely from a collector or arterial street or through an abutting commercial or industrial zoning district to a collector or arterial street.
(6) All provisions of §4.G.4. shall be met.

e. Nursing Home.

(1) The minimum lot area shall be one acre.
(2) All nursing homes shall be fully licensed by the State of Connecticut and have received a Certificate of Need, as required for the Connecticut Commission on Hospitals and Health Care, prior to issuance of a Zoning Permit by the City.
(3) All provisions of §4.G.4. shall be met.

f. Telephone Exchange, Sewage or Water Pumping Station, Water Storage Facility.

(1) There shall be no outside service yard or outside storage.
(2) The facility shall be completely enclosed by a fence at least six (6) feet in height; all gates shall be secured at all times from entry by unauthorized personnel.
(3) All provisions of §4.G.4. shall be met.

4.D. HIGH-RISE RESIDENTIAL DISTRICT: RH-3.

4.D.1. Purpose and Intent.

The purpose of the High-Rise Residential Zoning District is to provide for: a compatible mix of high density residential, limited commercial, institutional and neighborhood uses in the urban core of the City; compatible site design; minimum standards of health and safety; adequate daylight, ventilation, quiet, privacy and recreational opportunity; prevention of congestion and the overcrowding of land; and, promotion of a diversity of housing types.

4.D.2. Uses.

Land and structures may be used only for the following. Notwithstanding this Section 4.D., see Section 7.E. for restrictions on uses located in the Main Street Historic Overlay Zone and Section 7.F. for restrictions on uses located with the Downtown Revitalization Zone. [Rev. 7/29/2014]

a. Permitted Uses.

(1) Apartment house. See Sections 4.D.4.a.and 7.F.3.b. [Rev. 7/29/2014]
(2) Church or other place of worship. See Section 4.D.4.b.
(3) College or university. See Section 4.D.4.c.
(4) Firehouse. See Section 4.D.4.d.
(5) Garden apartment. See Sections 4.D.4.a.and 7.F.3.b. [Rev. 7/29/2014]
(6) Hospital. See Section 4.D.4.e.
(7) Housing Redevelopment Option. See Section 4.G.7.
(8) Nursery, kindergarten, elementary, or secondary school. See Section 4.D.4.f.
(9) One family dwelling, except within the DRZ. See Sections 4.D.4.g. and 7.F.3.c. [Rev. 7/29/2014]
(10) Park, playground, or recreation facility. See Section 4.D.4.h.
(11) Parking area or parking garage. See Sections 4.D.4.i.and 7.F.4. [Rev. 7/29/2014]
(12) Police station. See Section 4.D.4.j.
(13) Row house. See Sections 4.D.4.a.and 7.F.3.b. [Rev. 7/29/2014]
(14) Three family dwelling. See Sections 4.D.4.k. and 7.F.3.a. [Rev. 7/29/2014]
(15) Two family dwelling. See Sections 4.D.4.k. and 7.F.3.a. [Rev. 7/29/2014]

b. Special Exception Uses.

(1) Business or professional office. See Section 4.D.5.a.
(2) Congregate housing. See Sections 4.D.5.b. and 7.F.3.b. [Rev. 7/29/2014]
(3) Continuing care facility. See Sections 4.D.5.c. and 7.F.3.b. [Rev. 7/29/2014]
(4) Day care center, adult or child. See Section 4.D.5.d.
(5) Grocery store; laundromat. See Section 4.D.5.e. [Rev. 06/04/2015]
(6) Medical office. See Section 4.D.5.f. [Rev. 06/04/2015]
(7) Nursing home. See Sections 4.D.5.g. and 7.F.3.b. [Rev. 7/29/2014] [Rev. 06/04/2015]
(8) Shelter for the homeless. See Sections 4.D.5.h.and 7.F.3.b. [Rev. 7/29/2014] [Rev. 06/04/2015]
(9) Telephone exchange, sewage or water pumping station, except within the DRZ. Water storage facility. See Sections 4.D.5.i. and 7.F.3.c. [Rev. 7/29/2014] [Rev. 06/04/2015]
(10) Transitional housing facility. See Sections 4.D.5.j. and 7.F.3.b. [Eff. 10/29/2019]

c. Accessory Uses. See Section 3.G.

4.D.3. General Use Regulations.

a. Unless otherwise specified or modified in Sections 4.D.4 or 4.D.5 below, the following regulations shall apply to all uses specified in Section 4.D.2.

Minimum lot area per dwelling unit, sq. ft.:	
One family dwelling	5,000
Two family dwelling	4,000
Three family dwelling	4,000
Garden apartment	3,000
Garden apartment efficiency unit	2,500
Row house	3,000
Apartment house	2,000
Apartment house efficiency unit	1,500
Minimum lot area, all other uses, sq. ft	20,000
Minimum lot width, ft.	
One family dwelling	50
Two family dwelling	75
Three family dwelling	100
Garden apt, row house, apartment house, all others	125
Minimum front yard, ft.	20
Minimum side yard, ft	
One family dwelling	8
Two and three family dwelling	15
Garden and row house	20
Apartment house	30
All others	20
Detached accessory use, ft.	6
Minimum rear yard, ft.	
Principal buildings	
Apartment house	45
All others	25
Detached accessory use, ft.	6
Maximum height, ft.	
Apartment house	75*
*maximum of seven stories	
All others	35*
*maximum of three stories	
Max. building coverage of lot area	30%
Minimum usable open space, sq. ft. per d.u.	500

b. Notwithstanding §4.D.3.a. above, all regulations pertaining to minimum lot area, minimum lot width, minimum setbacks, maximum height, and maximum building coverage for uses located within the DRZ, as specified in §7.F., shall be the same as the regulations specified in C-CBD §5.F.3. [Eff. 6/2/2011]

c. See §7.F. for restrictions related to first floor residential development in the DRZ. [Eff. 6/2/2011]

4.D.4. Specific Use Regulations: Permitted Uses.

The following use regulations shall apply to the permitted uses specified below.

a. Apartment House, Garden Apartment, Row House.

(1) Efficiency units shall not exceed twenty-five (25) percent of the total number of units in the apartment house or garden apartment.
(2) All applicable provisions of §4.G.3. shall be met.

b. Church of Other Place of Worship.

(1) All provisions of §4.G.4. shall be met.
(2) A rectory and/or parish hall is permitted as an accessory use.

c. College or University.

(1) All provisions of §4.G.4. shall be met.

d. Firehouse.

(1) All provisions of §4.G.4. shall be met.

e. Hospital.

(1) Hospital buildings shall have a maximum height of no greater than the highest hospital building on the site in existence on the effective date of this amendment. [Eff. 11/11/2005]
(2) All provisions of §4.G.4. shall be met.

f. Nursery, Kindergarten, Elementary, or Secondary School.

(1) The minimum lot area shall be one acre.
(2) The minimum side yard setback shall be 25 feet; the minimum rear yard setback shall be 50 feet.
(3) The site shall be screened from view from adjacent property on the side and rear by an approved screen or landscaped buffer as specified in Section 8.D.
(4) The facility shall be accredited by the State of Connecticut.
(5) All provisions of §4.G.4. shall be met.

g. One Family Dwelling.

(1) Only one principal dwelling per lot shall be permitted.

h. Park, Playground, or Recreation Facility.

(1) All provisions of §4.G.4. shall be met.

i. Parking Area; Parking Garage.

(1) All provisions of §4.G.4. shall be met.

j. Police Station.

(1) All provisions of §4.G.4. shall be met.

k. Two Family and Three Family Dwellings. [Rev. 7/29/2014]

(1) All applicable provisions of §4.G.3. shall be met.

4.D.5. Specific Use Regulations: Special Exception Uses.

The following use regulations shall apply to the special exception uses specified below.

a. Business or Professional Office.

(1) Vehicular access to the site shall be provided solely from a collector or arterial street or through an abutting commercial or industrial zoning district to a collector or arterial street.
(2) All provisions of §4.G.4. shall be met.

b. Congregate Housing.

Congregate housing unaffiliated with a continuing care facility either on or off the lot shall meet all other regulations contained herein for the specific housing type or types (e.g. garden apartment, row house) so constructed as congregate housing, except as modified by the regulations specified below:

(1) no more than two persons may occupy a dwelling unit;
(2) the minimum lot area per dwelling unit shall be one thousand (1,000) square feet;
(3) vehicular access to the site shall be provided solely from a collector or an arterial street or through an abutting commercial or industrial zoning district to a collector or arterial street.
(4) in addition to common dining facilities, the development may also include recreational facilities, activity centers, and other facilities for use by the residents of the congregate housing development as specified by the regulations of the State of Connecticut governing congregate housing.
(5) all provisions of §4.G.4. shall be met.

c. Continuing Care Facility.

A continuing care facility shall consist of congregate housing and a nursing home, and may also include independent living units.

(1) Congregate housing shall meet all other regulations contained herein for the specific housing type or types (e.g. garden apartment, row house) so constructed as congregate housing, except as modified by the regulations specified below:
    (a) no more than two persons may occupy a dwelling unit;
    (b) the minimum lot area per dwelling unit shall be one thousand (1,000) square feet;
    (c) such facility shall be under the control or sponsorship of the affiliated nursing home;
    (d) vehicular access to the site shall be provided solely from a collector or an arterial street or through an abutting commercial or industrial zoning district to a collector or arterial street;
    (e) pedestrian access from the congregate housing to the nursing home shall be provided;
    (f) in addition to common dining facilities, the development may also include recreational facilities, activity centers, and other facilities for use by the residents of the congregate housing development as specified by the regulations of the State of Connecticut governing congregate housing; and,
    (g) all of the facilities generally available to residents of the nursing home shall also be available to residents of the congregate housing facility.
(2) The nursing home shall meet all requirements specified in Section 4.D.5.h.
(3) The facility may include independent living units, provided:
    (a) the housing units shall be subject to all provisions regulating the specific housing type or types (e.g. garden apartment, row house), including area and bulk requirements; and,
    (b) all of the facilities and services generally available to residents of the congregate housing and nursing home shall also be available to all independent living unit residents.
(4) All provisions of §4.G.4. shall be met.

d. Day Care Center, Adult or Child.

(1) The site shall be screened from view from adjacent residential uses on the side and rear by an approved screen or landscaped buffer as specified in Section 8.D.
(2) All outdoor play areas for child day care centers shall be enclosed by a fence.
(3) A driveway shall be provided for child day care centers which allows for the safe delivery of children to the facility by motor vehicle.
(4) Day care centers shall be licensed as required by the State of Connecticut.
(5) Vehicular access to the site shall be provided solely from a collector or arterial street or through an abutting commercial or industrial zoning district to a collector or arterial street.
(6) All provisions of §4.G.4. shall be met.

e. Grocery Store or Laundromat. [Rev. 06/04/2015]

(1) Only one grocery store or laundromat may be located on a lot. The total building gross square footage devoted to a grocery store or laundromat shall not exceed 3,000 square feet per lot. Notwithstanding §3.H., a maximum of four dwelling units with a minimum of 500 square feet per unit may be located within the grocery store or laundromat building provided (1) the total minimum lot area for all uses is 20,000 square feet, (2) parking spaces are provided for the grocery store or laundromat, as required herein, and for each dwelling unit as specified for apartment house dwelling units, (3) total building coverage does not exceed 30%, and (4) the minimum lot width is 125 feet.
(2) Lots containing said uses shall be limited to corner lots with frontage on at least one arterial street or collector street, as specified in the Danbury *Plan of Conservation and Development*, with access in accordance with §8.B.1. Vehicular access to the site shall be provided solely from the collector or arterial street.
(3) The sale of gasoline, oil or other motor vehicle supplies and the repair of motor vehicles are prohibited.
(4) All business activity shall be conducted only within buildings on the site. Outdoor storage of machinery, materials or supplies is prohibited.
(5) All drive-in or drive-through facilities, either as a principal or accessory use, by which food, beverages, products or services are dispensed to patrons within motor vehicles are prohibited.
(6) The sale of alcoholic beverages is prohibited.
(7) Hours of operation shall not be between 9:00 pm. and 7:00 am.
(8) All uses shall comply with the design standards specified in §4.G.4.and all other provisions of these Regulations.

f. Medical Office. [Rev. 06/04/2015]

(1) All provisions of §4.G.4.shall be met.

g. Nursing Home. [Rev. 06/04/2015]

(1) The minimum lot area shall be one acre.
(2) All nursing homes shall be fully licensed by the State of Connecticut and have received a Certificate of Need, as required from the Connecticut Commission on Hospitals and Health Care, prior to issuance of a Zoning Permit by the City.
(3) Vehicular access to the site shall be provided solely from a collector or an arterial street or through an abutting commercial or industrial zoning district to a collector or arterial street.
(4) All provisions of §4.G.4.shall be met.

h. Shelter for the Homeless. [Rev. 7/29/2014] [Rev.06/04/2015]

(1) The shelter must be sponsored by a non-profit organization. [Rev. 7/29/2014]
(2) Each shelter shall not exceed twenty beds per lot. [Rev. 7/29/2014]

(3) All provisions of §4.G.4.shall be met. [Rev. 7/29/2014]

i. Telephone Exchange, Sewage or Water Pumping Station, and Water Storage Facility. [Rev. 7/29/2014] [Rev. 06/04/2015]

(1) There shall be no outside service yard or outside storage.
(2) The facility shall be completely enclosed by a fence at least six (6) feet in height; all gates shall be secured at all times from entry by unauthorized personnel.
(3) All provisions of §4.G.4.shall be met.

j. Transitional housing facility. [Eff. 10/29/2019]

(1) The Facility must be operated by a non-profit organization.
(2) Vehicular access onto the site shall be provided solely from a collector or arterial street.
(3) The maximum number of beds shall not exceed 20 per lot.
(4) The Facility shall be served by municipal water and sewer.
(5) The Facility may provide rooms or areas for staff and building operations or management.
(6) All provisions of § 4.G.4 shall be met.

4.E. WATERFRONT RESIDENTIAL-RECREATIONAL DISTRICT: RR-10.

4.E.1. Purpose and Intent.

The purpose of this District is to provide residential, recreational, and commercial uses that will take advantage of the area's unique location at the southern end of Lake Candlewood. Recognizing that Lake Candlewood is the most important recreational asset of the City and offers unique water views, increased control over land development in this area is needed in order to ensure the future viability of the area. The intent of this District is to enhance those uses now on the Lake that have capitalized on the waterfront by encouraging other uses that are compatible with waterfront areas.

4.E.2. Uses.

Land and structures may be used only for the following.

a. Permitted Uses.

(1) Garden apartment and row house. See Section 4.E.6.
(2) One family dwelling. See Section 4.E.4.a.
(3) Park, playground, or recreation facility. See Section 4.E.6.

b. Special Exception Uses.

(1) Assembly hall. See Section 4.E.6.
(2) Dance hall. See Section 4.E.6.
(3) Recreational facilities, including facilities operated commercially for profit, such as but not limited to tennis courts, bowling alleys, skating rinks, and other similar facilities. See Section 4.E.6.
(4) Restaurant or café, excluding fast food restaurant, without the sale of alcoholic liquor. See Section 4.E.6. See also Section 4.E.2.c. below.
(5) Retail stores and shops, excluding package stores. See Section 4.E.6.
(6) Telephone exchange, sewer and water pumping station, water storage facility. See Section 4.E.5.a. and Section 4.E.6.
(7) Yacht club, marina, establishments for the sale and rental of boats, and the sale of bait or marine supplies, including fuel and lubricants. See Section 4.E.5.b. and Section 4.E.6.
(8) Mixed development consisting of garden apartments and row houses with retail stores and shops. See Section 4.E.5.c. and Section 4.E.6.

c. Special Permit Use.

(1) Package store in accordance with Section 3.F.2. and Section 4.E.6.
(2) Restaurant or café, excluding fast food restaurant, as a special exception use approved by the Planning Commission, with the sale of alcoholic liquor in accordance with Section 3.F.2. and Section 4.E.6.
(3) Tavern in accordance with Section 3.F.2. and Section 4.E.6.

d. Accessory Uses. See Section 3.G.

4.E.3. General Use Regulations.

Unless otherwise specified or modified below, the following regulations shall apply to all uses specified in 4.E.2.

Minimum lot area, sq. ft.	
One family dwelling	10,000
Garden apartment, row house	4,000
All other uses	20,000
Minimum lot width, ft.	
One family dwelling	50
All others	125
Minimum front yard, ft.	40
Minimum side yard, ft.	
One family dwelling	8
Garden apartment, row house	20
All others	20
Detached accessory buildings	6
Minimum rear year, ft.	25
Detached accessory buildings	6
Maximum height, ft.	35*
*maximum of three stories	
Maximum building coverage of lot area	30%
Minimum usable open space,	
Sq. ft. per d.u.	500
Retail store F.A.R.	.35

4.E.4. Specific Use Regulations: Permitted Uses.

The following use regulations shall apply to the permitted uses specified below.

a. One Family Dwelling.

(1) Only one principal dwelling per lot shall be permitted.

4.E.5. Specific Use Regulations: Special Exception Uses.

The following use regulations shall apply to the special exception uses specified below.

a. Telephone exchange, sewer and water pumping station, water storage facility.

(1) There shall be no outside service yard or outside storage.
(2) The facility shall be completely enclosed by a fence at least six (6) feet in height; all gates shall be secured at all times from entry by unauthorized personnel.

b. Yacht club, marina, establishments for the sale and rental of boats, and the sale of bait or marine supplies, including fuel and lubricants.

(1) Marinas and piers and any uses, which may be constructed on piers, may extend up to three hundred (300) feet into land under water in the RA-80 district.

c. Mixed development consisting of garden apartments and row houses with retail stores and shops.

The following formulae shall be used to determine the potential maximum lot development of mixed uses:

(1) To determine the maximum allowable retail floor area when the number of residential dwelling units is known:

Lot size minus area of lot required for residential units equals available lot area for retail sales uses, then multiply by floor area ratio (F.A.R.) to obtain allowable retail sales gross floor area. Example:

Lot Area	**No. of Units**	**Sq. Ft. Per Unit**	**Area for Retail Sales**	**F.A.R.**	**Retail Sales Floor Area**
43,560	(-8	x 4,000)	= 11,560	x .35	= 4,046

(2) When gross floor area of retail sales is known and number of residential units is unknown.

Lot size minus area of lot required for retail sales area equals available lot area for residential use, then divide by lot area required for each unit to obtain allowable number of residential units. Example:

Lot Area	**Retail Sales Floor Area ÷ F.A.R.**	**Area for Residential Use ÷ Sq. Ft. Per Unit**	**= No. of Units**
43,560 –	4,046	= 32,000	= 8
	.35	4,000	

4.E.6. Site Design Requirements.

a. All garden apartments and row houses shall comply with the applicable site design requirements specified in §4.G.3.

b. All other uses except one family dwellings shall comply with §4.G.4.

4.F. RESIDENTIAL-OFFICE DISTRICT: R-O.

4.F.1. Purpose and Intent.

It is the purpose and intent of this district to promote the following:

a. to provide a transition from residential neighborhoods to areas with a greater intensity of development.

b. To permit an harmonious mixture of housing, offices, and community facilities; and,

c. To meet minimum standards of health and safety by protecting against hazards and nuisances.

4.F.2. Uses.

Land and structures may be used only for the following:

a. Permitted uses.

(1) Adult day care center. See Section 4.F.4.a.
(2) Cemetery
(3) Church and other place of worship. See Section 4.F.4.b.
(4) Day care center. See Section 4.F.4.c.
(5) Firehouse.
(6) Forest or wildlife reservation.
(7) Library.
(8) Nursery, kindergarten, elementary, or secondary school. See Section 4.F.4.d.
(9) One family dwelling. See Section 4.F.4.e.
(10) Park, playground, or recreation facility.
(11) Two family dwelling. See Section 4.F.4.f.

b. Special exception uses. See Section 4.F.5.

(1) Art gallery.
(2) Banking or financial institutions.
(3) Business office.
(4) Medical office
(5) Museum.
(6) Optician and optical goods.
(7) Professional offices for accountants, architects, artists, clergy, engineers, financial consultants, lawyers, real estate or insurance agents, teachers, or other similar professions.
(8) Studios for instruction in music or the performing arts; photographic studios.
(9) Any existing use listed below which is located on a lot rezoned to R-O shall be deemed to be a conforming use in the R-O district subsequent to such rezoning. Any such existing use, or any use which is located on a lot which was zoned IL-40 prior to the rezoning of said lot to R-O, henceforth may be changed to any of the other special exception uses specified below, or be changed to any other use so allowed in the R-O district, provided all such changes be in accordance with other applicable provisions of these Regulations.

Assembling or finishing of articles made from previously prepared cellophane, canvas, cork, fiber, glass, horn, leather, paper, plastics, precious metals or stones, shells, textiles, wood, yarns, or metals; machine manufacturing; manufacture and assembling of artist's materials, clocks and watches, musical instruments, sporting goods, toys or office materials; manufacture of electrical equipment; manufacture

of optical goods, business machines, precision instruments, surgical and dental instruments and equipment; manufacturing, compounding, processing, packaging, or treatment of candy, cosmetics, drugs, pharmaceuticals, or toiletries; research or testing laboratories; computer programming.

c. Accessory uses. See Section 3.G.

4.F.3. Use Regulations: General.

Unless otherwise specified or modified below, the following regulations shall apply to all uses specified in Section 4.F.2.

Minimum lot area, sq. ft.	
One family	8,000, except 20,000 if any portion of the lot abuts an RA-40 or RA-80 zoning district.
Two family, per d.u.	4,000, except 10,000 if any portion of the lot abuts an RA-40 or RA-80 zoning district.
All others	20,000 unless otherwise specified below.
Minimum lot width, ft.	
One family dwelling	50
Two family dwelling	75
All others	125
Minimum front yard, ft.	30
Minimum side yard, ft.	10, except 25 where the yard abuts a single family district.
Minimum rear yard, ft.	35, except 50 where the yard abuts a single family district.
Max. height of buildings	30’
Max. building coverage	30%
Detached accessory uses	
Min. side yard, ft	6, except 25 where the yard abuts a single family district.
Min. rear yard, ft.	6, except 25 where the yard abuts a single family district.

4.F.4. Use Regulations: Permitted Uses.

The following use regulations shall apply to the permitted uses specified below.

a. Adult day care center.

(1) The facility shall be licensed in accordance with the State of Connecticut requirements.
(2) A driveway shall be provided which allows for the safe delivery of clients to the facility by a motor vehicle.

b. Church and other place of worship.

(1) A rectory and/or parish hall is permitted as an accessory use.

c. Day care center.

(1) the facility shall be licensed in accordance with the State of Connecticut requirements.
(2) All outdoor play areas shall be enclosed by a fence.
(3) A driveway shall be provided which allows for the safe delivery of children to the facility by a motor vehicle.

d. Nursery, kindergarten, elementary, and secondary schools.

(1) The minimum lot area shall be two acres.
(2) For yards which abut a residential zoning district, the minimum side yard setback shall be 50 feet and the minimum rear yard setback shall be 75 feet.
(3) The facility shall be accredited by the State of Connecticut.

e. One family dwelling.

(1) Only one principal dwelling per lot shall be permitted.

f. Two family dwelling.

(1) Only one two family dwelling per lot shall be permitted.

4.F.5. Use Regulations: Special Exception Uses.

All special exception used shall be subject to the following restrictions.

a. All uses shall comply with the performance standards specified in Section 6.c.1. of these Regulations for smoke, noise, odor, and vibration except where inconsistent with the restrictions above. Where lot lines of the special exception use abut a residential zoning district, the performance standards shall be measured at the lot line.

b. All business activity shall be conducted only within buildings on the site. Outdoor storage of machinery, materials or supplies is prohibited.

c. All drive-in uses, either as a principal or accessory use, are prohibited.

d. Buildings shall be limited to a maximum total of 20,000 sq. ft. of gross floor area per lot.

e. Motor vehicle access shall be prohibited from a local street for all new uses, structures, or buildings on any lot with frontage on an arterial or collector street, as specified in the Subdivision Regulations of the City of Danbury, unless the Planning Commission determines, after consultation with the City Engineer, that access from said arterial or collector street(s) is infeasible because of excessive grades, watercourses, or other similar barriers to construction. As a condition of special exception approval by the Planning Commission, any existing driveway providing motor vehicle access from a local street shall be eliminated upon provision of access from an arterial or collector street to said lot.

f. All parking areas and loading spaces shall be screened from view from adjacent residential uses on abutting lots by a screen or landscaped or natural buffer, as specified in Section 8.D.

4.F.6. Landscaped Buffer Yards.

Non-residential uses shall be screened from view from abutting residential zoning districts. Where a lot devoted to a non-residential use adjoins a residential zoning district, a view restrictive landscaped buffer yard shall, at the time of development, be planted on the lot along said zoning district boundary, except where the boundary is coterminous with an expressway, arterial, or collector street as specified in the Subdivision Regulations of the City of Danbury. The buffer yard shall be a minimum of twenty-five (25) feet in width planted in accordance with Section 8.D., parallel to and adjacent with the zoning district boundary, and completely covered with a vegetative ground cover. Plantings shall include a row of view restrictive evergreen trees planted the full length of the boundary in accordance with the following requirements.

a. All evergreen trees shall be at least six (6) feet in height when planted.

b. All plantings and vegetative ground cover shall be maintained. Any view restricting plant material, which dies, shall be replaced as soon as possible but no later than the next planting season.

c. Buffer yards shall not be used for parking, loading, storage, or structures.

The requirements of this Section may be waived by the Planning Commission for special exceptions, or the Department of Planning and Zoning for all others, if it is determined by the Department that existing vegetation provides an effective year-round view restrictive screen of a minimum height and width as required above.

Notwithstanding the requirements above, all plantings shall comply with the height limitations specified in Section 7.B., Airport Protection Zones.

4.G. ADDITIONAL RESIDENTIAL REGULATIONS.

4.G.1. Parking in Front Yards.

In no case shall parking be allowed in the required front yard for any use in any residential district.

4.G.2. Signs.

All signs shall comply with the sign regulations specified in Section 8.E.

4.G.3. Site Design Standards for Residential Uses.

The number of dwelling units approved for the site may be less than the maximum otherwise specified for the zoning district in which they are permitted when necessary to accommodate requirements for parking, usable open space, setbacks, and other provisions of these Regulations.

In zoning districts where two or more apartment houses, garden apartments, row houses and two family and/or three family dwellings are allowed to be constructed under single, condominium or cooperative ownership, whether simultaneously or at different times, the entire parcel of land occupied by such buildings and accessory uses shall be considered one lot and subject to all applicable requirements specified herein.

a. Apartment houses, garden apartments, row houses, two family and three family dwellings in RMF-4, RMF-6, RMF-10, RH-3, R-3, RR-10 zoning districts.

   The following design standards shall apply to apartment houses, garden apartments, row houses, two family and three family dwellings where such uses are referenced as allowed in the RMF-4, RMF-6, RMF-10, RH-3, R-3 or RR-10 zoning districts.

   (1) Two or More Buildings Per Lot.
      (a) Two family and three family: Where two or more two family or three family dwellings, or a combination of two family and three family dwellings, are proposed to be constructed on a single lot under single, condominium or cooperative ownership, the minimum distance between such buildings on the lot shall be twenty (20) feet, provided two or more said buildings are not prohibited on one lot in the zoning district.
      (b) Apartment houses, garden apartments and row houses: Where two or more apartment houses, garden apartments and/or row houses are proposed to be constructed on a single lot, all provisions of §4.G.3.c. shall be met.
      (c) Mixed use: Apartment house, garden apartment and/or row house developments may also contain, in zoning districts where such uses are allowed, two and/or three family dwellings on the same lot under single, condominium or cooperative ownership provided all provisions of these Regulations are met, and further provided that (a) the required minimum lot area shall be the total required for all dwelling units, (b) each building is setback a distance equal to or greater than the side or rear yard specified for the dwelling type, (c) the lot width shall be no less than 125 feet, and (d) the minimum distance between all two and/or three family dwellings on the lot and any other building on the lot shall be twenty (20) feet. The minimum distances between apartment houses, garden apartments and/or row houses shall remain as specified in §4.G.3.c.
   (2) Screening of Parking. All parking and loading areas shall be screened from view from adjacent property on the side and rear lot lines by an approved screen or landscaped buffer as specified in Section 8.D.
   (3) Front Yard Landscaping. All front yards shall be completely landscaped (excluding approved driveways and pedestrian access) according to an approved landscape plan consisting of a combination of trees, shrubs and vegetative ground cover. All plant material shall be maintained and any approved plant material which dies shall be replaced as soon as possible but no later than the next planting

season. All mature trees in healthy condition located on the lot beyond the construction limit line shall be retained whenever possible.

(4) Sidewalks and Curbs. Where absent, sidewalks and curbs shall be installed within the street right-of-way along the full front lot line adjacent to the street, with sidewalks to be five feet wide and sidewalks and curbs constructed to meet the standards of the City Highway Department. Existing sidewalks and curbs in a poor or deteriorating condition shall, at the determination of the Highway Department, be repaired or replaced. Provision shall also be made for grading and improvements of shoulders, sight distances and driveway aprons within the right-of-way of the street. Where the right-of-way is of insufficient width for sidewalks, said sidewalks shall be installed along the front lot line on the property in compliance with standards and conditions of the Highway Department and with a public access easement granted to the City. All sidewalks along a state highway shall meet the requirements of §8.B.3-4 of these Regulations. Street trees shall be planted for each forty (40) feet of street lot line frontage, except where sight distance requirements do not make this practical. Street trees shall not be less than two inches caliper and shall be deciduous of a variety commonly acceptable for landscaping use in this planting zone and suitable for location along a street.

b. Apartment houses, garden apartments, row houses, two family and three family dwellings in RH-3 and R-3 zoning districts.

The following additional design standards shall also apply to apartment houses, garden apartments, row houses, two family and three family dwellings where such uses are referenced as allowed in the RH-3 or R-3 zoning districts.

(1) Location of Parking. All new on-site parking and loading areas and accessory buildings shall not be located between the street and principal buildings adjacent to the street.

(2) Street Wall. For new construction, a building or buildings of the development shall create a street wall extending substantially across the front width of the lot (exclusive of side yards, required spaces between buildings, and approved driveway and pedestrian access) and parallel or nearly parallel to the street, with said units of such building or buildings oriented to the street with front entrances facing the street. Notwithstanding §2.B. definition of corner lot, property lot lines for corner lots which lie to the rear of said buildings oriented to the street or which abut the rear lot line of adjoining lots shall be considered a rear lot line and subject to applicable rear yard requirements.

(3) Setbacks. For new construction, buildings on a lot located closest to the street shall be setback a distance approximate to the mean setback of other buildings located closest to the street on adjacent side lots along the block, except when required on-site parking, usable open space, or other improvements required to be placed to the rear of buildings render said mean setback infeasible. In such cases, the building shall be moved closer to the street to the degree necessary to accommodate the required improvements, provided that in no case shall the front yard be less than the minimum as required for said uses.

c. Apartment houses, garden apartments, and row houses in RMF-4, RMF-6, RMF-10, RH-3, RR-10.

The following additional design standards shall also apply to apartment houses, garden apartments and row houses where such uses are referenced as allowed in the RMF-4, RMF-6, RMF-10, RH-3 or RR-10 zoning districts.

(1) Two or More Buildings Per Lot. In zones where such use is allowed, two or more apartment houses, garden apartments and/or row houses may be located on one lot under single, condominium or cooperative ownership provided all provisions of these Regulations are met and further provided that:

(a) the required minimum lot area shall be the total required for all dwelling units;

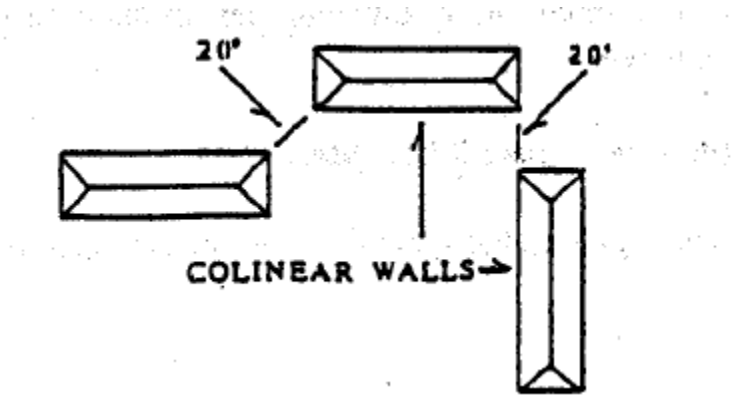
(b) each building is setback a distance equal to or greater than the side or rear yard specified for the dwelling type; and,

(c) the following minimum distance requirements between apartment house, garden apartment and row house buildings on the lot are met.

(2) The minimum horizontal distance between (a) facing walls of two or more buildings on a lot or on two or more abutting lots under single ownership, or (b) facing walls of the same building, shall be as specified below. For the purpose of this Section, facing walls shall mean (a) two or more walls opposite to and parallel with one another, or (b) wall lines, or wall lines extended of opposite walls intersecting at angles of less than sixty (60) degrees.

(a) For apartment houses where one or both facing walls contain a window or windows, such distance shall be no less than forty-five (45) feet; for garden apartments and row houses where one or both facing walls contain a window or windows, such distance shall be no less than thirty-five (35) feet.
(b) Where neither of the facing walls of an apartment house, garden apartment or row house contains a window or windows, such distance shall be no less than twenty (20) feet.

The minimum horizontal distances of separation specified above shall be reduced to twenty (20) feet between the corners of two buildings where no exterior wall of one building lies such that it can be intersected by a line drawn perpendicular to any exterior wall of the other building, other than such a line that results from collinear exterior walls, as illustrated below.



SEPARATION OF BUILDINGS WITHOUT FACING WALLS

(3) Maximum Length of Buildings. No apartment house, garden apartment or row house or other building shall exceed two hundred (200) feet in length.
(4) Screening from RA Zoning Districts. All side and rear property lines abutting single family residential districts (RA) shall be screened from view from adjacent property by an approved screen or landscaped buffer of twenty-five (25) feet in width planted in accordance with Section 8.D. The buffer yard shall be completely covered with vegetative ground cover and shall include a row or rows, as necessary, of view restrictive evergreen trees planted at a minimum height of six (6) feet along the full length of the rear and side property lines, unless waived as provided for below. All plantings and vegetative ground cover shall be maintained and any required plant material which dies shall be replaced as soon as possible but no later than the next planting season. Upon determination by the Department of Planning and Zoning or, in the case of a special exception, the Planning Commission, these screening and/or buffer yard planting requirements may be waived to the extent that topography and/or existing vegetation provides a year round view restrictive screen as effective as the screening and buffer yard criteria required herein.

d. Existing Buildings and Uses.

The following conditions shall apply to apartment houses, garden apartments, row houses, two family and three family dwellings where such uses are referenced as allowed in the RMF-4, RMF-6, RMF-10, RH-3, R-3 or RR-10 zoning districts.

(1) Existing buildings proposed to be converted to dwelling units or expanded in the number of dwelling units in existence on the effective date of these amendments [Eff. 11/11/2005] shall meet all requirements specified in §4.G.3.a., §4.G.3.b. and §4.G.3.c. to the extent feasible given the constraints posed by the location of existing buildings proposed to remain on the lot. Existing parking spaces in existence on the effective date of these amendments [Eff. 11/11/2005] proposed to be increased by 25 percent in number shall meet all requirements specified herein pertaining to location and screening of parking, sidewalks and curbs, and front yard landscaping to the extent feasible given the constraints posed by the location of existing buildings and improvements proposed to remain on the lot.
(2) The Department of Planning and Zoning and, in the case of special exceptions, the Planning Commission, reserves the right to require compliance with any or all requirements in §4.G.3. when they determine that such compliance is feasible on the lot.

4.G.4. Site Design Standards for Non-Residential and Other Uses.

a. Non-residential and other uses in RMF-10, RMF-6, RMF-4, R-3, RH-3 and RR-10 Zoning Districts.

The following design standards shall apply to non-residential uses, congregate housing, continuing care facilities, nursing homes, transitional housing facilities, and rooming/boarding houses where such uses are referenced as allowed in the RMF-10, RMF-6, RMF-4, R-3, RH-3 or RR-10 zoning districts. [Rev. 10/29/2019]

(1) Screening of Parking. All parking and loading areas shall be screened from view from adjacent property on the side and rear lot lines by an approved screen or landscaped buffer as specified in Section 8.D.
(2) Front Yard Landscaping. All front yards shall be completely landscaped (excluding approved driveways and pedestrian access) according to an approved landscape plan consisting of a combination of trees, shrubs and vegetative ground cover. All plant material shall be maintained and any approved plant material which dies shall be replaced as soon as possible but no later than the next planting season. All mature trees in healthy condition located on the lot beyond the construction limit line shall be retained whenever possible.
(3) Sidewalks and Curbs. Where absent, sidewalks and curbs shall be installed within the street right-of-way along the full front lot line adjacent to the street, with sidewalks to be five feet wide and sidewalks and curbs constructed to meet the standards of the City Highway Department. Existing sidewalks and curbs in a poor or deteriorating condition shall, at the determination of the Highway Department, be repaired or replaced. Provision shall also be made for grading and improvements of shoulders, sight distances and driveway aprons within the right-of-way of the street. Where the right-of-way is of insufficient width for sidewalks, said sidewalks shall be installed along the front lot line on the property in compliance with standards and conditions of the Highway Department and with a public access easement granted to the City. All sidewalks along a state highway shall meet the requirements of §8.B.3-4 of these Regulations. Street trees shall be planted for each forty (40) feet of street lot line frontage, except where sight distance requirements do not make this practical. Street trees shall not be less than two inches caliper and shall be deciduous of a variety commonly acceptable for landscaping use in this planting zone and suitable for location along a street.

b. Non-residential and other uses in the R-3 and RH-3 zoning districts.

The following additional design standards shall also apply to non-residential uses, congregate housing, continuing care facilities, nursing homes, transitional housing facilities, and rooming/boarding houses where such uses are referenced as allowed in the R-3 or RH-3 zoning districts. [Rev. 10/29/2019]

(1) Location of Parking. All new on-site parking and accessory buildings shall not be located between the street and the principal buildings.
(2) Street Wall. For new construction, a building or buildings of the development shall create a street wall extending substantially across the front width of the lot (exclusive of side yards, required spaces between buildings, and approved driveway and pedestrian access) and parallel or nearly parallel to the street, with said units of such building or buildings oriented to the street with front entrances facing the street. Notwithstanding §2.B. definition of corner lot, property lot lines for corner lots which lie to the rear of said buildings oriented to the street or which abut the rear lot line of adjoining lots shall be considered a rear lot line and subject to applicable rear yard requirements.
(3) Setbacks. For new construction, buildings on a lot located closest to the street shall be setback a distance approximate to the mean setback of other buildings located closest to the street on adjacent side lots along the block, except when required on-site parking, usable open space, or other improvements required to be placed to the rear of buildings render said mean setback infeasible. In such cases, the building shall be moved closer to the street to the degree necessary to accommodate the required improvements, provided that in no case shall the front yard be less than the minimum as required for said uses.

c. Existing Buildings and Uses.

The following conditions shall apply to non-residential uses, congregate housing, continuing care facilities, nursing homes and rooming/boarding houses where such uses are referenced as allowed in the RMF-10, RMF-6, RMF-4, R-3, RH-3 or RR-10 zoning districts.

(1) Existing Buildings. Existing buildings proposed to be expanded by 25 percent or more in total floor area in existence on the effective date of these amendments [Eff. 11/11/2005] shall meet all requirements specified in §4.G.4.a. and §4.G.4.b. to the extent feasible given the constraints posed by the location of existing buildings proposed to remain on the lot. Existing parking spaces in existence on the effective date of these amendments [Eff. 11/11/2005] proposed to be increased by 25 percent in number shall meet all requirements specified herein pertaining to location and screening of parking, sidewalks and curbs, and front yard landscaping to the extent feasible given the constraints posed by the location of existing buildings and improvements proposed to remain on the lot.
(2) The Department of Planning and Zoning and, in the case of special exceptions, the Planning Commission, reserves the right to require compliance with any or all requirements in §4.G.4. when they determine that such compliance is feasible on the lot.

4.G.5. Site Plan: Two or More Dwellings on a Lot.

A site plan shall be submitted in accordance with §10.D. of these Regulations whenever more than one single family, two family, and/or three family dwelling is proposed to be constructed on a single lot or whenever an existing building is proposed to be expanded in a manner which would result in more than one of said uses to be located on a lot, provided such construction or expansion is specifically permitted by these Regulations.

4.G.6. Use Regulations: Accessory Uses.

a. Livestock and Poultry.

The keeping of livestock and poultry shall not be permitted except in a farm in zoning districts where farming is specifically allowed as a use.

b. Horses as Household Pets.

The keeping of a horse(s) or other equine(s) as household pets shall be permitted only in the RA-80 Zoning District provided: (1) no manure is stored on the lot; (2) all animals are secured within a fenced enclosure of not less than 20,000 square feet, said enclosure located not closer than fifty (50) feet from any street or within one hundred (100) feet from any other property line; and, (3) all other public health requirements are met.

4.G.7. Housing Redevelopment Option. [Eff. 10/2/2010]

a. General.

This Housing Redevelopment Option is intended to encourage the replacement of deteriorated apartment houses, garden apartments, row houses, or two and three family dwellings with new, attractive and safe housing which meets all current health and building code requirements of the City. Landowners may develop their properties in accordance with the provisions specified in the Zoning Regulations or may, at their option, choose to apply to redevelop existing deteriorated housing, as defined herein, in accordance with the terms and conditions of this Section. All new development of eligible housing units shall meet all applicable provisions of these Regulations except as otherwise specified herein.

b. Scope.

The Housing Redevelopment Option applies only to existing deteriorated apartments houses, garden apartments, row houses, and two and three family dwellings located in zoning districts where the Option is permitted, *excluding* (1) buildings which are less than fifty (50) years of age at the time of application for approval under this Option, and (2) buildings listed on the National Register of Historic Places or designated in the City of Danbury *Plan of Conservation and Development* as historic sites which should qualify for the National Register of Historic Places. Determination of whether applicable residential buildings meet the definition of deteriorated housing shall be made by the Planning Director or his/her designee. All new residential construction shall be designed in a manner which is compatible with the character of residences in the neighborhood. Application for redevelopment under this Option may not include application for development of the parcel(s) under provisions of §4.B.7. Housing Incentive Option. [Rev. 11/26/2011]

c. Density.

Under this Option, existing deteriorated housing types located on a single lot, or on a combination of abutting lots under the same ownership, may be demolished and replaced with new housing containing as many dwelling units that existed prior to demolition, regardless of current zoning density limitations. The resulting number of new replacement dwelling units may not exceed the number of existing deteriorated dwelling units on the lot, as determined above, at the time of application for approval under this Option, provided all other provisions of these Regulations are met. *See Example A.*

(1) On lots with both deteriorated residential buildings and residential buildings which have not been determined to be deteriorated, this Option applies only to the deteriorated residential buildings. However, if the non-deteriorated residential building(s) is demolished, the number of replacement non-

deteriorated dwelling units shall not exceed current zoning density limitations applicable to the entire lot. *See Example B.*

(2) Existing deteriorated housing types may be replaced by different housing types as permitted herein.

(3) Two or more abutting lots under common ownership, one or more of which contain eligible deteriorated housing, may be redeveloped under provisions of this Section provided all lots are combined into one lot and the total number of dwelling units resulting after redevelopment does not exceed the total number of dwelling units permitted herein.

Example A: A lot contains one deteriorated apartment house with 20 dwelling units. Under current zoning density restrictions, the lot could only include sixteen units. If the deteriorated apartment house were demolished, the landowner would be eligible to replace it with a building housing up to 20 new dwelling units, provided all other restrictions specified herein are met.

Example B: A lot contains two apartment houses, only one of which is deteriorated. Under current zoning density maximums, the lot could only include 30 units. The deteriorated apartment house contains 20 dwelling units and the non-deteriorated apartment house also contains 20 dwelling units, total of 40 units. If the deteriorated apartment house is demolished, the landowner would be eligible to replace it with a building(s) containing up to 20 new dwelling units, provided all other restrictions specified herein pertaining to deteriorated housing are met. The other building containing 20 dwelling units could remain but, if demolished, could only be replaced with a building containing 10 units to keep from exceeding the current zoning density limitation of the entire lot.

(4) The number of dwelling units approved for the site may be less than the maximum otherwise permitted above when determined by the Department of Planning and Zoning to be necessary to accommodate requirements for parking, setbacks, and other provisions of these Regulations.

d. Mixed Use.

On a lot which contains a mix of existing housing types specified above and non-residential uses, the existing non-residential use may continue or be reconstructed under redevelopment of the lot in accordance with the requirements of this Section, provided all other applicable provisions of these Regulations are met.

e. Nonconforming Lot Area and Width, Building Height and Coverage.

Existing nonconforming lot areas and widths shall not be reduced further if they are less than that required for the use in the zoning district so located; existing nonconforming building heights and building coverages shall not be increased further if they exceed the maximum height and coverage limits specified for the use in the zoning district so located.

f. Site Design Standards.

Notwithstanding §4.G.3. of these Regulations, the following design standards shall apply to the replacement of apartment houses, garden apartments, row houses, two family and/or three family dwellings located in zoning districts where this Option is permitted.

(1) Distance Between Buildings.
Where new residential buildings, as permitted herein, are to be constructed to replace existing deteriorated housing, the minimum distance between said building(s) and other new buildings or existing buildings on the lot not to be replaced shall be twenty (20) feet.

(2) Setbacks.

(a) Front Yards. New residential buildings shall be setback a distance no greater than the approximate mean setback of other buildings located closest to the street on abutting side lots along the block, provided that in no case shall the building or buildings be located less than twenty (20') feet from the street lot line.

(b) Side and Rear Yards. For new residential buildings, minimum side yard setbacks shall be fifteen (15) feet for two and three family dwellings and twenty (20) feet for all other permitted housing types. Minimum rear yard setbacks shall be twenty-five (25) feet, and minimum side and rear yard setbacks for accessory buildings shall be six (6) feet.

(c) All new on-site parking lots and facilities, loading areas, and accessory buildings shall not be located between the street and principal buildings adjacent to the street.

(3) Maximum Length of Buildings.

No new apartment house, garden apartment or row house or other building constructed under provisions of this Section shall exceed two hundred (200) feet in length.

(4) Front Yard Landscaping.

All front yards shall be completely landscaped, to the extent feasible (excluding approved driveways and pedestrian access), in accordance with an approved landscape plan consisting of a combination of trees, shrubs and vegetative ground cover. All plant material shall be maintained and any approved plant material which dies shall be replaced as soon as practical but no later than the next planting season. All mature trees in healthy condition located on the lot outside of the limits of construction shall be retained whenever possible.

(5) Street Wall.

To the extent feasible, one or more residential buildings shall be located adjacent and closest to the front lot lines in such a manner that creates a street wall extending across the entire front width of the lot (exclusive of approved side yards, open spaces between buildings, and driveways and pedestrian access) and parallel or nearly parallel to all front lot lines. The side of a residential building(s) facing the street that creates the street wall shall be the front of the building. All ground floor units with direct entrance in the front of said building (e.g. row houses, two or three family dwellings, and some apartment houses and garden apartments) shall have said entrances oriented to the street. Apartment houses and garden apartment buildings may have a common entrance(s) oriented to the street. On corner lots, apartment houses and garden apartment buildings need only have a common entrance oriented to one of the streets.

(6) Required On-site Parking.

On-site parking shall be provided in an amount equal to or greater than the total required for all dwelling units on the lot after redevelopment in accordance with the provisions of §8.C., except that visitor parking spaces are not required where on-street parking is, or parking spaces in a public parking facility are, located within five hundred (500) feet walking distance to the nearest front lot boundary of the use being served. All parking and loading areas shall be screened from view from abutting property zoned Single Family Residential (RA) on the side and rear lot lines by an approved screen or landscaped buffer as specified in Section 8.D.

(7) Sidewalks, Curbs and Driveways.

Existing sidewalks and curbs located along the front lot line adjacent to the street in a poor or deteriorated condition shall, at the determination of the Highway Department, be repaired or replaced and extended the full length of the front lot line. All new driveways shall be located and constructed in accordance with provisions of these Regulations. Where sidewalks and curbs are absent, such shall be installed in accordance with provisions relating to sidewalks and curbs in §4.G.3.a.(4) of these Regulations.

g. Utilities.

Lots and buildings to be redeveloped shall be served by municipal sewer and water.

h. Open Space.

Notwithstanding the requirements in §3.I.2. of these Regulations, required usable open space shall be deemed to include all open space left on the lot after all buildings, required off-street parking, and other required improvements have been sited, as approved.

i. Administration.

Application for approval of development proposed under the Housing Redevelopment Option shall be made to the Department of Planning and Zoning, or to the Planning Commission for special exceptions, in accordance with §10 of these Regulations and shall include a site plan as specified in §10.D. In addition to the requirements for a site plan as herein referenced, applications for development under the Housing Redevelopment Option shall also include detailed architectural renderings of all building façade elevations. All work in connection with an approved site plan shall be completed as required in Section 8-3 of the CGS. [Eff. 11/26/2011]

4.H. PLANNED NEIGHBORHOOD DEVELOPMENT: PND.

4.H.1. Purpose and Intent.

The purpose and intent of the Planned Neighborhood Development (PND) zone is to encourage compatible land planning for large-scale, mixed-use developments and the adaptive reuse or retrofitting of obsolete and underutilized commercial and industrial buildings on large sites as well-integrated units that: (a) provide housing and economic development opportunities appropriate to the location and scale of the site; (b) incorporate a compatible mix of traditional neighborhood uses; (c) include a variety of housing types, styles, and costs to promote housing choice and economic diversity; (d) protect environmentally sensitive areas, drinking water supplies and areas of natural beauty; (e) protect historic sites; (f) provide conveniently located public facilities and recreational areas; (g) locate residences within reasonable walking distance of neighborhood centers with shops and services designed to meet the daily needs of residents; (h) allow for cluster development that promotes energy efficient patterns of development and the preservation of common open space; (i) include streets designed to enhance pedestrian safety, lessen congestion, and curb speeding; and, (j) provide sidewalk networks and street trees. [Rev. 09/17/2019]

It is intended that the Planned Neighborhood Development regulations will permit flexibility in the design and development of large tracts of lands or the retrofitting of obsolete commercial or industrial buildings into mixed-use neighborhoods over time. The PND regulations allow for the review and approval of detailed plans for each phase of development in accordance with a previously approved master plan that governs overall development patterns for the entire PND. [Rev. 09/17/2019]

The PND is a floating zone that can be applied to sites meeting the standards specified herein.

4.H.2. General Development Principles.

a. Overall Layout.

The overall site design, including any retrofitting of existing buildings, shall include a complementary mix of uses including residential, neighborhood retail and service uses, non-residential uses, community facilities and open space and recreational uses, as permitted below. [Rev. 09/17/2019]

Within proposed residential areas of a site or in an existing building proposed for retrofit to residential use, a variety of housing types shall be provided to promote housing choice and economic diversity. Parks, playgrounds, and recreational facilities that meet the needs of the residents shall be located within walking distance to residential areas, while other community facilities shall be located along appropriate streets or within that portion of an existing building that will not create land use conflicts with residential areas. Neighborhood retail and service uses shall be clustered within neighborhood centers, oriented toward the neighborhood and not toward areas outside the neighborhood. Neighborhood retail and service uses in existing buildings proposed for redevelopment shall be located on the ground floor of the building with direct access to the street and may, upon approval of the Zoning Commission, be located in a portion of a redeveloped building conveniently accessible to the buildings' proposed residents. The purpose of the neighborhood center is primarily to provide for the daily needs of the residents of the building and neighborhood. [Rev. 09/17/2019]

A variety of commercial, industrial and major recreational uses, including offices, research and development, hotels and conference centers, light industrial uses, and sports complexes may be located at peripheral sites, provided suitable access is provided. Such uses should be linked to the proposed residential community with local roads and open space systems and, if located in the same redeveloped building as residential units must be conveniently accessible to the buildings' residents. [Rev. 09/17/2019]

b. Development Standards.

(1) Ownership and Minimum Site Size.
At the time of the submission and approval of the petition to change the zone of a site to the PND zone, the site shall be under single ownership and control with a minimum gross site area of 100 acres. The site may consist of several contiguous parcels, and parcels that are separated by a public street shall be considered contiguous.

(2) Density of Development.
The maximum residential density shall be one unit per 10,000 square feet of gross area of the PND site. The maximum amount of non-residential development shall not exceed a floor area ratio of 0.1, calculated on the gross acreage of the PND site. The minimum amount of common recreation facilities and open space, including usable open space, within the PND shall not be less than 33% of the gross acreage of the site. Community facility uses serving the proposed development and the City, as a whole shall not exceed 10% of the gross acreage of the PND site. The PND development shall be designed and approved for no fewer than 250 dwelling units. For purposes of calculating density for assisted living, congregate or continuing care senior housing, each dwelling unit shall be counted as 0.1 units. For age restricted (55 years of age and older) independent living projects, each dwelling unit shall be counted as 0.5 units.

(a) Notwithstanding the maximum amount of non-residential development FAR of 0.1 as noted in Section 4.H.2.b.(2) above, to facilitate the adaptive reuse or retrofitting of an existing commercial or industrial building(s) into a large-scale, mixed-use planned neighborhood development(s), the Zoning Commission may, at the time of approval of a petition for PND designation, in the alternative approve an increase in the non-residential building floor area not to exceed 75% of the existing building gross floor area provided that the following conditions and calculations are met and specified in the Master Plan. [Eff. 09/17/2019]

(i) The building(s) proposed to be retrofit are in existence as of the date of this amendment.
(ii) The existing building(s) to be retrofit must contain a total of at least 750,000 square feet of gross floor space, excluding any structured parking.
(iii) For the purpose of calculating the increase in the non-residential building floor area pursuant to this subsection (a), only the floor space intended or designed for the parking of motor vehicles may be excluded from the existing building gross floor area.
(iv) The minimum of 250 dwelling units must be proposed to be located in the existing building(s) to be retrofit.
(v) No new buildings or building additions shall be proposed in the Master Plan, or any amendment thereto, that would provide additional square footage for the non-residential uses above the percentage noted in 4.H.2.b.(2)(a). Incremental or future additions to a building(s) gross floor area may not be used to calculate a further increase in the non-residential building floor area on the site(s).
(vi) In addition to the site plan requirements set forth in Section 4.H.4, prior to developing any phase identified in the Master Plan within the existing buildings(s), floor plans for each phase shall be submitted to the Department of Planning and Zoning for approval identifying the phase boundaries; type of use, location and square footage of residential uses including the number of residential dwelling units; type of use, location and square footage of all non-residential uses; type of use, location and square footage of any other open space and recreations uses or accessory uses within each phase; and all other areas within each phase including all required parking for the uses.
(vii) The site, inclusive of any existing building(s), shall be designed as a well-integrated unit(s) that, as presented in the Master Plan, meets the purpose and intent of the PND regulations.
(viii) All other provisions of Section 4.H. shall apply.

(3) Permitted Uses.

The Master Plan and Final Site Plans developed in accordance with the Master Plan may include the following permitted uses.

(a) Residential Uses.

One-family dwelling, two-family dwelling, three-family dwelling, townhouse, garden apartment, apartments, and age-restricted (55 years of age and older), assisted living, congregate housing and continuing care facilities. Additional residential uses of similar kind and character may be permitted by the Zoning Commission upon review and approval of the Master Plan.

(b) Non-Residential Uses.

(i) Neighborhood retail and service uses, including: banks or financial institutions; barbershops or beauty parlors; restaurants (excluding fast food and drive-through facilities) with the sale of alcoholic beverages in accordance with Section 3.F.2; retail sale of books, newspapers and magazines, drugs, flowers, tobacco, food and baked goods, gifts, toiletries, toys, stationery, artwork and handicrafts; professional offices for clergy, financial consultants, lawyers, real estate or insurance agents, teachers, health care providers, or other similar professions; dry cleaning and laundromats; convenience stores; and, health centers. Additional neighborhood retail and service uses of a similar kind and character may be permitted by the Zoning Commission upon review and approval of the Master Plan. [Rev. 10/28/2016] [Rev. 01/16/2018] [Rev. 09/17/2019]

(ii) Community facilities, including: community centers; nursery, kindergarten, or elementary schools; instruction in music, crafts, and the performing arts; day care centers; churches or other places of worship; municipal police, fire or maintenance facilities; sewer or water pumping stations; transformer substations. Additional community facility uses of a similar kind and character may be approved by the Zoning Commission upon review and approval of the Master Plan.

All or a substantial portion of the neighborhood retail and service uses and the community facilities shall be located within neighborhood centers.

(iii) Non-residential uses, not serving the immediate needs of the residential development, may be approved by the Zoning Commission upon review of the Master Plan. Such uses may include: banking or financial institutions; business services; business and professional offices; hotels with or without restaurants as an accessory use with the sale of alcoholic beverages in accordance with Section 3.F.2, motels and conference centers; manufacturing or assembly of electrical equipment, business machines, chemicals, and medical products; printing and publishing; research or testing laboratories; and sports complexes. Additional non-residential uses of a similar kind and character may be permitted by the Zoning Commission upon review and approval of the Master Plan. Non-residential uses may also include parking areas or parking facilities, as herein defined, to provide off-site parking for uses not zoned PND but which abut the outside perimeter boundary of the PND, provided land to be used for said parking abuts the use, does not exceed five (5) acres per use, does not reduce open space below that required for the PND, is no closer than one hundred (100) feet from land designated, in whole or in part, for residential use in the Master Plan, is screened from adjacent PND lands in accordance with §4.H.5.h.(2), and is designed in accordance with §8.C. of these Regulations. [Rev. 10/28/2016] [Rev. 01/16/2018]

(iv) Notwithstanding §4.H.2.b.(1) above, all lands designated as “Municipal” in the initial Master Plan land use plan for the Reserve dated November 26, 2002 shall, upon conveyance to the City of Danbury and/or subsequent sale to a third party, remain part of the PND and its Master Plan and may be used at the discretion of the City for municipal uses (e.g. public parks and public facilities), multi-family residential uses as specified in §4.H.2.b.(3)(a) above, including mixed residential-commercial uses, and uses allowed in the CA-80 Zoning District. [Eff. 3/6/2012] [Rev. 09/17/2019]

(c) Open Space and Recreation Uses.
Common open space; usable open space, including parks, playgrounds, or recreational facilities; equestrian centers and facilities; forest or wildlife reservations; and such other similar facilities serving City-wide needs as may be permitted by the Zoning Commission upon review and approval of the Master Plan.

(d) Accessory Uses.

(e) Single-Family Dwellings on Separate Lots.
If single-family dwellings on separate lots are proposed, the following minimum lot and yard requirements shall apply.

Minimum Lot Area	5,000 square feet
Minimum Lot Width	50 feet
Front Yard Setback	20 feet
Side Yard Setback	5 feet for principal and accessory buildings
Rear Yard Setback	25 feet for principal buildings; 5 feet for accessory building

(f) Two or More Single-family Dwellings on a Parcel.
Where two or more single-family dwellings are to be built on one parcel in a cluster plan, the side and rear yards shall be required as though each structure were on an individual lot.

4.H.3. Master Plan.

a. Petitions.

All applications for PND approval shall be in the form of a petition for a change of zone of the subject property to the PND zone, five (5) hard copies and one (1) electronic version of which shall be submitted to the Zoning Commission for review and consideration. [Rev. 09/17/2019]

Together with the petition, the applicant shall submit to the Zoning Commission five (5) hard copies and one (1) electronic version of a Master Plan that shall include the following information: [Rev. 09/17/2019]

(1) Name of proposed development; name and address of the property owner; if the petitioner is not the property owner, a statement of consent executed by the property owner; name, address and seal of the individual or firm(s) preparing the Master Plan; and date of the petition;
(2) The total tract boundary drawn in accordance with an applicable Class A-2 Survey, which complies with the 1976 code adopted by the Connecticut Association of Land Surveyors, with distances marked to at least the nearest foot;
(3) Area in square feet of the total PND site and each phase; graphic scale, north point or arrow; vicinity map showing surrounding properties and existing zoning. For retrofitting of existing buildings identify all phases within the building, any exterior building improvements, and any site improvements; [Rev. 09/17/2019]
(4) Site conditions information including topography, wetlands, flood plains, streams and rivers, based on readily available information; existing structures; and, roadways and easements;
(5) A map or series of maps showing the proposed pattern of development and its relation to the surrounding area, including existing and proposed land uses and their relation to wetlands, flood plains, streams and rivers, topography, general drainage patterns, and adjacent streets and roads;
(6) The location and amount, by total and by phase, of the following proposed uses: the maximum number of dwelling units, by type; the maximum gross floor area (by type) proposed for neighborhood retail and service uses, for community facilities, and for non-residential uses; the gross land area to be used for common open space, for usable open space, and for equestrian centers and facilities and other such facilities serving City-wide needs;

(7) All proposed phases of development, including boundaries of each phase, the anticipated type and density of development for each phase, and the year application for final plan approval is anticipated for each phase;
(8) The location and anticipated size in square feet of all areas proposed, by total and by phase, to be conveyed or dedicated to the City as common open space and usable open space, including all public parks, playgrounds, recreational areas and other sites proposed for public facilities or utilities;
(9) Regulated areas and buffers defined by the Inland Wetland and Watercourses Regulations, including functions and values of all on-site wetlands;
(10) A major street plan showing the proposed internal circulation system of arterial and collector roads, and the total length of said streets proposed to be conveyed to the City, if any;
(11) Off-site road improvements designed to serve the proposed PND development as shown in the Master Plan, with traffic engineering studies identifying the difference between development potential pursuant to the proposed Master Plan as contrasted with development potential pursuant to underlying zoning;
(12) The proposed treatment of the perimeter of the development, including building setbacks and materials and techniques to be used as screens or landscaped or natural buffers;
(13) A conceptual plan and/or narrative indicating how the proposed development would be served by public utilities and storm drainage facilities. For retrofitting of existing buildings, confirmation of utility service locations and sufficient capacities to serve the proposed new use(s); [Rev. 09/17/2019]
(14) A statement by the applicant of how the proposed development is consistent with the Plan of Conservation and Development;
(15) A statement by the applicant of how the proposed development conforms with the purpose and intent specified in Section 4.H.1 and the overall layout specified in 4.H.2.a. above; and,
(16) A statement by the applicant giving the reasons why the proposed site is suitable for use as a PND according to§4.H.3.c below.

b. Agency Review.

All petitions for PND zone designation shall be referred to the following agencies for review and comment as required by the Connecticut General Statutes (C.G.S.):

(1) To the Western Connecticut Council of Governments in accordance with §8-3b of the C.G.S.; [Rev. 09/17/2019]
(2) To adjoining municipalities in accordance with §8-7d(f) of the C.G.S.; [Rev. 09/17/2019]
(3) To water companies operating within the watershed of the proposed PND in accordance with §8-3i of the C.G.S.; and,
(4) To the Planning Commission of the City of Danbury in accordance with §8-3a of the C.G.S.

c. Action on Petitions.

The Zoning Commission shall take action on the petition for the PND pursuant to the procedures and the time requirements set forth in the Connecticut General Statutes for petitions requesting a change in the boundaries of zoning districts. In its review of the petition, the Commission shall determine the suitability of the site for PND development, as specified on the Master Plan and other documents and evidence submitted as part of the petition. The Zoning Commission may approve a petition if it finds that the proposed site is suitable for PND development for each of the following reasons:

(1) The proposed development is consistent with the Plan of Conservation and Development and the Comprehensive Planning Program on which it is based;
(2) Environmentally sensitive areas are adequately protected;
(3) The proposed development is in substantial harmony with the surrounding area;
(4) Existing streets, including proposed street improvements, and proposed streets providing access to the site, are adequate to support anticipated traffic volumes at acceptable levels of service;

(5) Existing and proposed public facilities are adequate to serve the proposed development;
(6) Municipal sewer and water service adequate to serve the proposed PND can be provided; and
(7) Adaptive reuse or the retrofitting of an existing building(s) would be beneficial to, and consistent with, the orderly development of the City. [Eff. 09/17/2019]

d. Applicable Regulations.

Prior to approval of the petition, all applicable sections of these Zoning Regulations for the underlying zoning district shall remain in effect. Upon approval, the zone of the property shall be changed to the PND zone, and the development controls in this §4.H shall govern the property. All other provisions of these Regulations shall apply, except that in the case of a conflict between the provisions of these PND regulations and other provisions of the Zoning Regulations, the provisions of this §4.H.shall control.

e. Review and Approval of Master Plans.

The Zoning Commission shall have the power to approve, deny, or modify the petition, including the Master Plan, and any proposed amendments thereto, in its legislative discretion. Any change to an approved Master Plan shall not be effective unless and until the Zoning Commission approves such amendment after public notice and hearing pursuant to the same procedures as referred to herein for approval of the original Master Plan, provided that approval shall not be necessary for any decrease in the maximum number of residential units or maximum square footage of nonresidential space set forth in the Master Plan.

4.H.4. Final Site Plans.

a. Review and Approval of Final Site Plans.

Upon the Zoning Commission's approval of a petition to change the zoning designation of a parcel of land to the PND zone, the applicant (or its successor(s) shall, prior to developing any phase of the development identified in the Master Plan, file with the Department of Planning and Zoning (the "Department") an application for approval of a Final Site Plan for the entire site or each such phase, as determined by the applicant. The applicant shall file ten (10) copies of the application and all supporting documentation. Notwithstanding any contrary provision in these Zoning Regulations, special exception approval shall not be required for any Final Site Plan as defined in this Section 4.H. All Final Site Plans shall comply with and include all information and analyses as required for site plans as specified in Section 10.D of these Regulations. The Department may require such reasonable improvements to public streets providing access to the PND site to prevent the creation of conditions adversely affecting traffic safety and congestion by the proposed development of the PND, and may impose such other reasonable conditions upon approval as may be necessary to ensure that the Final Site Plan conforms to the requirements and provisions of the Master Plan. To be approved, a Final Site Plan shall be in conformance with the approved Master Plan and other applicable regulations contained herein. All Final Site Plans, which require or contemplate a subdivision or resubdivision of land shall comply with the Subdivision Regulations of the City of Danbury. No zoning permit shall be issued for any phase of development as set forth in the Master Plan unless Final Site Plan approval has been issued for such phase.

b. Financial Guarantee. [Eff. 09/17/2019]

All improvements shall, unless specifically agreed to by the City, be made by the developer at its expense, without reimbursement by the City.

(1) Pursuant to Section 8-3(g) of the C.G.S., as a condition of each Final Site Plan Approval, the Department of Planning and Zoning may require a financial guarantee to be filed with the City to ensure the timely and adequate completion of any site improvements that will be conveyed to or

controlled by the City, and/or implementation of any erosion and sediment controls required during construction activities. The amount of such financial guarantee shall be calculated by the developer and approved by the City Engineer and shall not exceed the anticipated actual costs for the completion of such site improvements or the implementation of such erosion and sediment controls plus a contingency amount not to exceed ten percent (10%) of such costs.

(2) The financial guarantee shall be filed with the City in the form of a cash bond, a passbook or savings account, or an irrevocable letter of credit issued by a bank with offices in Fairfield County payable to the City under terms acceptable to the City. An irrevocable letter of credit shall provide for at least thirty (30) days written notice of expiration to the Department of Planning and Zoning.

(3) All provisions of the Subdivision Regulations and Section 8-25 of the C.G.S. governing financial guarantee requirements shall also apply, as applicable.

(4) The term of the financial guarantee shall not be less than the time remaining to complete the site improvements that will be conveyed to or controlled by the City and/or the implementation of any erosion and sediment controls required during construction activities plus an additional twelve (12) months after the date on which such improvements have been completed or accepted by the City.

(5) The amount of the financial guarantee may be reviewed by the City pursuant to Section 8-3(g) of the C.G.S. and said amount may be adjusted or released as deemed necessary to ensure that adequate funds are available to complete all work as required by these Regulations.

4.H.5. Specific Standards.

a. Height.

Maximum building height shall be 35 feet for single-family, two-family, three-family, garden apartments and townhouses, and 75 feet for apartment uses. The maximum height for retail uses shall be 30 feet. The maximum height for offices, hotels and conference centers shall be 75 feet. The maximum height for light industrial and all other permitted uses shall be 45 feet. The maximum height limitations shall not apply to the exemptions specified in §3.J.1. of these Regulations.

b. Perimeter Design.

The uses, height and the design of the development must be so located as to exercise no undue detrimental effect upon surrounding properties. If topographic or other barriers do not provide reasonable privacy for existing uses adjacent to the development, the Zoning Commission may require one or more of the following:

(1) additional setbacks from the perimeter of the site for residential and non-residential uses and structures; and/or

(2) screening of said residential and non-residential uses and structures located adjacent to the perimeter of the development by screens or natural or landscaped buffers.

c. Building Spacing.

The development shall provide for reasonable light, ventilation, and visual and acoustic privacy for residences and other structures. Fences, insulation, walks, barriers, topography, and landscaping may be used, as appropriate, for the protection and aesthetic enhancement of property and the privacy of its occupants, the screening of objectionable views, and noise reduction. Mid-rise buildings shall be located in such a way as to avoid adverse impact on neighborhood buildings and shall not invade the privacy of the occupants of such buildings. Spacing between buildings shall comply with all applicable building and life safety codes.

d. Street Trees.

At least one street tree shall be planted for every one hundred (100) linear feet of road frontage, or fraction thereof, along both sides of all streets unless a waiver is granted by the Department for one or more required trees because there are existing trees growing along the right-of-way which comply with these regulations. Street trees shall be a deciduous tree of at least 2 inches caliper, measured six inches above ground level, of type, form and condition acceptable to the City. All trees shall be suitable for this area and planted following acceptable nursery practices.

e. Housing Options.

Upon approval by the Zoning Commission, the overall residential density within the Planned Neighborhood Development may be increased for affordable housing from one dwelling unit per 10,000 square feet to one unit per 8,000 square feet of the total land area within the PND in accordance with the provisions of Title 8, Chapter 124, Section 8-2g of the Connecticut General Statutes. At least half of all dwelling units constructed in excess of the number of units otherwise permitted shall be affordable housing constructed of comparable size and workmanship as all other units in the proposed development. Any application for Final Site Plan approval which includes a 55 years of age or older independent living project shall be accompanied by proposed deed restrictions and other proof satisfactory to the Department that the development will comply with all applicable federal requirements and restrictions.

f. Open Space and Environmental Design.

(1) Not less than one-third of the gross area of the development shall be reserved for common open space, with such open space designated on the Master Plan. All lands not offered for dedication to the City must be owned and maintained by an association to be formed by the owner or owners of the property. The method of ownership and maintenance of all common open space designated for the development or any phase thereof shall be specified at the time of application for approval of the Final Site Plan for the development or phase, as the case may be.
(2) Usable open space shall be included as part of the requirement for common open space and shall total not less than 500 square feet for each dwelling unit. Usable open space shall include park, playground, or recreational facilities, as permitted herein, of such type, extent and location to be adequate to meet the active and passive recreational needs of the occupants of the development.
(3) The development shall provide, to the greatest extent possible, for the preservation of significant landscape features, including but not limited to wetlands, floodplains, excessive slopes and ridgelines, significant forest areas, and areas of unique wildlife habitat. As part of its review of the Master Plan, the Zoning Commission may require that significant landscape features be preserved as part of the common open space development and integrated with the environmental characteristics of the site and adjacent areas.
(4) The areas designated as common open space shall not be subject to excessive grading and site clearing of topsoil, trees and natural features, except as necessary to provide for usable open space.

g. Property Owners Association.

In cases where a property owners association is proposed to manage and maintain approved common open space, private streets and other improvements and property, the association shall be established before certificates of occupancy are issued. Membership shall be mandatory for each lot or property owner, and it shall be recorded on the Final Site Plan and in the Danbury Land Records that each lot or property owner possess an undivided interest in the designated open space, private streets or other improvements and property and is jointly and severally responsible for the payment of taxes on the maintenance of the designated open space, streets, and other improvements and property. Where the proposed open space exceeds five (5) acres and is suitable for community use, the land may be offered for dedication to the City of Danbury and deeded to the City by warranty deed if acceptable to the City.

h. Off-Street Parking and Loading.

(1) All off-street parking and loading spaces shall be designed to permit safe access to spaces and circulation within the parking facility. All off-street parking and loading shall be designed in accordance with Section 8.C. of these Zoning Regulations. Given the mixed-use nature of the PND, parking facilities serving primarily a nighttime or weekend use may be counted proportionally as facilities for a primary daytime or weekend use, and vice versa, when each use is assured permanent access to the facilities of the other use, and when there will be no substantial overlapping in parking periods.
(2) All parking areas and loading spaces serving non-residential uses shall be screened from view from abutting residential uses by a view-restrictive landscaped buffer or natural buffer. The perimeter of all parking areas shall be landscaped with plant material to a minimum width of ten feet. The perimeter planting shall include a combination of shrubs and trees selected to provide shade and to screen parking areas. Walls, earth mounds, and fences, or any combination thereof, may be included with plant material to produce a view-restrictive screen. Grass and other plant ground cover shall be planted, mulched, and maintained on all portions of the landscaped strip.
(3) Existing parking spaces in a structured parking facility connected to, or structure parking within, a building proposed to be retrofit for a mix of uses may be counted towards meeting the required number of parking spaces for proposed uses provided said existing parking facility complies with all current fire and building codes. [Eff. 09/17/2019]
(4) Buildings located within 100 feet of a street that are proposed to be retrofit with a mix of uses shall have, except for pedestrian and vehicular entrances, neighborhood retail and service uses located on the ground-level first floor street side(s) of the structure to a depth of at least 25 feet. Such ground-level first floor uses shall have direct pedestrian access to the street(s). [Eff. 09/17/2019]

i. Traffic Circulation.

(1) The PND site must have direct vehicular access to an arterial and/or collector street(s) of location and design adequate to accommodate projected traffic generated by the development.
(2) The location and number of points of access to the site, the interior circulation pattern of streets and pedestrian ways, the separation between pedestrians and motor vehicles, and the arrangement of parking areas in relation to buildings and uses shall be designed to maximize safety and convenience and be compatible with neighboring road systems, buildings and uses.
(3) All streets within the development shall be constructed according to the criteria and standards specified in the Subdivision Regulations of the City of Danbury.
(4) A concrete sidewalk and curb with a minimum width of five feet shall be constructed along all streets and roads in accordance with specifications of applicable regulations of the City of Danbury, except that bituminous concrete for trails providing pedestrian access within major areas of common open space may be accepted; and (2) wider sidewalks may be required in commercial areas as necessary to facilitate pedestrian traffic.

j. Signs.

Notwithstanding provisions of Section 8.E., all signs in areas designated in the approved Master Plan to be devoted to residential uses shall comply with the sign regulations specified in Section 8.E.2.a-e; all signs in areas designated in the approved Master Plan to be devoted to non-residential uses and open space and recreational uses, including neighborhood centers, shall comply with the sign regulations specified in Section 8.E.3.

k. Municipal Sewer and Water.

All uses in the site shall be served by municipal sewer and water.

l. Historic and Archaeological Sites.

All historic structures recognized by the National Register of Historic Places or the Connecticut Historical Commission shall be noted on the Final Site Plan along with proposed plans for the future use or alteration of the structure. All archaeological sites shall be identified on the Final Site Plan along with a professional assessment of the significance of the site and proposed methods to minimize degradation of the identified archaeological resources.

m. Inland Wetlands and Watercourses.

The PND shall comply with all requirements and restrictions of the City of Danbury Inland Wetlands and Watercourses Regulations. All Final Site Plans shall be filed with and/or referred to the Department of Health and Housing or the Environmental Impact Commission, as appropriate, for review and approval.