

## Section 3.0 USES

### 3.1 Table of Uses

Table 1 of this section is part of these regulations. Land and structures shall be used for one or more of the uses specified in Table 1.

Any use not specified is prohibited.

The symbols in Table 1 mean the following:

p -	use permitted;
e -	use permitted by special exception;
p/e -	use permitted by either special exception and site plan or site plan only depending on conditions <u>specified in the regulations specified in Addendum: Wireless Communication Facilities;</u>
p/z-	use permitted with zone change and site plan dependent on specific site location criteria specified in Section 4.16
blank -	use not permitted.

The uses in Table 1 are classified according to a code in the first column. There are twenty-one major use classifications - e.g. 9.0 Parking & Storage. These classifications are also used in Section 5.13 to indicate the number of required parking spaces.

(Downtown District Zone - effective 12-16-10)

(Seasonal Outdoor Sidewalk Dining – effective 6-14-11)

(Add B&B to R-10s – effective 2-11-12)

(Amend 4.16 Alternate Incarceration, Medical Marijuana Dispensary Overlay Zone (AM Zone) – effective 4-2-13)

(Add 3.16 Service & Sale of boats, boats accessories & engines – 11-3-12)

(Add 1.26 Single Family Use, 2<sup>nd</sup> and 3<sup>rd</sup> floors, “p” in LB zone – effective 3-7-13)

(Amend 9.31 Warehouse providing Interior Access..... “e” in the Industrial zone – effective 3-7-13)

(Add 1.59 Artist Live/Work, use shall be limited to the incidental sale of products permitted under this section which are created entirely on the premises. – effective 1-23-15)

(Add 5.2.4.1 Farm Brewery, effective 9-22-16)

Uses	R-WP	R-60	R-40	R-25	R-15	R-15s	R10	R10s	R6	LB	DD	I	IP
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**1.00 Residential Uses**

1.10	Single Family, Detached	p	p	p	p	p	p	p	p	p	e	e		
1.15	Affordable Housing, Single Family Detached		e	e	e	e	e	e	e	e	e	e		
1.20	Two Family				p	p		p		p	e	e		
1.25	Primary Residence plus Accessory Apartment		p	p	p	p	e	p	e	p	e	e		
1.26	Single Family Use, 2 <sup>nd</sup> and 3 <sup>rd</sup> floors										p			
1.27	Three Family Residence									e	e	e		
1.30	Multi-Family Residence			e	e	e		e		e	e	p/e		
1.31	Dwelling Units and Dormitory Use for Educational programs, 2 <sup>nd</sup> and 3 <sup>rd</sup> floors											p		
1.35	Active Adult Housing					e								
1.39	Affordable Housing, Multi-Family Residence		e	e	e	e		e		e	e	p/e		
1.40	Nursing Homes		e	e	e	e	e	e	e	e	e	e		
1.50	Congregate Care Facilities		e	e	e	e	e	e	e	e	e	e		
1.55	Elderly Retirement Housing & Assisted Living Facility		e	e	e	e		e		e	e			
1.59	Artist Live/Work, use shall be limited to the incidental sale of products permitted under this section which are created entirely on the	e	e	e	e	e	e	e	e	e				

**1.60 Boarding Houses**

1.65	with less than 3 boarders		e	e	e	e		e		e	e	e		
1.66	with more than 2 and less than 15 boarders		e	e	e	e		e		e	e	e		

#### **4.13 Industrial**

Lot Size: 10,000 sq. ft.

Lot Width: 80 ft.

Front Yard Setback: 10 ft.

Side Yard Setback: 25 ft. only if adjacent to a residential zone

Rear Yard Setback: 25 ft. only if adjacent to a residential zone

Maximum Height: 60 ft.

Maximum Impervious Surface Ratio: 0.75

#### **4.14 Industrial Park**

Lot Size: 40,000 sq. ft.

Lot Width: 150 ft.

Front Yard Setback: 25 ft. or 75 ft. if adjacent to or across the street from a residential zone \*Note the Commission may reduce this setback by Special Exception to not less than 50 feet. (Effective 8-22-02)

Side Yard Setback: 25 ft. or 75 ft. if adjacent to or across the street from a residential zone \*Note the Commission may reduce this setback by Special Exception to not less than 50 feet. (Effective 8-22-02)

Rear Yard Setback: 50 ft. or 75 ft. if adjacent to or across the street from a residential zone \*Note the Commission may reduce this setback by Special Exception to not less than 50 feet. (Effective 8-22-02)

Maximum Height: 60 ft.

Maximum Impervious Surface Ratio: 0.65

#### **4.15 INCENTIVE HOUSING OVERLAY ZONE (IH) (EFF. 1/31/11)**

##### **4.15.1 Purpose.**

- A. The Incentive Housing Overlay Zone (IH) is adopted pursuant to the authority of Connecticut General Statutes Chapter 124b. Its purpose is to encourage affordable housing in both residential and business districts that have the transportation connections, nearby access to amenities and services, and infrastructure necessary to support concentrations of development.
- B. The IH seeks to avoid sprawl and traffic congestion by encouraging a more vibrant residential component to business or mixed use areas to sustain a lifestyle in which residents can walk or use public transportation to reach jobs, services, and recreational or cultural opportunities.
- C. It is a further purpose that the IH enable development and reuse of existing, historic or underutilized buildings or properties in Torrington that may otherwise be lost to progress.

##### **4.15.2 General Requirements.**

- A. Any such zone shall be in compliance with the locational requirements of Connecticut General Statutes Chapter 1245b.
- B. Subzones.

1. The Commission may designate subzones within an overall IH in which different types of uses may be permitted, as in the case of a mixed-use incentive housing development.
2. Each IH may consist of one or more subzones, which may overlay each other as well as the underlying district. Within any IH, there may be any or all of three (3) subzones, designated as:
  - a. Townhouse TH Subzone,
  - b. Multi-family MF Subzone, or
  - c. Mixed-use MU Subzone.

**4.15.3 Bulk Requirements**

- A. The following Bulk Requirements shall apply when an IHZ project is proposed. The requirements in the Underlying Zone (UZ) remain in effect when noted UZ.

SUBZONE	MAXIMUM			
	IMPERVIOUS SURFACE RATIO	BUILDING COVERAGE RATIO	DENISTY (UNITS PER ACRE)	HEIGHT
IH-TH	UZ	UZ	15	UZ
IH-MF	UZ +10%	UZ	30	UZ
IH-MU	UZ +5%	UZ +10%	40	UZ

**NOTES:**

1. The Minimum density may be reduced to 15 units per acre for portions of the site developed as Townhouse units.
- B. Density.
1. Density is calculated by the number of units allowed per area.
  2. Where an incentive housing development contains a mix of the above dwelling types, the land occupied by non-residential uses will be included in the residential density calculation. The residential densities will be calculated by apportioning the total acreage of the incentive housing development in the same proportion that each type of housing bears to the total number of dwelling units.

3. For any incentive housing development to be developed in phases each phase will comply with the minimum residential densities and the incentive housing restrictions set forth in this section.
- ~~4.~~ Public Applicant. In the case of an incentive housing development proposed by a public applicant, the residential densities will be in accordance with a waiver as may be granted by the Secretary of the Office of Policy and Management in accordance with Connecticut General Statutes Section 8-13n(b)(3).
- ~~5.~~ Maximum units-per-acre density requirements do not apply to projects for parcels in an underlying DD-Downtown District

C. Buffers.

1. From Rear Property Line.
  - a. Where the underlying district is a residential district, no less than ten (10) feet.
  - b. Where the underlying district is business or industrial district, in accordance with the underlying district.
  - c. For non-residential uses, in accordance with the underlying district.
2. From Other Property Line.
  - a. Where the underlying district is a residential district, no less than ten (10) feet.
  - b. Where the underlying district is a business or industrial district, in accordance with the underlying district.
3. For non-resident uses, in accordance with the underlying district.

D. Minor Accessory Buildings or Structures.

- a. For residential uses, same as for principal buildings or structures, above.
- b. For non-residential uses, in accordance with the underlying district.

#### 4.15.4 Principal Uses and Activities.

- A. Prior to the approval of any application for Certificate of Zoning Compliance for any Incentive Housing Development that includes any principal or accessory use permitted under this Section; a Site Plan will be submitted to and approved by the Commission in accordance with **Section 8.4**. In considering an incentive housing development, the Commission will find that any application for an incentive housing development will comply with the provisions of this Section, as well as the Site Plan Objectives and, for uses requiring a Special Exception, the General Standards for Special Exception Uses in **Section 8.2**.
- B. Any principal use as permitted in the underlying district and subject to the requirements and approval procedures as may be applicable to the uses. When proposed in conjunction with an Incentive Housing Overlay Zone use, the following modifications to the underlying zone shall apply:

HOUSING TYPES	IH-TH	IH-MF	IH-MU
1.10 Single Family, Detached	N	N	N
1.15 Affordable Housing, Single Family Detached	N	N	N
1.20 Two Family	N	N	N
1.25 Primary Residence plus Accessory Apartment	N	N	N
1.27 Three Family Residence	N	N	N
1.28 Townhouse (NEW)	P	P	P
1.30 Multi-Family Residence	N	P	P
1.31 Residential Use and Dormitory Use for Educational programs, 2 <sup>nd</sup> and 3 <sup>rd</sup> floors	N	N	P
1.35 Active Adult Housing	N	N	N
1.39 Affordable Housing Multi-family Residence	N	N	N
1.40 Nursing Home	SE	SE	SE
1.50 Congregate Care Facilities	SE	SE	SE
1.55 Elderly Retirement Housing & Assisted Living	N	N	N

N = Not Permitted  
P = Permitted  
SE = Special Exception required

BUSINESS USES	IH-TH	IH-MF	IH-MU
3.12 Retail stores with Drive Through Windows	N	N	SE
4.15 Banks with Drive-In Windows	N	N	SE
8.10 Motor Vehicle Sales or Rental; Mobile Homes Sales or Rental	N	N	N
8.20 Service & Sales with Installation of Motor Vehicle Parts or Accessories (e.g. tires, mufflers)	N	N	N
8.30 Motor Vehicle Repair or Service	N	N	N
8.40 Sales of Gasoline	N	N	N
8.50 Car Wash	N	N	N
8.60 Motor Vehicle Painting & Body work	N	N	N
11.00 Junk Yard, Scrap Materials Salvage Yards, Recycling Center and Automobile Graveyards	N	N	N
13.00 Excavating, Mining & Quarrying	N	N	N
19.00 Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning or Assembling of Goods, Merchandise or Equipments	N	N	N

N = Not Permitted  
P = Permitted  
SE = Special Exception required

C. Mixed Uses.

1. For any incentive housing development in a mixed-use subzone, the Commission may allow by Special Exception the inclusion of uses otherwise permitted by Site Plan or Special Exception in the underlying district provided that the minimum residential densities are met for the total incentive housing development.

2. In any mixed-use incentive housing development, at least 50 percent of the gross floor area of the first story will be non-residential uses. Bulk requirements for stand-alone non-residential uses in an incentive housing development will be in accordance with the requirements of the underlying district.
- D. **Special Exceptions.**  
Prior to the approval of any application for Certificate of Zoning Compliance for any incentive housing development that includes any principal or accessory use permitted by Special Exception under this Section, an application for Special Exception use, including a Site Plan, will be submitted to and approved by the Commission.

#### **4.15.5 Accessory Uses.**

Any accessory use as permitted in the underlying district and subject to the requirements and approval procedures as may be applicable to the uses.

#### **4.15.6 Incentive Housing Restriction.**

- A. For an incentive housing development proposed by a private applicant at least 20 percent of the dwelling units will be rented or conveyed subject to an incentive housing restriction requiring that, for at least 30 years after the initial occupancy of the development, the dwelling units will be sold or rented at, or below, prices that will preserve the units as housing for which persons pay 30 percent or less of their annual income, where the income is less than or equal to 80 percent or less of the median income. In determining compliance with this paragraph, the Commission will utilize regulations or guidelines published by the Connecticut Office of Policy and Management, or any other successor agency designated in accordance with Connecticut General Statutes Sections 8-13m to 8-13x.
- B. **Public Applicant for Incentive Housing Development.** For an incentive housing development proposed by a public applicant, 100 percent of the dwelling units will be rented or conveyed subject to an incentive housing restriction requiring that for at least 30 years after the initial occupancy of the development, the dwelling units may be sold or rented at, or below, prices that will preserve the units as housing for which persons pay 30 percent or less of their annual income, where the income is less than or equal to 80 percent or less of the median income. In determining compliance with this paragraph, the Commission will utilize regulations or guidelines published by the Connecticut Office of Policy and Management or any other successor agency designated in accordance with Connecticut General Statutes Sections 8-13m. to 8-13x.

#### **4.15.7 Submission of Affordability Plan.**

Each applicant for an incentive housing development will provide an affordability plan that will detail the administration, monitoring and enforcement of the dwelling units to be sold or rented at below-market rates as described above. The plan will include proposed deed restrictions or covenants, lease agreements, common interest ownership documents, bylaws, rules and regulations, sample income calculations, and any other information as



**Section 6.0 SPECIAL EXCEPTIONS**

**6.1 Affordable Housing**

**6.1.1 Affordable Housing Special Exception Requirements**

- A. For each dwelling unit or lot proposed in excess of the number of units or lots permitted by the applicable density limit, the applicant shall construct a unit of affordable housing.
- B. In multi-family residence projects, the maximum density including the density bonus and the affordable units shall be as follows.

R-6	18 units per acre
R-10	10 units per acre
R-15	8 units per acre
R-25	6 units per acre
L.B.	10 units per acre
D.D.	<del>18 units per acre</del> <u>No maximum density</u>

- C. In subdivisions, the applicant shall be required to cluster the lots as provided for in **Section 5.6**. The maximum density including the density bonus and the affordable units shall not exceed 15% of the applicable density limit.
- D. The affordable housing units shall be of comparable quality to the other units in the project.
- E. The affordable housing units shall be evenly distributed throughout the project.
- F. In the case of subdivisions, the affordable units must be on lots that are of comparable size and quality as the other lots in the subdivision.
- G. The affordable housing units approved by the special exception shall be offered for sale, rent, lease, or conversion to common interest ownership only to households having income less than or equal to 80% of the area median income for the City as determined by the United States Department of Housing and Urban Development.
- H. The affordable housing units approved by special exception shall not be sold, resold, rented, or converted to common interest ownership and subsequently sold for a price which exceeds the amount specified for such unit in the contract between the City and the developer.
- I. Affordable housing units approved by special exception shall be conveyed by deeds containing covenants incorporating the terms and conditions contained in the contract between the City of Torrington and the applicant. The covenants shall be enforceable by the City until released by the City. Such deed restrictions shall be in effect for each unit for no less than thirty years from the date of issuance of the certificate of occupancy.
- J. Affordable housing developments in the D.D. zone shall comply with section 6.8.17 of the regulations.

### 6.1.2 **Application**

In addition to any other requirements, the applicant shall provide along with the special exception application the following information:

- A. the density limit for the parcel;
- B. the number and location of the affordable units;
- C. the sales prices or rents of all units;
- D. the total number of units or lots to be developed;
- E. a description of the units types including the square footage and the number of bedrooms;
- F. a schedule for the completion of the units;
- G. a contract between the City and the applicant which includes:
  - 1. the terms of the special exception;
  - 2. establishment of maximum income for occupants of the affordable housing;
  - 3. provision for reasonable periodic increases of the specified income, sale price, or rent;
  - 4. covenants in favor of the City or an appropriate non-profit agency;

### 6.1.3 **Additional Considerations for Affordable Housing Special Exception**

In addition to the other factors pertaining to special exceptions as described in Section 8, the Commission shall consider the following:

- A. the need for the project as determined by the percentage of the City's housing that is:
  - 1. government assisted (including Connecticut Housing Financing Authority financed mortgages); or
  - 2. housing subject to deeds containing covenants or restrictions which require that such housing be sold or rented at, or below, prices which will preserve the units as affordable housing;
- B. the provision of unit types to meet identified needs;
- C. the percentage of affordable housing units to be built;
- D. the covenants and restrictions that are meant to assure the long term affordability of the housing units;
- E. the number of years that the units will remain affordable;
- F. the schedule for completion of the affordable units;
- G. the contract terms between the developer of the affordable units and the City; and
- H. the quality of the plan for the development of the site.

- the operation of the park.
- S. Parks shall contain a minimum of 150 square feet of common recreation area per home site. The maximum slope of the recreation area shall be 2.5%. The recreation area shall be a cleared, open grassed area. Play equipment, basketball courts, tennis courts, pools, community buildings and other recreational facilities may be placed in the recreation area.
  - T. The owner of the park shall be responsible for maintaining in good repair all interior roads, lawns, utilities, refuse collection, recreation areas and structures in the park.
  - U. Accessory uses and accessory structures may be allowed provided they are for the exclusive use of the occupants of the park. Such accessory uses and accessory structures include, but are not limited to, the following:
    1. park offices;
    2. maintenance structures;
    3. restaurant;
    4. retail store;
    5. laundry facilities;
    6. bathroom facilities;
    7. recreational facilities; and
    8. Park Model RVs. (As defined in NFPA 1194 and certified by manufacturer to be in compliance with ANSI A119.5)
  - V. Up to 25% of the home sites in a recreational vehicle park, or in a phase of a recreational vehicle park, may be designated as tent sites. Such sites shall not be subject to the provisions of Sections 6.7.3.H, 6.7.3.M, and 6.7.3.O. Sanitary facilities and water supplies shall be provided for such sites in accordance with the health code requirements of the State and the Torrington Area Health District. Tent sites shall be designated as such on the plans required for special exception and site plan applications.

## 6.8 Multi-Family Residences

6.8.1 The building of multi-family residences in R-6, R-10, R-15, R-25, R-40, L.B. and D.D. zones is permitted only by Special Exception. ~~The Torrington Design Guidelines for Downtown Historic District provide guidance for new construction and additions to existing buildings in the D.D. Zones. Infill development should match or complement the density, height, scale and character of the existing buildings in the downtown core blocks.~~ Sections 6.8.2 and 6.8.3 do not apply to multi-family residences in a Restricted Residential District. *(revised 6-19-19)*

~~Sections 6.8.2 and 6.8.3 do not apply to multi-family residences in a Restricted Residential District.~~

### 6.8.2 Density

- A. The maximum number of dwelling units per net acre is as follows:

R-6:	15 units per net acre
R-10:	8 units per net acre
R-15:	6 units per net acre
R-25:	4 units per net acre
R-40:	2 units per net acre
L.B.:	8 units per net acre
D.D.:	<u>No maximum density</u> <del>20 units per net acre</del> (revised 6-19-19)

- B. The net acreage is computed by subtracting from the gross area of the site:
1. 50% of the area with soils classified as inland wetland type soils;
  2. 50% of the area with naturally occurring slopes greater than 25%;
  3. except in D.D. districts, 100% of the area used for non-residential purposes; and
  4. 100% of the area used for existing utility easements.

### 6.8.3 Minimum Gross Area

The minimum gross area shall be as follows:

R-6:	9,000 feet square
R-10:	5 acres
R-15:	8 acres
R-25:	8 acres
R-40:	8 acres
L.B.:	3 acres
D.D.:	6,000 square feet (revised 6-19-19)

### 6.8.4 Lot Width

The minimum lot width shall be as follows:

R-6:	90 feet
R-10:	160 feet
R-15:	200 feet
R-25:	400 feet
R-40:	500 feet
L.B.:	160 feet
D.D.:	no minimum (revised 6-19-19)
RRC:	160 feet

### 6.8.5 Front Yard Setback

The minimum front yard setback shall be as follows:

R-6:	25 feet
R-10:	40 feet
R-15:	50 feet
R-25:	75 feet
R-40:	100 feet
L.B.:	25 feet

D.D.:	no minimum – maximum front yard setback 5 feet	<i>(revised 6-19-19)</i>
RRC:	75 feet	

**6.8.6 Side and Rear Yard Setback**

The minimum setbacks from all property boundaries except the boundary fronting on a public street (e.g. front yard setback) shall be as follows:

R-6:	30 feet
R-10:	50 feet
R-15:	50 feet
R-25:	75 feet
R-40:	100 feet
L.B.:	30 feet
D.D.:	no minimum – 20 feet only if adjacent to a residential ZONE <i>(revised 6-19-19)</i>
RRC:	50 feet

**6.8.7 Building Height**

The maximum building height shall be as follows:

R-6:	45 feet
R-10:	35 feet
R-15:	35 feet
R-25:	35 feet
R-40:	40 feet
L.B.:	35 feet
D.D.:	60 feet <i>(revised 6-19-19)</i>
RRC:	35 feet

**6.8.8 Building Separation**

The distance between the exterior walls of any two buildings shall be a minimum of 20 feet except in the D.D. District. *(revised 6-19-19)*

**6.8.9 Building Length**

The maximum building length shall be 150 feet. (Rev. 7/23/03)

**6.8.10 Buffers**

- A. In all districts except the R-6 and the D.D. districts a landscaped buffer at least twenty five feet wide shall be provided along the entire perimeter of the property. In the R-6 district a landscaped buffer at least 15 feet wide shall be provided along the entire perimeter of the property. There shall be no parking spaces, aisles, buildings, dumpsters, or other structures or fixtures within this buffer area. Driveways and sidewalks needed to access the property shall be approximately perpendicular to the buffer.
- B. Within this buffer, there shall be planted a minimum of one deciduous tree, minimum caliper of 2.5 inches, or one non-deciduous tree, minimum height of 6 feet, and five shrubs, minimum height of 24 inches, for every forty feet of perimeter. The trees shall be planted at least thirty feet apart

but no more than fifty feet apart. Existing vegetation may be used to satisfy this requirement provided there are the same number of trees as would be required with new plantings. Trees meeting the minimum size requirements may be planted to augment existing vegetation.

#### 6.8.11 Sidewalks

A system of paved sidewalks at least four feet wide shall be provided to allow for access from all residential buildings to a public street.

#### 6.8.12 Recreation Area

- A. In all districts except in R-6 and D.D., a minimum of 300 square feet of common recreational area shall be provided per dwelling unit. This requirement shall not apply to projects with less than five dwelling units.
- B. The maximum slope of the recreation area shall be 2.5%. The recreation area shall be a cleared, open grassed area. Play equipment, basketball courts, tennis courts, pools, community buildings and other recreational facilities may be placed in the recreation area. The recreation area does not have to be contiguous provided that:
  - 1. no individual recreation area is less than 40% of the required total recreation area; and
  - 2. the dimensions of each recreation area are not less than a 50 foot by 40 foot rectangle.
- C. The recreation area cannot be placed within the buffer area. Areas used for storm water detention or retention cannot be used to meet this requirement. Areas with inland wetland soils cannot be used to meet this requirement. Areas with existing utility easements cannot be used to meet this requirement.

#### 6.8.13 Lighting

Outdoor lighting shall conform to **Section 5.17** –Lighting Regulations. *(revised 6-19-19)*

#### 6.8.14 Parking

Parking spaces shall be no more than 100 feet from the entrance to the dwelling units that are to be served with exception of multi-family dwellings in the D.D. District. *(revised 6-19-19)*

#### 6.8.15 Dumpsters

Dumpsters must be screened from view on at least three sides by an opaque fence at least 5 foot high or by non-deciduous shrubs or trees. The trees or shrubs must be at least three feet high and planted no more than 5 feet off center.

#### 6.8.16 Landscaping

- A. Except in R-6 and D.D. districts, at least two trees and five shrubs per dwelling unit must be planted within 50 feet of the exterior wall of each dwelling unit. Deciduous trees must be at least 2.5 inches in caliper;

non-deciduous trees must be at least 6 feet high; shrubs must be at least 18 inches high.

- B. Existing vegetation at a ratio of fifty square feet of existing vegetation per tree and fifty square feet per five shrubs may be used to meet the requirement in Section A above. The existing vegetation must have the same number of trees as would be required with new plantings. Trees meeting the minimum size requirements may be planted to augment existing vegetation.
- C. Trees and shrubs used to meet the landscaping requirements in the twenty-five foot buffer area or the landscaping requirements of the parking regulations cannot be used to meet this requirement.

#### **6.8.17 Downtown District Mixed Use**

For all multi-family residential projects in the D.D. zone:

- A. Only non-residential uses shall be allowed on the ground floor. The commission may, by special exception, waive this requirement for:
  - a. Up to 50% of the street frontage ground floor space for affordable housing or incentive housing developments. Such ground floor residential uses shall be served by a common entrance in the front of the building.
  - b. Residential units in the rear of a building not directly fronting a public way, street, or park.
- B. Residential units shall be a minimum of 400 square feet in area.
- C. The Torrington Design Guidelines for Downtown Historic District provide guidance for new construction and additions to existing buildings in the D.D. Zones. Infill development should match or complement the density, height, scale and character of the existing buildings in the downtown core blocks.
- D. Adaptive re-use of existing buildings for multi-family mixed use in the D.D. zone that does not include new construction or ground floor residential units may be approved as an as-of right use by site plan.

#### **6.9 Adult Day Care Center (Rev. 12/19/98)**

Adult Day Care Centers requiring a special exception shall conform to all of the following requirements.

- 6.9.1 The minimum lot size shall be 30,000 square feet.
- 6.9.2 There shall be a minimum of 500 square feet of lot area per individual for the first sixty individuals plus 200 square feet of lot area per individual for each additional individual.
- 6.9.3 There shall be a buffer of at least ten feet along the rear and side property lines. This buffer area must be planted with non-deciduous trees, minimum height of